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## The Creation of the Edo Outcaste Order

*Abstract:* During the Tokugawa period (1603–1868) severe sanctions against those usually known as *kawata* (derogatorily labeled *eta* by others) and those labeled *hinin* (literally “nonhuman”) were codified in law and backed by state force. This article, focusing on the city of Edo, traces the political and social processes that led to the creation of an outcaste order in Japan. It argues that even though ideologies of “pollution” and “impurity” may have played a role in determining who was targeted for discrimination, the production of a system of prejudice and intolerance was chiefly the result of deliberate political and economic policies of the ruling class.

Throughout history, Japanese society has defined certain types of people or occupations as “low,” “defiled,” or as existing somehow outside society and below the majority. “Polluted” or “base” groups or occupations have been designated according to a large number of overlapping, historically variable, and sometimes conflicting criteria. At certain times and places, distinctions were made in a loose, informal, or piecemeal fashion; in other instances, discrimination was codified and backed by state force, producing rigid, caste-like categories. Religious concepts and motivations, especially those determining “defiling” or “polluting” activities, often played an important role in defining or justifying who was placed on the bottom rung of the social ladder. But as Herman Ooms, echoing the conclusions of a generation of Japanese scholars, warns, the function of pollution cannot be essentialized and granted final explanatory value. Instead, he correctly argues, it must be historicized to determine how, where, and when it was used or rejected.<sup>1</sup> To discover why certain people were deemed “vile,” “con-

1. Herman Ooms, *Tokugawa Village Practice: Class, Status, Power, Law* (Berkeley: University of California Press, 1996), p. 275. In Tokugawa Japan, for example, carrying out funerals, killing animals (including four-legged ones), or handling night soil were typical activities of Buddhist monks, hunter-peasants, and members of the merchant class respectively, none of whom was considered polluted.

taminated,” “outside” society, or even “nonhuman” requires one first to look to historically changing political, economic, and sociocultural forces, rather than to hygiene, supposed binary structures in the “Japanese mind,” or the eternal verities of Buddhist or Shintō doctrine. Attempting to derive the Tokugawa-period outcaste order directly from concepts of “pollution” is no more legitimate than deducing the Inquisition from the Christian concept of sin or the gulag from the labor theory of value.

In this study I shall focus on two interrelated processes: the production of the outcaste order in the city of Edo, the capital of the nation; and the nature and effect of the institutions that emerged from this effort.<sup>2</sup> The geographical limitation I have chosen—the situation in the city of Edo—simultaneously implies a historical one, beginning from around 1590, when Tokugawa Ieyasu established his political center in this town, to roughly 1868, when the upheavals of the Meiji Restoration dramatically reshaped the city and its society. Although far more outcastes resided and worked in western Japan than in Edo—a fact in itself already demonstrating the inadequacy of any theory deriving status from generalized appeals to pollution, religion, or other ahistorically posited structures—the capital provides an important and relatively well-documented example of forces that led to the placement of certain people “outside” and below “majority society.”

### *The Medieval Legacy*

Discriminatory practices and concepts in the medieval era were closely linked to highly heterogeneous attributes of those targeted: economic and political position, location within the division of labor, age, gender, and relationship *vis-à-vis* institutions of control and oppression. Moreover, ancient taboos on disease, the taking of life, and handling the dead all played a large role in determining who was targeted for discrimination.<sup>3</sup> The complica-

2. In reference to Japanese medieval society I have utilized the term “outcast”; the label “outcaste” I have reserved for the Tokugawa period, particularly after the 1730s, when state-sponsored and codified discrimination endowed certain groups with caste-like qualities (though Tokugawa society was not a caste society). These included membership determined by birth, difficulty or impossibility of escape, and reinforcement of discrimination by appeals to religious or quasi-religious taboos regarding pollution attached to an individual beyond occupation. The addition of the inaudible grapheme “e” signals that even though the people concerned may not have differed from their medieval forebears in physical appearance or occupation, they now found themselves in a structurally new position, far more inflexibly demarcated than what had been the case in earlier ages. The term “commoner” I use to refer to those who were not of warrior, aristocratic, clerical, or outcaste status, i.e., mainly peasants, merchants, and artisans.

3. Scholars have argued for decades whether the origins of discriminated groups are located in status, occupation, domicile, social relations, or elsewhere. For a brief and lucid exposition of these issues see Teraki Nobuaki, *Kinsei mibun to hisabetsumin no shosō: “bura-kushi no minaoshi” no tojō kara* (Osaka: Kaihō Shuppansha, 2000), pp. 3–43. Japanese

tions of terminology for naming, describing, and stigmatizing medieval people who thrived on the fringes of “majority society” reflect the complexity of social practice. One appellation often recorded in contemporaneous documents is *hinin* (literally “nonhuman”), originally a Buddhist expression. *Hinin* included a large and varied assortment of humanity. Some *hinin*, probably a small minority, were convicted criminals; others were physically disabled, blind, or suffering from leprosy, and abandoned by their families; yet others were penurious vagrants, street performers, holy practitioners or ascetics, and certain types of artisans. *Hinin* tended to live in specific areas of medieval cities. Of the 2,027 *hinin* listed in a Kyoto register of 1304, some 1,000 resided at Kiyomizu-saka<sup>4</sup>; in Nara many *hinin* dwelled at Hannya-zaka; still others congregated or worked at temples, riverbeds, and elsewhere, both in urban and rural areas, either individually or in groups. Many such people had arrived in cities after finding their possessions and property confiscated in their home provinces because they had been unable to pay taxes; others had been the victims of natural disasters.

Characterizing the status of medieval *hinin* remains a highly contentious undertaking. Kuroda Toshio has argued that medieval *hinin* were accorded a “status beyond status” resulting from a combination of factors involving the dynamics of local communities, division of labor, class relations, and state power. Amino Yoshihiko, on the other hand, has argued that *hinin* were more of an occupational than a status group and that Kuroda’s view effectively prevents a proper understanding of the social situation and function of medieval *hinin*.<sup>5</sup> In recent years other scholars have challenged and refined both positions, but little doubt remains that the nature of *hinin* changed considerably during the course of the medieval era. At least by the end of

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research on medieval outcasts has burgeoned in recent years and cannot be summarized here. For a useful listing of important contributions up to around 1980, see Amino Yoshihiko, *Chūsei no hinin to yūjo* (Tokyo: Akashi Shoten, 1994), pp. 25–30. Research from the 1980s to the early 1990s is summarized in Hosokawa Ryōichi, *Chūsei no mibunsei to hinin* (Tokyo: Nihon Editaa Sukūru Shuppanbu, 1994), pp. 3–54, 82–85. Important recent book-length contributions include Miura Keiichi, *Nihon chūsei senmin-shi no kenkyū* (Kyoto: Buraku Mondai Kenkyūjo Shuppanbu, 1990, but consisting of earlier studies published separately), Niunoya Tetsuichi, *Nihon chūsei no mibun to shakai* (Tokyo: Hanawa Shobō, 1993), and Matsuo Kenji, *Chūsei no toshi to hinin* (Kyoto: Hōzōkan, 1998). In English, Nagahara Keiji, “The Medieval Origins of the *Eta-Hinin*,” *Journal of Japanese Studies*, Vol. 5, No. 2 (1979), pp. 385–403, remains an important starting point. Ninomiya Shigeaki’s oft cited “An Inquiry Concerning the Origin, Development, and Present Situation of the *Eta* in Relation to the History of Social Classes in Japan,” *Transactions of the Asiatic Society of Japan*, Vol. 10 (1933), pp. 47–154, contains some useful information but must be used with caution.

4. Niunoya Tetsuichi, “Hinin, kawaramono, sanjo,” in *Iwanami kōza: Nihon tsūshi*, Vol. 8 (Tokyo: Iwanami Shoten, 1994), pp. 217–18.

5. Kuroda Toshio, *Nihon chūsei no kokka to shūkyō* (Tokyo: Iwanami Shoten, 1975), pp. 377–90; Amino, *Chūsei no hinin to yūjo*, pp. 34–39.

the period, and in many instances far earlier, certain types of *hinin* were regularly subject to considerable discrimination by “majority society.” *Hinin* were commonly mentioned together with beggars (*kojiki*); both were generally disdained by those asked to provide alms. *Hinin* such as lepers and those working in occupations involving sanitation (*kiyome*) were also usually considered lowly and defiled; those serving as executioners or involved with butchering animals, preparing hides, or burying the dead could count with near certainty on discrimination. Nevertheless, *hinin* status was not simply hereditary or determined by law, nor was it linked to “pollution” aside from occupation, or from the disease from which a *hinin* was suffering.<sup>6</sup>

Although medieval *hinin* sometimes skinned and disposed of carcasses, buried the dead, or offered performances of popular arts, begging was perhaps the most common *hinin* occupation and poverty the most common *hinin* trait. Even the Jesuits’ dictionary of 1603 defines “finin” (*hinin*) simply as “poor people” (*madoxij fito: mazushii hito*); nothing is said about “finin” being defiled.<sup>7</sup> *Bakufu* officials in the early seventeenth century continued to be vague about the difference of *hinin* and beggars: some laws were directed at both, others at beggars alone. Although both beggars and *hinin* were often scorned, as the impoverished tend to be nearly everywhere, it was not until the early eighteenth century that *hinin* would be placed firmly in an order that relegated them to a position “outside” and below commoner society.

Another type of discriminated individual commonly encountered in medieval sources, particularly during the Muromachi period, is the “riverbed person” (*kawaramono* or *kawara no mono*). On the surface, this designation appears to refer only to geography, but since “riverbed people” sometimes engaged in professions requiring access to abundant water, in particular butchering and leather production, geography was easily linked to vocation and in turn to economics. Moreover, since the riverbed was usually untaxed, *kawaramono* tended to enjoy only limited rights, even after the category “riverbed person” had become dissociated from actual domicile location. Medieval religious concepts of pollution ensured that certain “riverbed people,” particularly those who worked with animal hides (occupations

6. Several good examples of attitudes toward *hinin* and beggars are provided in Yokoi Kiyoshi, *Chūsei minshū no seikatsu bunka* (Tokyo: Tōkyō Daigaku Shuppankai, 1975), pp. 225–31. The literature on “pollution” is immense. Particularly useful discussions of medieval forms can be found in Yokoi, *Chūsei no minshū no seikatsu bunka*, pp. 267–94; Ōyama Kyōhei, *Nihon chūsei nōson-shi no kenkyū* (Tokyo: Iwanami Shoten, 1978), pp. 390–403; Yokoi Kiyoshi, *Mato to ena: chūseijin no sei to shi* (Tokyo: Heibonsha, 1988); Yamamoto Kōji, *Kegare to ōharai* (Tokyo: Heibonsha, 1992); and Itō Kiyoshi, *Nihon chūsei no ōken to ken’i* (Kyoto: Shibunkaku, 1993), pp. 93–127.

7. *Vocabulario da Lingoa de Iapam*, Nagasaki, 1603 (facsimile reprint, *Nippo jisho* [Tokyo: Benseisha, 1973], f. 91r.)

known as *kawata* or *kawaya*) or functioned as executioners, presented easy targets for discrimination. Yet *kawaramono* also included dyers, garden builders, makers of straw sandals, and countless others who had nothing to do with death. Some *kawaramono* were proud that they strictly followed Buddhist precepts banning the taking of life or eating of meat; others even worked at Shintō shrines, where “pollution” was feared more than anything else.<sup>8</sup>

*Hinin* and *kawaramono* were not clearly differentiated in medieval writings; nor were these two groups always separated legally, politically, or ideologically from residents of *sanjo* (“scattered” or marginal areas) or from a number of other types whose names vary according to the times and local practices.<sup>9</sup> That at least some outcasts were subject to gradually escalating amounts of discrimination is suggested by the use of the term “eta” (sometimes [*y]etta*, or *enta*), which especially after the fifteenth century was commonly written with the characters “much pollution,” and which functioned as a particularly insulting epithet applied mainly to *kawaramono*.<sup>10</sup> By 1657, even the Tokugawa *bakufu* was using the term “eta” in laws. From the mid-eighteenth century the use of “eta” (usually written with the ideographs “much pollution”) in official records was the rule, even though those concerned continued to refer to themselves as *kawata* or, less frequently, as *chōri*.<sup>11</sup>

8. Yoshida Tokuo, “Chūsei no shokue seisaku,” *Kansai Daigaku hōgaku ronshū*, Vol. 40, No. 6 (1991), pp. 950–51.

9. For a discussion of medieval discriminatory terms, see Morita Yoshinori, *Chūsei senmin to zōgeinō no kenkyū* (Tokyo: Yūzankaku, 1974), pp. 11–80. A brief discussion of discriminated minority groups in Tokugawa Japan, some of which have existed for centuries, can be found in Edward Norbeck, “Little-Known Minority Groups of Japan,” in George DeVos and Hiroshi Wagatsuma, eds., *Japan's Invisible Race: Caste in Culture and Personality* (Berkeley: University of California Press, 1966), pp. 183–99.

10. On the origins and early history of the term “eta,” see Morita, *Chūsei senmin to zōgeinō no kenkyū*, pp. 36–64. For examples in which *kawaramono* and others are labeled *eta* (in some cases written with the characters “much pollution”) from the late thirteenth century, see *ibid.*, pp. 50–53, and Yokoi, *Chūsei minshū no seikatsu bunka*, pp. 231–34. Ooms’s repeated assertion that it was not until 1446 (or the 1450s) that *eta* was written with the characters “much pollution” (Ooms, *Tokugawa Village Practice*, pp. 247, 278, 304) is incorrect.

11. For an early *bakufu* law, see *Ofuregaki Kanpō shūsei* (Tokyo: Iwanami Shoten, 1976), p. 1258 (no. 2755). On the use of the term *eta*, see Minegishi Kentarō, “Bakuhansei-teki senmin mibun no seiritsu, jō,” *Rekishi hyōron*, Vol. 307 (1975), p. 92, and *ibid.*, “Bakuhansei-teki senmin mibun no seiritsu, kan,” *Rekishi hyōron*, Vol. 309 (1975), pp. 63–64; Tsukada Masatomo, “Shinshū ni okeru kinsei ‘buraku’ no sui,” *Buraku mondai kenkyū*, Vol. 26 (1970), pp. 22–30; Tsukada Takashi, *Kinsei Nihon mibun-sei no kenkyū* (Kobe: Hyōgo Buraku Mondai Kenkyūjo, 1987) (hereafter *KNMK*), p. 14. Self-reference as *eta* in documents or petitions submitted to governmental authorities was no doubt the result of duress. See, for example, Kobayashi Shigeru, ed., *Kinsei hisabetsu buraku kankei hōrei-shū: Tenryō o chūshin to shite* (Tokyo: Akashi Shoten, 1981), pp. 159–60 (hereafter *KHBKHS*). The term *chōri* referred to various types of people depending on historical usage, including the boss of leather workers, *kawata* in general, and *hinin*, or *hinin* heads (especially in the Kansai area).

The ever more common use of the expression “eta” after the sixteenth century parallels developments in political and economic practice that fostered an increasingly rigid and hierarchical social order. Nobunaga’s attempts to snuff out the rebellions of the Ikkō sect in the 1570s had already given rise to policies in which peasants and warrior/priests on the losing side received differential treatment,<sup>12</sup> but it was not until Hideyoshi’s national census registers of the 1580s and 1590s that a centralized government began to register and categorize people in a thorough and formal manner. Hideyoshi’s registries included categories such as *kawata*, *kawaya*, and *kawatsukuri* (“leather artisan”), terms that already appear to have referred to status rather than merely occupation. In registers from the Osaka area in 1594 one finds *kawata* used synonymously with *kawaramono*, again suggesting the existence of a discriminated status group associated with leather production.<sup>13</sup> Even if registration did not simply create status distinctions from scratch, it accelerated the process by which discriminated occupational designations were turned into hereditary status categories.

That Hideyoshi’s administration wished to solidify an easily manageable status-based social order was also made clear in 1591 with the issuance of the Edict Restricting Change of Status and Residence. This law, which disallowed those in military service (*hōkōnin*) from becoming peasants or townspeople (*chōnin*), was not quite the “freezing of the social order” it has often been supposed to be (*chōnin* or peasants, for example, were not prohibited from becoming low-ranking warriors), but its stipulations forbidding soldiers from absconding and peasants from abandoning their fields to become *chōnin* helped to define social categories in an ever more rigid manner.<sup>14</sup> The same was true of Tokugawa-period, *bakufu*-mandated registration requirements in which first Christians and then everyone else was ordered to register with a Buddhist temple.<sup>15</sup> During the seventeenth century, out-

12. The role of the Ikkō sect in the establishment of the outcaste order has been hotly debated in recent years. The creation of antagonistic status groups to divide and facilitate control of the populace may well have been in part motivated from the rulers’ desire to stifle the kind of populist solidarity that had made the Ikkō rebellions so difficult to quash. The connection is particularly interesting because most *kawata/eta* of the Tokugawa period belonged to the Jōdo Shinshū sect (i.e., the Ikkō sect). See Teraki Nobuaki, *Hisabetsu buraku no kigen: kinsei seiji kigensetsu no saisei* (Tokyo: Akashi Shoten, 1996), pp. 133–203.

13. See Yokota Fuyuhiko, “Kinseiteki mibun seido no seiritsu,” in Asao Naohiro, ed., *Mibun to kakushiki*, Vol. 7 of *Nihon no kinsei* (Tokyo: Chūō Kōronsha, 1992), pp. 46–49; Watanabe Hiroshi, “Kawara kara kawata e,” *Wakayama Daigaku Kyōiku Gakubu kiyō*, Vol. 23 (1973), p. 13; Ooms, *Tokugawa Village Practice*, pp. 279–83. Teraki Nobuaki, *Kinsei no buraku no seiritsu to tenkai* (Osaka: Kaihō Shuppan, 1986), pp. 86–111, and Teraki, *Hisabetsu buraku no kigen*, pp. 93–107, offer much evidence that during Hideyoshi’s reign *kawata* or *kawaya* was already a status designation, one later linked to the one labeled *eta*.

14. For an explanation of what the law sought to accomplish, see Yokota, “Kinseiteki mibun seido no seiritsu,” pp. 43–46.

15. See *ibid.*, pp. 55–71.

casts were beginning to be registered separately from commoners. In Osaka, for example, residents of one discriminated village were already recorded in a special “*eta* register” (*eta shūmon-chō*) by 1660.<sup>16</sup>

Economic factors during the late medieval period also contributed to discriminatory treatment, especially of those engaged in leather production. During the long era of civil wars, tanners and leather artisans had been in great demand by military houses, which purchased large quantities of bow strings, protective gear, saddles, and other accouterments the warrior needed for his bloody job. From the sixteenth century at the latest, influential warlords and powerful Buddhist temples sought to secure a steady flow of leather goods to their armies by awarding leather producers and leather artisans monopoly rights and privileges, including the rights to skin and dispose of all dead horses and cows in certain areas. Sometimes leather workers were also exempt from paying certain taxes.

Such duties and privileges, however, set apart the *kawata*, who already tended to be linked to discriminated types of *kawaramono* by the nature of their occupations, from the rest of the public.<sup>17</sup> Differences between *kawata* and “majority society” were fortified when leather workers were relocated to the outskirts of town, where they could more easily be supervised and exploited. Further distance between *kawata* and commoners was created when *kawata* were ordered to labor as prison guards or as executioners.<sup>18</sup> Although most *kawata* continued to farm, pay taxes in rice, and in some cases even maintain participatory rights in village affairs,<sup>19</sup> “majority society,” which had for centuries been fed on Buddhist notions regarding the sinful nature of butchering, Shintō taboos on death and pollution, and political ideologies in which the supposed “purity” of the imperial house was used to bolster the authority of military regimes, was only too happy to relegate the *kawata* to a position apart and below itself.

### *Danzaemon, Head of Kanto Outcastes*

By the late sixteenth century, Nobunaga and Hideyoshi’s regimes, centered in the Kinai region, had succeeded in laying the foundations for a system in which specific people or groups of people were charged with, and granted monopoly rights over, collecting and processing hides, and turning them into leather supplied to those in power. Some of the same people were

16. Ōsaka-shi Kyōiku Kenkyūjo, ed., *Ōsaka ni okeru kinsei hisabetsu buraku no rekishi* (Osaka: Buraku Kaihō Kenkyūjo, 1977), pp. 89, 115.

17. Tsukada, *KNMK*, pp. 47–56. In some instances, areas in which medieval *kawaramono* resided turned into Tokugawa-period *kawata/eta* communities, but in many more cases the latter communities cannot be traced directly to medieval ones.

18. Nagahara, “The Medieval Origins of the *Eta-Hinin*,” pp. 396–401. See also Ooms, *Tokugawa Village Practice*, pp. 279–81.

19. Minegishi, “Bakuhansei-teki senmin mibun no seiritsu, jō,” pp. 93–94.

also used to carry out executions and to serve as a police force. When the Tokugawa *bakufu* was founded in the city of Edo, warrior rulers began to devise an analogous system for the Kanto area. The order created was eventually headed by a man who called himself Danzaemon (or more pompously, Fujiwara Danzaemon Yorikane), the “head of the *eta* in the eight Kanto provinces.”<sup>20</sup>

Danzaemon, whose name was passed down for some 13 generations, emerged from what appears to have been a bitter struggle among bosses of leather workers in the Kanto area. According to “records of origins” (*yuishogaki*) that were submitted to the *bakufu* in 1725 and often cited to bolster Danzaemon’s legitimacy, Danzaemon’s ancestors had originally stemmed from the province of Settsu but had enjoyed a long association with the *chōri* of the Gokurakuji Temple in Kamakura (Sagami Province).<sup>21</sup> This in-

20. The eight provinces were Sagami (today Kanagawa Prefecture), Musashi (Saitama and Tokyo-to), Awa, Kazusa, Shimōsa (all Chiba), Hitachi (Ibaraki), Kōzuke (Gunma), and Shimotsuke (Tochigi). A 1715 document claims that Danzaemon also controlled some of the province of Izu (Minami Kazuo, *Bakumatsu Edo shakai no kenkyū* [Tokyo: Yoshikawa Kōbunkan, 1978] [hereafter *BESK*], p. 364); by 1800, his terrain had expanded to include 10 houses in Suruga, as well as 64 houses in one village in Izu, 28 houses in western Kai, and 6 houses in southern Mutsu (see *ibid.*, pp. 370–72, for detailed statistics on location and number of houses controlled). Nakao Kenji, *Edo shakai to Danzaemon* (Osaka: Kaihō Shuppansha, 1992) (hereafter *ESD*), pp. 118–22, lists 91 rural bosses. In an 1802 statement (John Henry Wigmore, ed., *Law and Justice in Tokugawa Japan* [Tokyo: University of Tokyo Press, 1967], Vol. 8B, p. 197), Danzaemon claims that besides the eight Kanto provinces he controlled the entire province of Izu, five villages in Kai Province, one in the Ōshū district, and two in Suruga Province. As late as 1867/7 a boss from Mikawa Province was newly put under Danzaemon’s control, suggesting that the latter’s power did not wane as the era came to its close (Nakao, *ESD*, p. 122). For many important primary sources on Danzaemon, see Nakao Kenji, ed., *Danzaemon kankei shiryō shū* (*Kyū-baku hikitsugi-sho*), 3 vols. (Osaka: Kaihō Shuppansha, 1995) (hereafter *DKSS*); and Shiomi Sen’ichirō, ed., *Shiryō Asakusa Danzaemon* (Tokyo: Hi-hyōsha, 1988). Useful studies include Ishii Ryōsuke, ed., *Kinsei Kantō no hisabetsu buraku* (Tokyo: Akashi Shoten, 1979); Danzaemon Kenkyūkai, ed., *Danzaemon Kenkyūkai hōkokushū* (Kobe: Danzaemon Kenkyūkai, 1990); Hayase Jirō, *Danzaemon fūun-roku*, 3 vols. (Osaka: Kaihō Shuppansha, 1991–92); and Nakao, *ESD*. In English, see John Price, “A History of the Outcaste: Untouchability in Japan,” in DeVos and Wagatsuma, *Japan’s Invisible Race*, pp. 28–29; John Cornell, “From Caste Patron to Entrepreneur and Political Ideologue: Transformation in 19th and 20th Century Outcaste Leadership Elites,” in Bernard S. Silberman and H. D. Harootunian, eds., *Modern Japanese Leadership: Transition and Change* (Tucson: University of Arizona Press, 1966), pp. 66–68; Emiko Ohnuki-Tierney, *The Monkey as Mirror: Symbolic Transformations in Japanese History and Ritual* (Princeton: Princeton University Press, 1987), p. 95; Ooms, *Tokugawa Village Practice*, p. 280.

21. Documents regarding Danzaemon’s origins include a version of his lineage and origins dated 1715 (reprinted in Nakao, ed., *DKSS*, Vol. 2, pp. 434–37); for another version see Harada Tomohiko, ed., *Hennen sabetsu shi shiryō shūsei*, 21 vols., (Tokyo: San’ichi Shobō, 1984–95) (hereafter *HSSSSS*), Vol. 8, pp. 161–65; one dated 1719 (reprinted in Kobayashi, ed., *KHBKHS*, pp. 27–31); and yet another from 1725 (reprinted in Nakao, ed., *DKSS*, Vol. 1, pp. 24–26). Tsukada Takashi has presented compelling evidence that the 1715 and 1719 versions were forgeries produced after the 1725 document. See Tsukada, *Kinsei mibun-sei to shūen shakai* (Tokyo: Tōkyō Daigaku Shuppankai, 1997), pp. 237–42.



stitution was related to the powerful Tsurugaoka Hachimangū Shrine, which in turn professed to have regulated all *chōri* in the area since the days of Minamoto no Yoritomo (1147–99). This assertion is hardly tenable, but a 1584 document indicating that leather from the temple was given as tribute to the Hōjō family suggests that the Hōjō *daimyō*, who controlled the region at the time, were using the temple and the *chōri* it controlled for the purpose of procuring leather goods.<sup>22</sup>

Whatever the situation may have been in earlier years, during the sixteenth century other bosses, including one named Tarōzaemon, also controlled much leather production in the Sagami area, even exercising judicial power over local bosses, including none other than the *chōri* Danzaemon. By reading between the lines of Danzaemon's "records of origins," one can deduce that Tarōzaemon owned a document in which the last Odawara Hōjō lord, Ujikatsu, granted him, and not Danzaemon, legitimacy, even if other records suggest that the *chōri* of the area did not always respect Tarōzaemon's rule either.<sup>23</sup> A 1596/3 document still refers to "leather workers of various areas and places," hinting that at this point Danzaemon was merely one boss among others. A few years later, however, Danzaemon was being charged with the responsibility of procuring leather from others in the Kanto area, though he may have been involved with transportation rather than production.<sup>24</sup>

Predictably enough, Danzaemon's "records of origins" tell a different story. According to these documents, on 1590/8/1 Danzaemon supposedly met Tokugawa Ieyasu and his men at Fuchū when the latter marched into Edo. It was at this time, states Danzaemon, that he was certified as the legitimate boss over leather producers in the area.<sup>25</sup> This assertion was no doubt a fabrication, but it is possible that the new Tokugawa regime wished to use Danzaemon to weaken or purge Tarōzaemon and the old Hōjō-backed order he represented. Whether Danzaemon's ancestors were once residents of Sagami or not, Danzaemon does appear to have resided in Edo from as early as the mid-sixteenth century. A copy of a record dated 1559/8/7 lists him as a *chōri* dismissed from his position, living at the home of a fellow *chōri* at Umayabashi, near Torigoe in the Asakusa area. How long he remained there is unclear, but an entry in the *Tenshō nikki* dated 1590/8/13 suggests that some *kawata/eta* did indeed reside at Torigoe during the late sixteenth century. According to this diary, on 8/1, when Ieyasu entered Edo, Hanasaki, the shogun's favorite horse, died and was turned over to "the *eta* of Torigoe," a group of people again professing a history dating back to

22. Nakao, *ESD*, p. 21.

23. See Nakao, ed., *DKSS*, Vol. 1, p. 27, and Tsukada, *KNMK*, pp. 15–16; for a discussion see Nakao, *ESD*, pp. 17–18, 25.

24. Nakao, *ESD*, pp. 48–53.

25. Nakao, ed., *DKSS*, Vol. 1, pp. 24–25.

Yoritomo. Other documents, including undated annotations in the *Tenshō nikki*, also place Danzaemon in the Torigoe area at an early age, though one also reads that he moved there only after Ieyasu's arrival (he may have previously been located at Nihonbashi Murochō).<sup>26</sup>

It must have taken time to convince *chōri* who remained loyal to Tarōzaemon, the Gokurakuji, or other local bosses that a new order was being created. Yet by the first years of the seventeenth century, Danzaemon had elevated himself to a central figure in leather procurement in Edo.<sup>27</sup> His power and authority and the geographical reach of his command increased quickly thereafter. By the mid-eighteenth century, thanks largely to *bakufu* backing, he had succeeded in solidifying his grip on nearly all *kawata/eta* and monkey handlers in the Kanto area, as well as indirectly over the *hinin*. A census of 1800 tabulates 7,720 households in the Kanto area under his supervision, of which 5,664 were classified as *eta*, 1,995 as *hinin*, and 61 as monkey handlers. In the city of Edo the ratio of so-called “eta” to *hinin* was reversed: here Danzaemon controlled 734 *hinin* households and 232 families branded “eta.”<sup>28</sup>

Unlike the *hinin*, who lived scattered throughout the city, the *kawata/eta* of Edo resided on Danzaemon's property at Asakusa Shinchō (known as the “enclosure,” *kakoi-uchi*), together with 15 houses of monkey trainers. Shinchō was a long, narrow ward, surrounded on all sides by temples. At the end of it stood Danzaemon's residence and office, including an area for judicial proceedings, a jail, and offices for group heads (*kumigashira*) and assistants (*tedai*). Within the ward, nine groups or associations manufactured footwear, lamp wicks, and other products, including ones of leather made with the skins supplied by *hinin*. In addition, at least ten inns catered to rural *kawata/eta* heads who came to visit or were involved in lawsuits. Opera-

26. *Tenshō nikki*, in *Zoku zoku gunsho ruijū*, Vol. 5 (Tokyo: Zoku Gunsho Ruijū Kanseikai, 1969), p. 481. Nakao, *ESD*, pp. 45–47; Arai Kōjirō, “Danzaemon yuisho-gaki ni tsuite,” in Ishii Ryōsuke, ed., *Kinsei Kantō no hisabetsu buraku* (Tokyo: Akashi Shoten, 1979), p. 211; *Ochiboshū tsuika*, cited in Takayanagi Kaneyoshi, *Burakumin no seikatsu* (Tokyo: Yūzankaku, 1981), pp. 136–37. The 1772 volume *Jiseki gakkō*, in *Enseki jishshu*, Vol. 2 (Tokyo: Chūō Kōronsha, 1979), p. 166, also claims that before Ieyasu's arrival, Danzaemon had lived for generations at the corner of the third and fourth blocks of Murochō. *Asakusa-shi*, in *Mikan zuihitsu hyakushu*, Vol. 2 (Tokyo: Chūō Kōronsha, 1976), p. 179, also places the move from Murochō at the time of Ieyasu's arrival.

27. Tsukada, *KNMK*, pp. 15–16.

28. Nakao, ed., *DKSS*, Vol. 1, pp. 199–201; Minami, *BESK*, pp. 370–72. The document reprinted in *DKSS* gives (probably incorrectly, but in accordance with its source [*Minami sen'yō ruishū*, 28/3]) 100 *eta* houses for Hitachi Province, but nevertheless arrives at a total of 7,720. Minami, based on *Kansei kyōwa sen'yō ruishū*, 6/tome, gives 110 houses for a (probably correct) total of 7,720. The statistics presented in Table 1 below would appear to indicate either that *hinin* families were very large, or that not all were included in the figure given by Danzaemon. At any rate, unregistered beggars (*hinin*) were certainly not part of Danzaemon's tally. Monkey trainer-handlers provided services to the *bakufu* and *daimyō* by exorcizing horse stables; they also provided the citizenry with entertainment.

tors of these inns probably functioned as legal advisors and even handled out-of-court settlements.<sup>29</sup>

To support his administration Danzaemon extracted taxes, tribute, and labor from those he oversaw. In addition, from at least the eighteenth century, he maintained a lucrative monopoly on the production and sale of candle and lamp wicks in the Kanto area.<sup>30</sup> Such income supplemented what Danzaemon received from the *bakufu*: a residence some 3,300 square meters in size, and 3,000 *koku* of rice a year, enough to feed several thousand subordinates. To advertise his authority, he was allowed *daimyō*-like privileges such as riding in a sedan chair while on official business, wearing certain types of formal garb, and even donning the “long and short” swords (a right which by the nineteenth century he apparently no longer exercised).<sup>31</sup>

Danzaemon’s stature as the undisputed head of a large number of outcasts residing in many provinces was unique in Tokugawa Japan. Although in the Kyoto area Shimomura Hikosuke (or Hikosō) had been appointed in 1624 as head of local *kawata/eta*, and had passed his position and a stipend of over 100 *koku* of rice to two succeeding generations, the Shimomura family’s headship was revoked by the *bakufu* shortly after the third head’s death in 1708. Instead of being controlled by one supervisor of *kawata/eta*, outcaste villages in this region were supervised by bosses of specially designated “official villages” (*yakunin-mura*) throughout the area.<sup>32</sup> It remains unclear why the *bakufu* chose to centralize authority in Danzaemon in the Kanto region while dispersing it in the Kansai, but the decision to do so unquestionably resulted from a desire to tighten rather than loosen control in both locations.

### Edo *Hinin* Bosses

The “head of the *hinin*” (*hinin-gashira*) in Edo for much of the Tokugawa period was named Kuruma Zenshichi (this designation, too, was he-

29. For a table of *hinin* domicile locations in Edo from the early seventeenth century onward, see Nakao, ed., *DKSS*, Vol. 3, p. 554. See also Minami, *BESK*, pp. 350–51. Information on *kawata/eta* below is taken chiefly from Tsukada Takashi, “Danzaemon shihai to Shinchō yado,” *Shigaku zasshi*, Vol. 92, No. 7 (1983), pp. 47–90. General maps can be found in Takayanagi, *Burakumin no seikatsu*, pp. iv–xiii. A detailed map of Asakusa Shinchō in 1871 is included in *Shiryō-shū: Meiji shoki hisabetsu buraku* (Osaka: Kaihō Shuppansha, 1986), pp. 290–91. For an example of legal advisers, see Tsukada, *KNMK*, p. 26.

30. See Minami, *BESK*, pp. 387–92. Relevant documents can be found in Nakao, ed., *DKSS*, Vol. 2, pp. 409–509; Harada, ed., *HSSSS*, Vol. 10, pp. 195–96, and Vol. 11, pp. 390, 560; *Jiseki gakkō*, p. 166; *Shiryō-shū*, pp. 92–98, 268–74. Except for a brief period during the Tenpō Reforms of the 1840s, when all cartels were outlawed, Danzaemon retained his monopoly on lamp wicks until 1871/9/30.

31. Nakao, *ESD*, pp. 151–62; *Waga koromo* in Mori Senzō et al., eds., *Nihon shomin seikatsu shiryō shūsei*, Vol. 15 (Tokyo: San’ichi Shobō, 1971), p. 359.

32. “Shoshiki tome-chō” in Harada Tomohiko et al., eds., *Nihon shomin seikatsu shiryō shūsei*, Vol. 14 (Tokyo: San’ichi Shobō, 1971), pp. 5, 18, 261 (note 1).

reditary). Zenshichi's origins are no clearer than Danzaemon's, but he may well have started out as a boss of penurious vagrants in the capital. From the earliest days of the city, strongmen and labor brokers controlled workers who had arrived to build the castle, roads, moats, and whatever else the fledgling metropolis needed. After the initial construction boom subsided, the same bosses were probably put to use to help control the many unemployed, a sector of society that city administrators must have viewed as an unruly and potentially dangerous underclass. Similar situations prevailed in other urban areas. At the end of the period of civil wars, displaced and ruined rural inhabitants streamed into almost every major city of the land. In Osaka, for example, all four major *hinin* settlements (at Tennōji, Tobita, Dōtonbori, and Tenman) appear in surveys from 1594 to 1626 and probably arose slightly before this time.<sup>33</sup>

If documents from 1839/9 and 1857/10 can be trusted, the ancestors of Kuruma Zenshichi had once resided in Atsumi Village in the province of Mikawa, the erstwhile home of the Tokugawa family. The first generation Zenshichi had supposedly moved to Edo by the time of Ieyasu's arrival in 1590 and was soon granted a hut (*koya*) at Asakusa Ōkawabata. In 1608, the city magistrate appointed him "head of *hinin*," which at the time probably meant little more than "boss of indigents." Zenshichi was later awarded 500 *tsubo* (1,655 sq. meters) of land at Asakusa Torigoe, but on 1666/11/18 this land was confiscated for official purposes. In the second month of the following year he was again granted 900 *tsubo* (2,979 sq. meters) at Shin-Yoshiwara and 35 *ryō* for moving expenses. This new plot of land was apparently part of the Sensōji Temple at Asakusa; maps of 1671 and 1690 indicate a settlement of beggars at this location.<sup>34</sup>

Zenshichi was eventually placed in charge of the *hinin* at Asakusa, the downtown area, and parts of the city north of Shiba; from 1687 he also ran the Asakusa *tame*, a prison hospital and holding facility. His fortunes must have escalated rapidly, for by the early eighteenth century he was reputedly lending money to townspeople and even samurai, who knew that if they did not repay, they would be greeted by bands of disgruntled *hinin* outside their houses, an intolerable embarrassment for the inhabitant.<sup>35</sup>

33. Tsukada, *KNMK*, p. 311. Note, however, that Osaka *hinin* (*kaito*) of this era might rent houses outside their settlements.

34. See the documents reproduced in Nakao, ed., *DKSS*, Vol. 2, pp. 59 and 38–39; also Takayanagi Kaneyoshi, *Hinin no seikatsu* (Tokyo: Yūzankaku, 1981), p. 46. According to Ogyū Sorai, Zenshichi was a descendant of one Kuruma Tanba, a sandal carrier in the service of Uesugi Kagekatsu (1555–1623) a *daimyō* of the late Momoyama and early Tokugawa periods. See *Seidan*, in *Ogyū Sorai*, Vol. 36 of Yoshikawa Kōjirō et al., eds., *Nihon shisō taikai* (Tokyo: Iwanami Shoten, 1973), p. 286; the author of *Asakusa-shi* refutes this and maintains that Zenshichi's ancestor was in the service of the Satake family (*Asakusa-shi*, p. 178).

35. *Nasake no temakura* (1710), cited in Takayanagi, *Hinin no seikatsu*, p. 55.

Perhaps because the population of Edo was increasing rapidly, or because other bosses had existed from the outset, Zenshichi did not control all the *hinin* in town. A man named Matsuemon, who had been living in Edo since 1635, was appointed the head of the Shiba *hinin* during the Kanbun era (1661–73). Matsuemon's ancestors stemmed from the province of Mikawa or Kai. He thought of himself as the descendant of one Chōkurō, either a samurai or rich peasant who was ruined in Edo. In 1697, Matsuemon was listed as living at Shinagawa on property 50 by 28 meters in size. He was also in charge of the *hinin* in the nearby Mita area and in general the southerly part of city; at Shinagawa he also ran a smaller *tame*.<sup>36</sup>

By the 1680s both Zenshichi and Matsuemon appear to have wielded considerable power. A document from 1683 identifying several captured criminals, for example, lists one Kihei as “a *hinin* under the control of Zenshichi” (1683); three others in 1693 are also named as being “under the control of Zenshichi.” In 1697, a certain Chōemon is recorded as “a *hinin* under the control of Matsuemon.” That the *hinin* administration had by this time been molded into something of a hierarchical format is suggested by the mention of a “subboss” (*hinin kogashira*) in 1683, to whom a *hinin* criminal was handed over.<sup>37</sup> As members of a broadly recognized social group in the city, such *hinin* were distinguished from unregistered vagrants.

As the city grew, the *hinin* of the Honjo and Fukagawa areas came under the rule of one Fukagawa Zenzaburō, who lived near Aburabori. According to some records, this man was already a *hinin* boss in 1701, but though he was supposedly charged with keeping the Sumida river clean in 1719, his name does not appear in 1723 documents outlining *hinin* responsibilities. Perhaps he did not yet control a clearly organized group of *hinin* at this date. The *hinin* of the uptown (Yamanote) area were governed by Yoyogi no Kyūbee, who is also listed as active by 1719.<sup>38</sup> Little more is known of him.

By the early 1720s, the *hinin* administration was thus structured in a fairly clear manner, with responsibilities for law enforcement and other du-

36. On Matsuemon, see *Kenshōbo*, in Tanigawa Ken'ichi et al., eds., *Nihon shomin seikatsuo shiryō shūsei*, Vol. 25 (Tokyo: San'ichi Shobō, 1980), p. 259; and *Gofunai bikō*, Fascicle 110 (Vol. 5), cited in Harada, ed., *HSSSS*, Vol. 7, pp. 252–54. During the Tenpō period (1830–44) he called himself Tōzaemon (perhaps read Fujizaemon). See also Harada, ed., *HSSSS*, Vol. 7, p. 528; Nakao, ed., *DKSS*, Vol. 2, pp. 74, 349.

37. *Oshioki saikyo-chō*, in *Kinsei hōsei shiryō sōsho*, Vol. 1 (Tokyo: Sōbunsha, 1959), p. 376 (no. 875); p. 293 (no. 691); p. 77 (no. 187); p. 377 (no. 877).

38. Zenzaburō and Kyūbee also appear to have been subject to control by *kawata/eta* heads in the surrounding Kasai and Nerima areas, respectively, probably because the areas these *hinin* bosses controlled were once part of these rural regions. See Nakao, *ESD*, p. 108; Tsukada, *KNMK*, p. 230. During the Kansei period (1789–1801) and the early Meiji era, a man named Kinoshitagawa no Kyūbee also sporadically appears as a *hinin* boss, but little is known of him. An 1869 record (*Shiryō-shū*, p. 67) notes that he had absconded, leaving his work to the “hut head” Bunjirō.

ties divided among four bosses. Zenshichi controlled by far the greatest number of *hinin* and was considered the top leader; Matsuemon presided over at best half that number; Zenzaburō's inferiors numbered only a fraction of Matsuemon's, and Kyūbee oversaw even fewer.<sup>39</sup> Like Danzaemon, but on a smaller scale, each of these chiefs managed his own territory and saw to it as best he could that those included followed the laws the *bakufu* decreed.

### *Danzaemon versus Zenshichi*

During the early years of the capital, the *kawata/eta* and *hinin* constituted two largely independent groups. In other cities, such a situation prevailed for the entire Tokugawa period. The four settlements of Osaka *hinin*, for example, were each ruled by a *hinin* boss (*chōri*) rather than a *kawata/eta* supervisor. Kyoto *hinin*, too, living in some 70 locations, were governed not by the *kawata/eta* bosses at nearby Amabe and Rokujō villages, but rather by the "elders" (*toshiyori*) of the Hiden'in Temple, who in turn reported to city administrators (*zōshiki*).<sup>40</sup> In Edo, however, Danzaemon came to enjoy an official mandate to control Zenshichi and those under him. This relation of superior and inferior was shaped not by ancient tradition or prejudices; instead, it resulted from a series of contentious petitions, lawsuits, and countersuits taking place during the first half of the Tokugawa period.<sup>41</sup> Both parties must have thought they stood to gain by taking their case to the city magistrates and obtaining a hearing. They soon discovered, however, that despite an outward appearance of propriety and fairness (according to contemporaneous ideals of differential justice), the assertions and claims of litigants were distorted and twisted by the *bakufu* for the purpose of solidifying a hierarchical outcaste order.

Zenshichi and his men had labored for Danzaemon at least since the days of the Meireki fire (1657/1), when the former were asked by the latter to help in disposing of the charred corpses of the thousands of victims. Zenshichi provided 3,285 men (man-days?) for this purpose; somewhat later, he was again ordered to supply 1,720 men (man-days?) to help prepare the 200 bales (*hyō*) of rice that had been granted by the *bakufu* for relief stations.<sup>42</sup> Since Danzaemon paid Zenshichi's men a wage at this time, the

39. See Nakao, *ESD*, p. 239; Tsukada, *KNMK*, pp. 226–30. For statistics see Tsukada, *KNMK*, pp. 240–41; and Nakao, *ESD*, p. 243. In 1822, Chiyomatsu (a.k.a. Zenshichi) earned 416 *ryō* from the activities of his charges, Tōzaemon (a.k.a. Matsuemon) 76, Zenzaburō 56, and Kyūbee only 3. See Minami, *BESK*, p. 346.

40. See Tsukada, *KNMK*, pp. 32–35, 311–14.

41. For examples of strife between *kawata/eta* and *hinin* in rural areas, see Takayanagi, *Burakumin no seikatsu*, pp. 230–42.

42. Nakao, ed., *DKSS*, Vol. 1, p. 19.

relation between the two appears not yet to have been one of boss and subordinate, but rather one of employer and labor broker.

In eighteenth-century records, however, Danzaemon maintained that from 1684 Zenshichi had presented him with an annual affidavit pledging fealty. This may have been a misrepresentation, for during the Jōkyō era (1684–88) Zenshichi and Matsuemon were so little impressed by Danzaemon's superiority that they attempted to place him under their own control.<sup>43</sup> A petition to the authorities to this effect was turned down, but in 1701 Zenshichi promulgated yet another set of regulations (no longer extant), which apparently again attempted to set Danzaemon under *hinin* control. Danzaemon fought back and succeeded in relieving this Zenshichi of his post some two years later.<sup>44</sup> The tide of the times was turning against Zenshichi, even if Danzaemon could not simply abolish Zenshichi's position and assume personal control.

Tensions between Zenshichi and Danzaemon came to a head shortly thereafter. In 1715 the Tokugawa *bakufu* indicated that it intended to clamp down on outcast(e)s by ordering an investigation of Kyoto *kawata*.<sup>45</sup> In Edo, Zenshichi, together with Yoyogi no Kyūbee and Fukagawa Zenzaburō (Matsuemon may well have been involved as well), perhaps sensing which direction the wind was blowing, filed suit on 1719/7/28 to establish independence from Danzaemon once and for all, ostensibly because the latter was demanding the procurement of an unreasonable amount of *hinin* labor power, more than 5,000 men (man-days?) a year.<sup>46</sup> Zenshichi may also have known about an important lawsuit of 1708 in which Danzaemon failed to convince the authorities that *kabuki* actors and those associated with the puppet theaters came under his jurisdiction.<sup>47</sup> The *bakufu* wavered, deciding on 1719/11/27 to halve the number of workers supplied to Danzaemon, but demanding everything else be settled out of court. The magistrates found insufficient evidence to substantiate Danzaemon's claim that he had allotted certain areas of the city to Zenshichi as begging turf since 1652, in return for the skins of dead animals in the area.

Danzaemon and the city administrators who sided with him continued to pressure Zenshichi. On 1719/12/8, the latter was ordered to submit 30 workers for the city jail and 150 more in the event of a fire. In 1720/2, after Zen-

43. Nakao, *ESD*, pp. 95–96, 109.

44. *Ibid.*, pp. 104–6.

45. Ōsaka-shi Kyōiku Kenkyūjo, *Ōsaka ni okeru kinsei hisabetsu buraku no rekishi*, p. 110.

46. Nakao, ed., *DKSS*, Vol. 2, pp. 174–76; also Harada, ed., *HSSSS* Vol. 8, pp. 374–78; Nakao, *ESD*, pp. 95–96, 99–100; and Tsukada, *KNMK*, pp. 227–28.

47. The case is recorded in *Kachi ōgi*, in *Nihon shomin seikatsu shiryō shūsei*, Vol. 14, pp. 489–526. The arguments involved are discussed in Tsukada, *Kinsei mibun-sei to shūen shakai*, pp. 48–50, 229–37, 247–50.

shichi refused to produce an annual affidavit, Danzaemon sued. A preliminary decision was reached on 1720/11/18, faulting Zenshichi. When the latter died in 1721/6, seven dissatisfied *hinin* “group heads” (*kumigashira*) pressed a countersuit.<sup>48</sup> This tactic proved fatal. On 1721/12/21 a decision was handed down against the *kumigashira* based on what may well have been forged evidence: Danzaemon had submitted records indicating that since 1652 he had parceled out Edo begging areas to one Kanshichi, who, he explained, was the incumbent Zenshichi’s ancestor. Whether the *bakufu* believed this or merely used it to end the proceedings and beef up the hierarchical outcaste order it was creating, three of the *kumigashira* were sentenced to death, three to exile (later converted to life sentences), and one to life imprisonment.

According to Danzaemon’s record, one of the seven *kumigashira* was so chagrined at the verdict that he smashed his head against a wall, bit out his tongue, and died on the spot.<sup>49</sup> This may have been an exaggeration, but the seven must have known they were in deep trouble. Danzaemon assigned four guards to each convict and marched the condemned back to his residence, while city officials controlled crowds of unruly onlookers. Confiscations then took place at the residences of Zenshichi and the other captives, and the deceased Zenshichi’s 13-year-old son Kikusaburō went into hiding.<sup>50</sup> The hereditary rights of the seven offending *kumigashira* were denied in perpetuity; new *kumigashira*, more amenable to Danzaemon’s wishes, were installed in 1722/2/6, with the young Kikusaburō promoted to the position of the new Zenshichi. On 1722/6/21 the executions of the convicts were duly carried out. Rumors regarding the incident and fictionalized descriptions of the executions spread throughout the land. Thirty years later one report even claimed that the hapless victims were taken to a riverbank near Shinagawa, buried up to their necks, and decapitated with a plow, no doubt to symbolize the nonhuman, indeed vegetable-like nature of *hinin*.<sup>51</sup>

Though Zenshichi was now clearly designated as Danzaemon’s inferior, discord between the two erupted again in the spring of 1772, when the Asakusa *tame* burned down.<sup>52</sup> Zenshichi was ordered to procure resources for rebuilding, which he did much to everyone’s satisfaction, even pouring

48. See Nakao, *ESD*, p. 93; Harada, ed., *HSSSS*, Vol. 8, pp. 375, 378. For Danzaemon’s recounting of this case, see Nakao, ed., *DKSS*, Vol. 2, pp. 174–76; see also Nakao, *ESD*, pp. 99–100, 107–8.

49. See Danzaemon’s 1725 record of origins, Harada, ed., *HSSSS*, Vol. 8, p. 517; the event is also recounted in *Kachi ōgi*, p. 446; and *Ichiiwa ichigon*, in *Nihon zuihitsu taisei, bekkann*, Vol. 5 (Tokyo: Yoshikawa Kōbunkan, 1978), pp. 271–74. The last-mentioned record notes that Zenshichi had been suing for five years to escape Danzaemon’s control.

50. *Kachi ōgi*, p. 446.

51. See the document cited in Harada, ed., *HSSSS*, Vol. 8, p. 377; and *Kenshōbo*, pp. 258–60.

52. On the fire and rebuilding see Takayanagi Kaneyoshi, *Edo jidai hisabetsu mibun-shō no seikatsu-shi* (Tokyo: Akashi Shoten, 1979), p. 83.



private funds into the project. When he was awarded an honor for his efforts, he most unexpectedly seized his moment of glory to indict Danzaemon, who, he asserted, was lending money at usurious rates to *hinin* gamblers, provoking desertions, and hindering *hinin* from fulfilling their official duties. Though Danzaemon professed to know nothing of such loans, Zenshichi's accusation was taken seriously enough to inspire an investigation, which concluded that some of Danzaemon's subordinates had indeed been guilty of impropriety. Until this verdict was reached, however, Danzaemon was placed under Zenshichi's guard, leading the gleeful Zenshichi to reassert his ancient claim that since *hinin* had not been under Danzaemon's control in the past, this state of affairs should be restored.<sup>53</sup> Nothing more is heard of this affair, which was presumably again resolved in Danzaemon's favor.

Even during the nineteenth century, Zenshichi appears to have continued to struggle to free himself from Danzaemon's yoke. According to records whose reliability is highly questionable, on one occasion, perhaps around 1838, it was discovered that Danzaemon had received a substantial bribe for turning over certain begging rights in the city to the blind.<sup>54</sup> Zenshichi drew up an appeal, forwarded it to the city magistrate's office, and again pleaded for equal footing with Danzaemon. The magistrate, once more not entirely unconvinced by Zenshichi's contention, sought to avoid trouble by offering a vague, stopgap rejoinder, which, however, only further provoked Zenshichi's wrath. The latter resubmitted his petition, this time adding force by rounding up a large number of comrades and staging a show of solidarity at the Asakusa Honganji Temple. This unusual display backfired, and the magistrate wasted no time throwing Zenshichi in jail: not the jail for commoners, run by the city magistrate, but instead the jail for outcasts, administered by none other than the defendant, Danzaemon. Such an act of willful cruelty naturally further enraged Zenshichi's *hinin* colleagues. Rumors were heard that the *hinin* planned to assassinate the magistrate as he made his way to work. The escalation of tension came to an abrupt end, however, when the magistrate ordered Zenshichi be put to death. In a sorry finale to the *hinin*'s series of miscalculations, the succeeding Zenshichi—who for some time called himself Chiyomatsu, probably to dissociate himself from his ill-fated predecessor—was forced to move to the Yanaka area, while Danzaemon appointed his own man to control the Asakusa *tame*. Only in 1841, when Chiyomatsu reached maturity, was he allowed to return to Asakusa and engage in his old occupation of running the *tame*.<sup>55</sup>

53. Tsumura Masayasu, *Tankai* (Tokyo: Kokusho Kankōkai, 1917), p. 51.

54. On Danzaemon's relation to the blind, see Gerald Groemer, "The Guild of the Blind in Tokugawa Japan," *Monumenta Nipponica*, Vol. 56, No. 3 (2001).

55. Shiomi Sen'ichiro, ed., *Edo kasō no shakai* (Tokyo: Akashi Shoten, 1993), pp. 73–75 (based on newspaper articles from 1892), reports the events as taking place in 1838. A strikingly similar story is told by Yamaguchi Suruga no kami, a southern city magistrate (see

After the eighteenth century, Zenshichi and his lieutenants must have known that defeating Danzaemon had become a hopeless endeavor. To uphold their claims of independence, however, they continued to protest, petition, and sue. Even a verdict demanding an out-of-court settlement meant dialogue and the recognition that the relation between the *kawata/eta* and the *hinin* was not simply one in which one side ordered while the other silently obeyed. Yet despite their efforts, the *hinin* found themselves increasingly locked into an order in which they were ruled by the “head of the *eta*,” behind whom stood the power and authority of the state.

### *The Hinin Administration*

The placement of Danzaemon over Zenshichi would hardly have sufficed to create and reproduce structures of *hinin* discrimination and exploitation. In order for this to occur, *hinin* society needed to be organized in a rigorously hierarchical manner, with clearly defined duties and severely curtailed rights designated for each position within the outcaste society.

During the early part of the Tokugawa period, *hinin* may have possessed some freedom in choosing where to make the rounds begging, but “hut heads” (*koya-gashira*, *koya nushi*, *koya mochi*) eventually parceled out territory allotted to each *hinin*. Begging rights in Edo were based on a special relation (*shikiri kankei*) between the “hut head” and the administrative apparatus of each ward, a relation that did not involve Danzaemon or Kuruma Zenshichi. After the 1660s such contracts were increasingly formalized. *Hinin* under the control of certain “hut heads” were granted monopoly begging rights by a ward in return for fulfilling specific duties, usually connected with sanitation and petty law enforcement. “Hut heads” issued a special “division tag” (*shikiri fuda*) staking their claim. This permit was posted at the entrance of the ward or at the door of a residence and indicated that fees had been properly paid to the *hinin* “hut head,” thereby protecting the inhabitants from demands by other *hinin* and other types of beggars.<sup>56</sup> In Osaka, too, a similar marker, purchased with a donation of 400–500 *mon* to the *hinin* boss, warded off wandering outcaste exorcisers, performers of auspicious dances, strolling singers, and others, who knew that they were not to enter such a home or yard.<sup>57</sup> In Edo agreements with *hinin* were also

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Takayanagi, *Hinin no seikatsu*, pp. 124–26). According to this report, the incident occurred in 1866. Which of the two dates (perhaps neither?) is correct is not known, and one cannot help wondering if the incident ever took place at all. At any rate, *Edo kasō no shakai* contains numerous other errors, including the name of the magistrate at the time, and must be used with caution. The name Chiyomatsu was assumed after 1829 and used until roughly 1845.

56. Tsukada Takashi, “Kasōmin no sekai: ‘mibun-teki shūen’ no shiten kara,” in *Nihon no kinsei*, Vol. 7, p. 265; Tsukada, *KNMK*, p. 33.

57. Takayanagi, *Hinin no seikatsu*, p. 69.

forged with businesses on a one-by-one basis. The wealthy Mitsui family, for example, was paying money to *hinin* as early as 1710. Businesses that needed help in sanitation or guarding might even grant special huts to their *hinin* employees.<sup>58</sup>

By the early decades of the eighteenth century, Zenshichi presided over some 70 “secondary heads” (*hinin ko-gashira*), probably selected from the 370-odd “hut heads” under his jurisdiction. Matsuemon and the other *hinin* leaders also lorded over smaller groups organized the same way; in total, over 700 “hut heads” lived in Edo in the 1790s.<sup>59</sup> In addition to overseeing registered *hinin* (*hinin teka* or *kakae-hinin*), Zenshichi was also permitted to control Nidayū, the boss of *gōmune* (commoner street performers in Edo, considered *hinin* only so long as they engaged in this occupation).

One of the most important functions of the *hinin* administration was to transmit and enforce laws aimed at *hinin*. From the late seventeenth century such sanctions became increasingly onerous. In 1674/2, Edo city administrators ordered *hinin* “who live within the wards, and those who live on nearby riverbanks or at ‘open areas’” (*hirokōji*) to register and accede to new measures of control. For the time being, imposing adequate order on such people seems to have proven too arduous, leading supervisors to decree that while waiting for their orders, these *hinin* were “allowed to go where they please, as before.”<sup>60</sup> On 1680/8/9, however, a new edict was handed down to ward heads (*nanushi*) by the town elder Naraya Ichiemon:

Because *hinin* in town are causing trouble, the two *hinin* heads [Zenshichi and Matsuemon] have been summoned to today’s meeting and ordered to accommodate all *hinin* during nighttime hours. No *hinin* should be present in the city during the night. If there are any *hinin* huts within the city, these should be torn down tomorrow. If *hinin* beg in threatening ways at felicitous daytime functions, they are to be arrested and brought to the office of the city magistrates. If *hinin* break the law by staying in town during the night, they are of course also to be arrested and brought to the office of the magistrates. This ordinance has been promulgated by the office of the city magistrates; hereafter it must be obeyed.<sup>61</sup>

58. Tsukada, *KNMK*, p. 316; for statistics from 1818 and later see pp. 279–82; *Tōkyō-shi saimin enkaku kiyō*, p. 646. *Hinin* houses were cramped even by standards of the day, with an entire family often living in a dwelling measuring as small as three by four meters. Some edifices, in which a large number of inhabitants must have dwelled, measured up to eight by eleven meters, but this was unusual (Tsukada, *KNMK*, p. 251; Minami, *BESK*, pp. 350–51. *Hinin* dwellings normally had a roof but no ceiling; sliding doors (*shōji*) and other luxuries were also prohibited (see Danzaemon’s 1765 report in *DKSS*, Vol. 1, pp. 210–11).

59. Tsukada, *KNMK*, pp. 240–41.

60. *Ofuregaki Kanpō shūsei*, p. 1138 (nos. 2389, 2390); *Tokugawa kinrei-kō, zenshū* (Tokyo: Sōbunsha, 1959), Vol. 5, p. 473 (no. 3431) (1674/11); *Shōhō jiroku*, Vol. 1, p. 183 (no. 533); *Tokugawa kinrei-kō, zenshū*, Vol. 5, p. 474.

61. *Shōhō jiroku*, Vol. 1, p. 202, (no. 595).

During the same month another law noted that Edo beggars and *hinin* were reputed to be engaging in petty theft and irritating forms of solicitation. It was again decreed that no *hinin* were to reside in the commoner quarters at any time. *Hinin* huts were ordered torn down within three days and the occupants turned over to Zenshichi.<sup>62</sup> Entries in later judicial records, which often give addresses in the Edo commoner quarters for *hinin* defendants, suggest, however, that such laws proved largely ineffective.

To render *hinin* status obvious to all, the *bakufu* set about requiring that visible differences be made between *hinin* and others (including *kawata/eta*). Some codes or customs regarding *hinin* appearance had, it seems, been taken for granted in earlier years, but from the second decade of the eighteenth century new and more stringent laws were issued, demanding that *hinin* be stigmatized in more obvious ways. In 1723/11, on the pretense of an antiarson campaign, officials began to round up suspected culprits including a good number of *hinin*, some of whom looked far too much like “regular people” (*tsune no mono*) to please the authorities. The *bakufu* demanded that *hinin* hair be cropped “according to the old manner,” though *hinin* bosses were exempt from this mandate; *hinin* women were not to blacken their teeth like commoner women, nor shave their eyebrows. Henceforth *hinin* were prohibited from wearing hats; even *hinin* children were ordered not to wear clothing extending below the knees.<sup>63</sup> A month later, group responsibility was strengthened in ways that again differentiated *hinin* from commoners. When a *hinin* committed arson, for example, the *hinin* head who controlled the perpetrator was to be charged a 10-*kanmon* fine; the *hinin* head was then to extract a suitable fine from the “hut head” responsible. If three or more culprits were discovered, even Danzaemon was to be assessed a 30-*kanmon* fine. Only if Danzaemon or a *hinin* boss himself apprehended the evildoers were such fines not levied.<sup>64</sup> A month later, on 1723/12/18, the authorities showed they meant business. They assembled 3,659 *hinin* in Edo and gave them haircuts; all *hinin* of the eight Kanto provinces were ordered to receive the same. Then, to etch the impression of zero tolerance firmly into the minds of all outcastes, 43 *hinin* deemed guilty of arson were burned alive.<sup>65</sup>

Further restrictions and mandates, designed chiefly to reinforce the hierarchical order of the *hinin* community, were added in later years. From

62. *Ofuregaki Kanpō shūsei*, p. 1138 (no. 2391).

63. See *Getsudō kenbunshū*, in *Kinsei fūzoku kenbunshū* (*Zoku Nihon zuihitsu taisei, bekkān*, Vols. 2–4) (Tokyo: Yoshikawa Kōbunkan, 1982), Vol. 3, p. 264; *Shōhō jiroku*, Vol. 2, p. 277 (no. 1942), and Vol. 2, p. 270 (no. 1932); for a discussion see Minami, *BESK*, pp. 338–39.

64. Nakao, ed., *DKSS*, Vol. 1, p. 14.

65. Harada, ed., *HSSSS*, Vol. 8, p. 375. Seventeen more *hinin* were executed in other manners; 23 more were tattooed and 44 jailed.

Table 1  
The Edo *Hinin* Population

Year	Registered <i>Hinin</i>	Other <i>Hinin</i>	Total
1692	4,329	1,037	5,366
1717	6,854	1,150	8,004
1722	5,373	2,469	7,842
1725	4,849		
1744			11,563
1745	7,091	3,057	10,148
1749	6,836	606	7,442
1771	4,766	5,352	10,118
1777	4,209	1,813	6,222 [sic]
1786	3,785	6,975	10,760
1834	5,709	6,091	11,800
1835	5,587	6,913	12,500
1837	5,505	7,761	13,266
1841	5,632		
1842			6,430
1843	5,643	1,157	6,800
1850	5,157	4,851	10,008
1865	5,460	4,833	10,293

Source: Minami, *BESK*, p. 349; and Nakao, *ESD*, p. 276.

1781/5, *hinin* were required to carry a wooden license tag, approximately 2 by 1.5 inches in size. This permit was distributed to “hut heads” by Kuruma Zenshichi or one of the other bosses; the “hut head” then issued it to the *hinin* under his charge. Measures whose importance can hardly be overestimated rendered *hinin* status hereditary. People born of *hinin* parents were barred from ever escaping their status; only nonoutcastes who had been demoted to *hinin* status might under certain conditions “wash their feet” and be reintegrated into commoner society. In order to revert to non-*hinin* status, a person had to have been a *hinin* for less than ten years. Troublesome petitions and oaths were required, as was money from the individual’s relatives. Once these hurdles were cleared an elaborate ceremony of purification was performed and the *hinin* was again deemed a commoner.<sup>66</sup>

Although some people had fallen to *hinin* status because of crimes—adulterous relations with a close relative, bungled double suicides, gambling, selling fraudulent lottery tickets, wounding a divorced wife, and the like—the magnitude of population figures cited in Table 1 suggests that the

66. On licenses see Minami, *BESK*, p. 348. *Hinin* licenses are illustrated in *Mikikigusa* (*Naikaku bunko shozō shiryō sōkan, tokkan dai-ni*) (Tokyo: Kyūko Shoin, 1985), Vol. 5, p. 53; and Takayanagi, *Hinin no seikatsu*, pp. 70–71. For laws and procedures concerning reversion to commoner status, see Takayanagi, *Hinin no seikatsu*, p. 66 (1765/6); and Tokugawa kinreikō, *zenshū*, Vol. 5, pp. 475–76 (no. 3435, from 1846/10/10, and no. 3437, from 1789/8). See also Wigmore, *Law and Justice in Tokugawa Japan*, Vol. 8B, pp. 176–78.

vast majority of *hinin* ended up as such simply because they were desperately poor or because they had been born into this class. How “other *hinin*” in Table 1 were counted remains unclear; perhaps these people were simply indigents who appeared when government handouts were granted. The figures available for “other *hinin*” may thus represent only part of the population that government officials labeled “new *hinin*” (*shin hinin*) or later “wild *hinin*” (*no-hinin* or *no-binin*).

From the eighteenth century vagrants were increasingly viewed as a major problem by Edo city administrators. Unlike the Edo *kawata/eta* population, which was relatively small and effectively contained within Danzaemon's sojage, many types of beggars and vagrants or “homeless” (*mu-shuku*) roamed throughout the city and irritated the public. Already from the seventeenth century the *bakufu* saw in Zenshichi's administration a convenient way of controlling such “undesirables,” but policy toward vagrants became highly discriminatory only during the Kyōhō era (1716–36). Until that time drifters and mendicants in Edo were often simply sent home after being arrested. In some cases the government or *hinin* heads had even granted “temporary huts” (*kari-goya*) and food to those with nowhere else to turn. On 1675/2/28, for example, the city built 60 temporary huts 4 by 5 meters in size for “new *hinin*” (probably beggars who had arrived from the countryside) at Yanagihara. Each “new *hinin*” was awarded *miso*, firewood, and a measure (*gō*) of rice. In little more than three months, 692 indigents, including 33 women, had moved in. When these temporary shelters were abolished on 1675/6/2, some inhabitants were dismissed and others placed permanently under a *hinin* boss. In later years similar huts were erected at Honjo Koume-mura (1701/12/8), Nakahashi (1714/12/8), and Nihonbashi and Edobashi (1714/12/11).<sup>67</sup>

In 1724, soon after Danzaemon had won his suit against Zenshichi, the *bakufu* began to revise earlier policy, ordering that the number of “new *hinin*” should now be limited.<sup>68</sup> Some ten years later, when severe famines swept the land and when even permanent Edo residents, “especially those living on back streets, artisans, day laborers, and others who earn a daily wage,” faced “desperate hardship,” a new wave of rural refugees surged into the capital. As conditions worsened, rioting and looting erupted. These events inspired administrators to rethink policy toward unregistered beggars once again.<sup>69</sup> On 1734/1/22 the *bakufu*, evidently believing that the promise

67. *DKSS*, Vol. 1, pp. 18–21; *Kiyūshōran* (Tokyo: Meicho Kankōkai, 1974), Vol. 2, pp. 636–37. The 1687 *Edo ka no ko* (Tokyo: Sumiya Shobō, 1975), p. 52, still mentions the *hinin* huts at Yanagihara “during the bad times a while ago.”

68. Nakao, *ESD*, p. 261. In that year, 266 *hinin* were exiled. See *Shōhō jiroku*, Vol. 2, p. 277 (no. 1942).

69. *Shōhō jiroku*, Vol. 2, pp. 474–75 (no. 2268) (1733/1/23). On the *bakufu* response to the “Kyōhō famines,” see Kitahara Itoko, *Toshi to hinkon no shakai-shi* (Tokyo: Yoshikawa Kōbunkan, 1995), pp. 10–58.

of “temporary huts” and food was stimulating immigration to the city, demanded that all vagrants and beggars henceforth be turned into registered *hinin*. Those who had avoided arrest were deemed illegal and termed “wild *hinin*.”<sup>70</sup>

In the following years, this new policy was enforced with considerable zeal. On 1742/1/20 the *bakufu* ordered Danzaemon to round up all “wild *hinin*” in the city, cut their hair, and register them with the official *hinin* bosses, who could use them as laborers. It was noted that many homeless were gathering at open spaces in Honjo and elsewhere, presenting, among other things, a traffic hazard. From 1742/1/21 to 1742/4/5 some 742 people were arrested; all but four were obliged to become registered *hinin*. Immediately thereafter, from 1742/4/6 to 1743/4\*/29, some 922 others were deprived of their liberty and forced to register.<sup>71</sup>

Already before the roundup was complete, on 4\*/15, laws had been revised to deter escapes. Previous decrees had stipulated that any suspicious *hinin* should be handcuffed and turned over to his or her superior. Anyone caught attempting to flee a second time was to be incarcerated for an unspecified amount of time before being returned; a third try was rewarded with banishment to a rural area and placement under the control of the local *hinin* head. Since an escapee was likely to elude a rural captor no less deftly than an urban one, from 1743/4 the law was toughened anew: a bungled escape landed a *hinin* in jail and meant a tattoo on the upper arm, a stripe a third of an inch wide and two inches long. A second and third failed escape attempt meant an additional *signe d'infamie* of equal size; a further unsuccessful try was repaid with death.<sup>72</sup> From 1792 it was decided that any absconding outcaste should be the object of a search in perpetuity (by contrast, noncriminal peasants who absconded were simply to be removed from the register).<sup>73</sup> From 1814/8/5, provisions for tattooing were once more enhanced, with a first abscondence meaning a lengthwise stripe and a second one a stripe all the way around the wrist; a third attempt meant death.<sup>74</sup>

Measures of control in Edo decreed from the mid-eighteenth to early nineteenth centuries should be placed in the context of *bakufu* policies reinforcing discriminatory practices and perceptions against outcaste groups on a national scale. From the 1760s the *bakufu* redoubled its efforts to utilize outcastes as a police force against masterless samurai (*rōnin*) and others who were causing trouble throughout the land. Laws demanding *kawata/eta*

70. Nakao, ed., *DKSS*, Vol. 1, pp. 32–33. For a discussion see Nakao, *ESD*, pp. 259–63.

71. The other four were turned over to Edo townspeople (*machikata*), presumably relatives (Nakao, ed., *DKSS*, Vol. 1, p. 35). An asterisk indicates an intercalary month.

72. *Ibid.*, pp. 36–38. That tattoos could be and sometimes were removed is evident from a case cited in Kobayashi, ed., *KHBKHS*, p. 255.

73. Nakao, *ESD*, p. 352; on measures against absconding see *ibid.*, pp. 350–56.

74. See the law from *Kiji jōrei* cited in Kobayashi, ed., *KHBKHS*, pp. 302–3, and Nakao, *ESD*, pp. 356–57.

and *hinin* to arrest *rōnin* beggars in the eight Kanto provinces had already been issued in 1769 and 1772,<sup>75</sup> but in 1778/10, after it was discovered that outcastes in Hiroshima had been cooperating with thieves rather than arresting them, the *bakufu* promulgated a new edict, important not just because it restricted outcaste practices but because it was the first law to cover all *kawata/eta* and *hinin* throughout the land. “Recently the manners of *eta* and *hinin* types have deteriorated,” the law begins. “They make unwarranted demands of peasants or disguise themselves as peasants and enter inns, businesses, and bars. When they are discovered they argue, which is embarrassing for peasants and townspeople. So they are excused, which only causes them to increase their demands.” The ordinance then describes the supposed collusion of outcastes and criminals in the Hiroshima area and orders all those suspected to be engaging in illegal activity to be arrested, no matter where they lived. This edict effectively turned outcastes into a nationwide police force, much feared by “majority society.”<sup>76</sup>

Crackdowns on illegal beggars in Edo continued thereafter. These man-hunts were usually headed by Danzaemon (probably following orders of superiors) and carried out by registered *hinin*, who also patrolled the city during “normal” times and arrested vagrants on a regular basis. In 1784, during the so-called “Tenmei famines,” some 722 homeless were detained, placed within huts on Danzaemon’s premises, and eventually sent back to their rural hometowns. In the following decades more arrests occurred, but little is known of these.<sup>77</sup> Renewed efforts to arrest and control vagabonds and beggars in Edo occurred during the “Tenpō famines” of the 1830s. Huts were constructed in 1833–34 and 1836–37, and filled with captured “wild *hinin*” who were then divided among rural *hinin* bosses ruled by Danzaemon. Again in 1839–40 new crackdowns took place; once more, in 1842, as part of the “Tenpō reforms,” large numbers of homeless were nabbed and forced to return to their home provinces or register themselves as official *hinin* within the city.<sup>78</sup>

Despite the laws designed to prevent *hinin* from absconding, those subject to registration and control often disobeyed. Already the population statistics in Table 1 suggest a gradual trend for the impoverished to avoid be-

75. *Tokugawa kinrei-kō, zenshū*, Vol. 5, pp. 184–85 (nos. 2812, 2813). For a discussion see Teraki, *Kinsei mibun to hisabetsumin shosō*, pp. 235–57.

76. *Tokugawa kinrei-kō, zenshū*, Vol. 5, pp. 474–75 (no. 3434). In some urban areas *hinin* also served as guards. Kyoto city guarding was such a common *hinin* occupation that *hinin* in this city were commonly called *banta* (a derogatory term for guard); in the Osaka area, too, “*hinin* guards” (*hinin-ban*) under the direction of village officials and ultimately the Osaka city magistrate, guarded villages, searched for and interrogated suspects, and made arrests. Edo city wards, however, were guarded by commoners.

77. Tsukada Takashi, “Mushukunin,” in *Edogaku jiten* (Tokyo: Yoshikawa Kōbunkan, 1994), pp. 208–9.

78. *Ibid.*; Tsukada, *KNMK*, pp. 259–70, 288–300.



coming registered *hinin*. The able-bodied escaped as soon as they could, leaving behind the aged and the ill, who were not fit for official duties, much to the chagrin of Zenshichi and city officials. Even Matsuemom himself was known to have deserted. On the night of 1776/6/28 he simply disappeared, along with his wife and child.<sup>79</sup>

### *Occupations, Duties, and Increasing Hardship*

Oppressive edicts, flagrantly biased legal decisions, and inhumane discriminatory policies thus played a major role in creating, solidifying, and reproducing the Edo outcaste order. Discrimination was further amplified by occupational and economic factors, not because any job was more intrinsically polluting than any other, or even simply because most outcastes were paid only a starvation wage, but because outcastes could be forced to work at jobs that others shunned, including those considered polluting.

Since all Edo *kawata/eta* were required to live at Shinchō (in fact some surreptitiously resided and operated elsewhere), most of their domiciles and workshops were physically separated from those of commoners and warriors. Some townspeople, guided by religious taboos on the taking of life and vaguely aware of sanctions imposed on some medieval *kawaramono*, may have believed that working with leather was essentially polluting. Many more must have been repelled by the *kawata/eta*'s duty of serving at executions, a duty that again linked the latter to medieval *kawaramono*—ironically enough, for revered warrior heroes had risen to fame, sometimes even becoming the object of religious veneration, precisely because they were such singularly efficient killers.

*Hinin* in the capital seem to have been charged with a gradually expanding number of obligations and responsibilities. During the latter half of the era, in a 15-article affidavit Zenshichi presented each year on 1/17 to Danzaemon, the *hinin* promised that all suspicious individuals would be arrested, that laws would be properly transmitted to the *gōmune*, and that Danzaemon would be supplied with 2,600 laborers (man-days?) a year. Begging practices were carefully limited as well: nobody was to smoke while begging, go out at night, fight or threaten others; back-street homes were to be visited for soliciting alms only after residents of homes facing the major streets of the ward gave permission.<sup>80</sup> For following these rules, it was confirmed that Zenshichi was allowed to control all *hinin* from Shinbashi to Asakusa. The other three *hinin* heads appear to have followed similar practices. The outcaste order was thereby reaffirmed on an annual basis.

Official *hinin* duties came to include many that were easily linked to

79. Nakao, *ESD*, pp. 304–5, 351.

80. Nakao, ed., *DKSS*, Vol. 1, pp. 561–62 (1843/9); for a copy of this document from 1858 see Minami, *BESK*, pp. 342–44.

ancient notions of “pollution”: skinning and disposing of dead animals, assisting the *kawata/eta* at executions, guarding and cleaning the *bakufu* jail, work at the two *tame*, transporting prisoners, apprehending illegal beggars, and tattooing convicts and parading them through town (when this was part of a sentence). Zenshichi provided official services to the Kotsukappara execution ground and graveyard (established 1667); similarly, Matsuemon provided guards and laborers to the Suzugamori execution ground (established 1651).<sup>81</sup> The majority of Edo *hinin* activities, however, were not linked to death, prisons, or criminals. *Hinin* begged, provided various types of street performances, labored at the *bakufu*’s herbarium of officinal plants at Koishikawa, cleared the streets of wood and paper debris, repaired sandals, and worked in many other capacities.

As the number of *hinin* duties increased and as *hinin* found themselves ever more firmly locked into a sociopolitical and economic system that gave them little room to maneuver, *hinin* fortunes fell. Reasons for this decline were spelled out by Zenshichi and Matsuemon in 1821 in documents filed with a petition for “daily begging” (*hi-kanjin*). These records again indicate that it was not simply “polluting” occupations that had turned *hinin* into outcasts, but rather that some jobs were considered polluting when they were performed by *hinin*. Recently, the two bosses noted, scrap wood used for kindling by bathhouses was being picked up by bathhouse employees, carpenters/firemen, cart pullers, and other non-*hinin*, who sold what they found to bathhouses. Townspeople were keeping the rivers clean themselves, rather than paying *hinin* to do it.<sup>82</sup> Competition in the business of street performing was fierce from vagrants living at flophouses, including ones run by the pseudo-religious street performers known as *gannin bōzu*, who postured as monks soliciting religious donations.<sup>83</sup> Other “wild *hinin*” were building “huts on ‘easy street’ ” (*kiraku-goya*), extorting money from shops, and inspiring registered *hinin* to desert and lead what was judged by some a worry-free and merry life.

The *bakufu* appears to have been impressed by these arguments. Perhaps concerned that the *hinin* might become dangerously disobedient or unable

81. For a useful chart of *hinin* duties, see Tsukada, *KNMK*, p. 225. More and more tasks continued to be added between the years 1657 and 1734 (see *ibid.*, p. 231). For a document enumerating Edo *hinin* occupations in 1854 see Nakao, *ESD*, p. 241. In 1719 Kuruma Zenshichi had to supply 30 workers to the *bakufu*’s prison daily; later this was increased, but during the 1770s only about ten *hinin* were actually being used. Instead, townspeople, who were paid up to four times more than *hinin*, were employed. See Nakao, *ESD*, pp. 300–307. Kotsukappara is today in Minami Senju in Arakawa ward; at the time it was also simply known as the “Asakusa” execution ground. Suzugamori was known as the “Shinagawa” execution ground and did not include a graveyard.

82. Tsukada, *KNMK*, pp. 273–74; Nakao, *ESD*, pp. 240–42.

83. On *gannin bōzu*, see Gerald Groemer, “A Short History of the Gannin,” *Japanese Journal of Religious Studies*, Vol. 27, Nos. 1–2 (Spring 2000), pp. 41–72.

to fulfill their official duties—thus debilitating the outcaste order that had been so carefully set in place—“daily begging” was permitted in 1822.<sup>84</sup> Until this time, *hinin* had been allowed to collect donations only on officially sanctioned occasions, such as the days immediately preceding and following New Year’s, the five annual holidays (*go-sekku*), and other festive or mournful times, though such regulations were rarely heeded. Near the end of the Tokugawa period, regular monthly contributions, between 64 and 100 coppers (*mon*) a year for each house facing a major street in each ward, were also expected from the townspeople. Such donations were collected by *hinin* superiors, who shared the proceeds with their charges.<sup>85</sup> The approval of “daily begging” now meant that inhabitants of each house facing a major thoroughfare were to award the *hinin* associated with the ward one copper per day. The *hinin* bosses must have hoped this money would fortify their organization.

Yet to no avail. A report from 1825/9 laments that despite the “daily begging” allowance, *hinin* earned less than ever. Probably largely because of spiraling numbers of desertions, competition from commoners, and the failure of the citizens to contribute their daily penny, Zenshichi’s income, which had stood at 416 *ryō* in 1822, had shriveled to 60 *ryō* by 1845; other heads experienced a similar downturn in revenues.<sup>86</sup> The disastrous famines of the mid-1830s had not helped either. During these years thousands of destitute peasants had flocked into the capital, looking for ways to stave off starvation. This turned the activity of begging into a highly competitive business.

*Hinin* who took to extortionate modes of solicitation in order to obtain what had once been more easily obtainable were countered by new *bakufu* edicts. Although intimidation had been a common practice on all levels of society for centuries,<sup>87</sup> Danzaemon and Zenshichi were again ordered to inform *hinin* “hut heads” that threatening modes of begging were strictly forbidden. Yet as official snoops recorded in accounts of Edo manners from 1841/6, outcastes (as well as the blind) were still employing high-pressure tactics when claiming rewards on felicitous and mournful occasions. A

84. *Ofuregaki Tenpō shūsei*, *ge*, p. 822 (no. 6458), 1822/1.

85. See Tsukada, *KNMK*, pp. 271–72; *Chirizukadan*, in *Enseki jisshu*, Vol. 1 (Tokyo: Chūō Kōronsha, 1979) p. 288, gives a description of Matsuemon’s practice of collecting contributions.

86. *Tokugawa kinrei-kō, zenshū*, Vol. 5, pp. 482–83; Tsukada, *KNMK*, p. 280.

87. Extortion by warriors was so common in Tokugawa Japan that it was repeatedly banned by law (see for example *Shōhō jiroku*, Vol. 2, p. 433 (no. 2209) (1731)). Already in the mid-seventeenth century, peace officers had illegally solicited donations; others impersonated such officers to fortify their requests. For examples of antibegging and extortion laws, see *Shōhō jiroku*, Vol. 1, p. 3 (no. 8), 1648/3/19; p. 16 (no. 54), 1651/5/10; and Vol. 2, p. 50 (no. 1546), 1716/12/18. See also *Tokugawa kinrei-kō, zenshū*, Vol. 5, p. 474, no. 3432 (1748/12); *Ofuregaki Tenpō shūsei* (Tokyo: Iwanami Shoten, 1977), *ge*, p. 822 (no. 6457) 1789/4.

month later, sleuths reported that when *hinin* and beggars arrived at townsman homes to claim sums “appropriate to the station of the person concerned,” they might produce a “register” that backed up bids for a larger amount. On yet other occasions, large groups of *hinin* women and children appeared on the fifteenth or final day of each month and stood before homes or shops, vocalizing insulting invective and impeding business if a proper donation was not received.<sup>88</sup> *Hinin* finances must have been further drained by the earlier mentioned *bakufu* demands that Zenshichi round up thousands of “wild *hinin*” in 1839 and 1842. Zenshichi was also ordered to oversee a *hinin* workhouse (*yoseba*) that was constructed in 1843. Here over a hundred “wild *hinin*” captured in the city produced straw sandals and other objects.<sup>89</sup>

### *Subterfuge and Resistance*

Despite official and unofficial forms of discrimination and constant attempts to lock each type of person into an “appropriate” occupational and social category, defiance, often at great personal cost to the resister, became increasingly common as the Tokugawa period drew to its close. Seen from the point of view of officialdom, such resistance provided unambiguous proof that society was becoming more disorderly. From the point of view of the resister it was merely a natural result of increasing numbers of prohibitions: the more activities were criminalized, the more criminals would appear. The establishment of a rigid order meant that disorder was now likely to be found everywhere one looked.

Examples of disobedience and resistance in the Kanto area are recorded as early as 1657, when *kawata* of the Kawagoe domain in Musashi Province (near Edo) balked at orders to serve as torturers and executioners. They refused to cooperate until threatened with being deprived of their rights at the marketplace.<sup>90</sup> That eighteenth-century Edo outcastes, like their peers in other areas of the land, often crossed the border between their own and commoner groups can be read from Ogyū Sorai’s lament that “in recent years the old rules have lapsed. Commoner women are sold as prostitutes, and *kawaramono* become merchants.”<sup>91</sup> Late eighteenth-century legal documents indicate that outcastes posed as retainers of warriors, secretly mar-

88. *Shichū torishimari ruishū, shichū torishimari no bu* (in *Dai Nihon kinsei shiryō*, Vols. 1–3), (Tokyo: Tōkyō Daigaku Shuppankai, 1959–61), Vol. 1, pp. 20, 222.

89. The law is cited in Takayanagi, *Edo jidai hisabetsu mibun-sō no seikatsu-shi*, p. 132. In this volume Takayanagi focuses on the *tame* and the *hinin yoseba*. The *yoseba* was shut down in 1853.

90. Minegishi Kentarō, “Bakuhansei-teki senmin mibun no seiritsu, kan,” p. 68. Many more examples of *kawata* and *hinin* in rural areas resisting authority can be found in Ooms, *Tokugawa Village Practice*, pp. 249–70.

91. *Seidan*, p. 283.

ried commoners, and worked as apprentices in commoner shops, sometimes even with the knowledge of the owner.<sup>92</sup> In 1765, so many *hinin* were refusing to wear the prescribed clothing and hairdo that a new law was issued to remind them of their duties; by 1796 even Danzaemon admitted that many *hinin* looked very much like commoners, in part because they were wrapping kerchiefs around their heads to cover up their short hair.<sup>93</sup> Edo outcastes were purchasing homes in commoner quarters, leading to interminable *bakufu* debates regarding what to do with the property once they were found out and arrested.<sup>94</sup> Segregation proved entirely unrealistic at tea houses and restaurants, where *hinin* mixed with and entertained commoners and warriors.<sup>95</sup> Throughout the Tokugawa period, Edo *hinin* resisted when they could, hiding their status identity and sending their offspring or spouses into the city to become shop hands, waitresses, or, when all else failed, a *fille de joie*.<sup>96</sup>

By the nineteenth century some Edo *hinin* had realized that despite repeated *bakufu* attempts to restore “order,” money often talked louder than law. In 1805/9 a particularly remarkable example of *hinin* success was revealed when the authorities discovered that Sansuke, a *hinin* “hut head” at the sixth block of Sanjikkenbori in Edo, owned a two-story home over 100 square meters in size, outfitted with a double-reinforced frame, a vestibule, ceiling, paper windows, sliding screen partitions, guest room, and even a tea room. The garden featured an artificial hill and a spring that drew its water from a nearby river. Two butlers, two maids, a hairdresser, and two mistresses resided in Sansuke’s home, along with some 30 others. Sansuke even hired a blind masseur who doubled as a *koto* instructor for his daughter. For living in such luxury, for wearing silk clothing, and for indiscriminately mingling with commoners, Sansuke was arrested and sentenced to exile.

92. Kobayashi, ed., *KHBKHS*, p. 173 (1784); pp. 215–17 (1795); p. 237–41 (1799). From 1804, commoners who placed a *hinin* in charge of a shop or provided lodging to *hinin* were fined 3,000 coppers. See *ibid.*, p. 269. Cases of commoners becoming members of outcaste villages in the Osaka area have been studied by Hatanaka Toshiyuki. See for example his “Mibun o koeru toki: setta o meguru hitobito,” in Tsukada Takashi et al., eds., *Mibun-teki shūen* (Osaka: Buraku Mondai Kenkyūjo Shuppanbu, 1994), pp. 403–59.

93. Nakao, ed., *DKSS*, Vol. 1, p. 193. Kerchiefs were outlawed on 1796/10/17 (Harada, ed., *HSSSS*, Vol. 11, pp. 499–500). Already in 1723 hats/head coverings (*zukin*, *kaburimono*) had been prohibited, but kerchiefs (*tenugui*) allowed the quick-witted to circumvent this order.

94. See, for example, Harada, ed., *HSSSS*, Vol. 11, pp. 549–52, and Kobayashi, ed., *KHBKHS*, pp. 234–37 (1799/6). In 1838/11 a *kawata/eta* posing as commoner was scolded and his guarantor fined 3,000 coppers. See Kobayashi, ed., *KHBKHS*, p. 335. Minami, *BESK*, p. 381, presents other examples of attempts to escape *eta/kawata* status by marrying a commoner, renting a house outside the *kakoiuchi*, or becoming an apprentice.

95. *Shichū torishimari ruishū*, *shichū torishimari no bu*, Vol. 1, p. 366 (1842/9); *Hannichi kanwa* (*Nihon zuihitsu taisei*, series 1, Vol. 8) (Tokyo: Yoshikawa Kōbunkan, 1975), p. 67.

96. Minami, *BESK*, p. 358. See *ibid.* p. 359 for other instances of *hinin* concealing their status.

The Otowa and Kobiki-chō ward heads, who had presumably known about this state of affairs and failed to report it, and some four dozen others, were also imprisoned; still others were placed under house arrest.<sup>97</sup>

Sansuke no doubt presented a particularly flamboyant exception to an otherwise unhappy rule. Yet in his behavior, even if it was only a fraction of what was reported, one can detect a healthy disrespect for oppressive sanctions that must have been shared by many of his less fortunate peers. One may also discern a *laissez-faire* attitude among some of the townspeople supposed to be policing him. Unfortunately, Sansuke's efforts, like the protests of most Tokugawa-period outcastes, provided a convenient excuse for the *bakufu* to clamp down even harder on those who were attempting to mitigate their own suffering. Examples of disobedience allowed the state to intensify punishment for transgressors, to promulgate laws that reiterated the fundamental and "natural" differences between outcastes and commoners, and to demand new and more exacting duties be fulfilled. Such efforts were backed by ideologues who penned discourses defining the nature of "pollution" and justified the use of this concept to keep outcastes in their place, as if social status were something natural, inevitable, and eternal.<sup>98</sup> The limits of micropolitics against massive, state-backed institutions of oppression, recognized as legitimate by majority society, became strikingly evident in the inability of Tokugawa-period outcastes to liberate themselves.

### *Conclusion: The Result*

By the second half of the Tokugawa period a combination of political, economic, legal, ideological, and religious forces had produced a rigid, systematic, and state-sanctioned order of discrimination in the capital, where certain people were relegated to a position deemed "outside" and below commoner society. Edo provides a good example of how this was done, but it was by no means unique. The manner in which outcastes were ordered and governed differed according to the age and the place in question, but

97. Suzuki Tōzō, ed., *Kinsei shomin seikatsu shiryō gaidan bunbun shūyō* (Tokyo: San'ichi Shobō, 1993), p. 50; and Minami, *BESK*, p. 359. Several dozen people can hardly have lived comfortably in a two-story house 100 square meters in size. This type of panicked exaggeration is in the style of the *Seji kenmonroku* (p. 745), which describes an Osaka *eta* named Taikoya Matabee as owning 70 *ryō* in gold, a storehouse full of Chinese and Japanese curios, and maintaining seven or eight concubines. "They [the outcastes] wear swords and live in luxury. Though called *hinin* and *koya mono* [literally 'hut people'], they have elegant dwellings, wear silk and *crêpe de chine*, stage lavish feasts for their sons and daughters, indulge in sightseeing and pilgrimages, just like commoners. What a life this is, getting something for nothing while exhibiting not so much as a hint of shame!"

98. Discourses of this nature in which the *kawata* were "racialized" are analyzed in Ooms, *Tokugawa Village Practice*, pp. 298–309.

whether the administrative apparatus centered on secular institutions (Danzaemon's administration in Edo) or on religious ones (e.g., the Hiden'in in Kyoto), outcaste orders throughout the land were created gradually, through political, juridical, and economic means, and fortified by cultural and ideological forces whose roots reached back to the medieval era. Yet even though medieval precedent regarding "polluting" occupations and the clergy's teachings regarding blood or death helped maintain and justify what some have termed a "status beyond status," such ideas in themselves would have had little force or effect had they not been linked to exploitative political and economic practices that benefited some and harmed others. In the end, the existence of an outcaste order testified not just to inherent flaws in Confucian, Shintō, or Buddhist ideologies, though it did that too, but also laid bare the disastrous failure of the Tokugawa political and economic system to foster a just and humane society. That failure continued to disfigure Japan long after outcastes were nominally "liberated" on 1871/8/28. Its legacy still plagues the nation today.

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