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*Rulers, Peasants and the Use of the Written Word in Medieval
Japan: Ategawa no shō 1004–1304 (review)*

Thomas Conlan

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BOOK REVIEWS

Rulers, Peasants and the Use of the Written Word in Medieval Japan: Ategawa no shō 1004–1304. By Judith Fröhlich. Bern: Peter Lang, 2007. 223 pages. Hardcover €27.00/£18.90/\$31.95.

THOMAS CONLAN
Bowdoin College

Judith Fröhlich's *Rulers, Peasants and the Use of the Written Word in Medieval Japan: Ategawa no shō 1004–1304* provides a case study of the Ategawa estate (*shō*) and explores the topic of literacy in medieval Japan. The monograph's argument is that "literacy coexisted and interacted with orality" (p. 201). By analyzing phonetically written petitions pertaining to land disputes, Fröhlich reveals how peasants from estates such as Ategawa understood their world through oral tales and images, which were transcribed into written records.

Fröhlich thoroughly analyzes secondary scholarship regarding literacy, but she tends to overly distill arguments, causing important points to be lost. For example, she cites Michael Clanchy's *From Memory to Written Record: England 1066–1307* as providing useful categories for examining the "making, using and keeping" of documents (p. 25), but she fails to acknowledge Clanchy's argument that "the medium is not the message."¹ Pace Clanchy, Fröhlich believes that the medium is the message. "Orality . . . influenced . . . the ways of thought and expression of the peasants. The borrowing of structures of narration from other text genres indicates that in rural society, strict limits did not yet exist between oral and literate forms of narration, be it petitions, gossip or tales" (p. 193). Thus, petitions matter because they were drawn up "for purposes of self-representation" or "vocalizing resistance" by peasants (pp. 155–56) who "composed documents out of their own will." (p. 191).

To Fröhlich, orality represented a distinct ("rural") mode of thought involving forms of expression (genres) different from those employed by the literate. A peasant's world view, or "referential system," used images (p. 189), but peasants could not "relate to something that was not part of a set narrative tradition" (p. 190). Why Fröhlich believes that statements transcribed into "Chinese written style" (p. 156) are fundamentally different from "oralising" (phonetic) scripts such as katakana (p. 196) is not clear, particularly because, as she recognizes, estate managers helped "the peasants" in writing their katakana petitions (p. 162).

Fröhlich is ready to imagine the peasantry's reaction to oral recitations—going so far as to "see with their mind's eye the meadows and wooded mountains of Ategawa no shō in the fall" (p. 181). Her vision fails, however, when she tries to define who

¹ Michael Clanchy, *From Memory to Written Record: England 1066–1307* (Oxford: Blackwell, 1993), p. 9. Clanchy also states "primarily and most obviously, it is language itself which forms mentalities, not literacy. Writing is one of the means by which encoded language is communicated; it can never be more than that."

these “peasants” were. She portrays *myōshu* as “upper class peasants” (pp. 158, 160), or “local land managers” (pp. 160, 166) when in fact these men served on guard duty, were known as “lords of the land” who ruled over *hyakushō*, and considered themselves to be equals of the Kamakura bakufu’s warriors.² Even some *hyakushō*, social inferiors to the *myōshu*, are documented as owning short and long swords and bows and arrows. As Asakawa Kan’ichi noted in his *Documents of Iriki*, the thirteenth-century *hyakushō* constituted “residents upon land ... capable in an instant’s notice of donning their armor, saddling their horses and riding out to battle as fully equipped soldiers.”³ Not an “innocent group” forced to flee a warrior’s “terrifying threats” (p. 181), many of these “peasants” were actually part of what Fröhlich conceives as a distinct “warrior elite” (p. 135). Typifying such misperceptions, she translates *ōryōshi*, a provincial constable appointed from the ranks of warriors, as an “aid inspector” (p. 65).⁴

A lack of precision and inconsistency marks this work throughout. On page 19, for instance, Fröhlich refers to village communities as being well established, while on page 65, she acknowledges that villages were only beginning to exist during the latter half of the thirteenth century. Some factual errors in need of correcting include: Mt. Kōya, or its priests, were never treated as a daimyo, or military lords, in the Tokugawa period (p. 115); Tōji had four individuals, not one, who served as “head” or “abbot” (*chōja*, p. 93); the “last mentioning” of this estate was not in 1437 (p. 68) but 10.23.1516.⁵ The generalizations offered often outpace available evidence. Fröhlich writes of the “authority of the imperial court in decline” (p. 53) and the “detachment of rural society from the estate proprietors in Kyoto” (p. 66), but her narrative reveals, to the contrary, that the sovereigns Kameyama and Go-Daigo adjudicated disputes on Ategawa (pp. 67, 113), suggesting waxing, not waning court power in the late thirteenth and early fourteenth centuries.

Why, if the goal is to explore literacy, Fröhlich examines a single estate rather than the aggregate documents of the age, is difficult to understand. Mt. Kōya possessed other well-documented estates, as did other religious institutions, such as Tōji, but Fröhlich mentions these only in passing (p. 47).

Even sources utilized are not researched as thoroughly as one might wish. A forged record, the *Goshuin engi*, purportedly the work of the Shingon patriarch Kūkai, constitutes the focus of one of Fröhlich’s five chapters. She sees this document as

² For an account of how *hyakushō* and *myōshu* were fully armed members of society, see Thomas D. Conlan, *State of War: The Violent Order of Fourteenth Century Japan* (University of Michigan Center for Japanese Studies, 2003), pp. 114–21. Just as warriors declared themselves to be “original reclaimers of the land” (*kaihatsu ryōshu*) in fourteenth-century law primers, such as *Sata mirenscho*, *myōshu* also justified their status in these terms. The only difference was that *myōshu* lacked documents of investiture (*kudashibumi*) from Kamakura. For *myōshu* claims, see the 4.24.1241 (Ninji 2) “Owari no kuni kokugaryō monjo an,” currently in the Daigoji collection, published as doc. 349 in *Ichinomiya-shi shi*, vol. 6 (Ichinomiya, 1970), pp. 711–13. For those of Kamakura’s warriors, see Carl Steenstrup, “*Sata mirenscho*: A Fourteenth-Century Law Primer,” MN 35:4 (1980), p. 418.

³ Asakawa Kan’ichi, *The Documents of Iriki* (Japan Society for the Promotion of Science, 1955), p. 207. Incidentally, Fröhlich cites this book on page 51.

⁴ For a reference to *ōryōshi* in 1276 that reveals their military function, see the 3.13.1276 “Higo Kubota no shō Sō Jōyū chūshinjō,” translated and analyzed in Thomas D. Conlan, *In Little Need of Divine Intervention: Takezaki Suenaga’s Scrolls of the Mongol Invasions of Japan* (Cornell East Asia Series, 2001), document 17, pp. 215–16.

⁵ See *Kadokawa chimei daijiten* (Kadokawa Shoten, 1978–1990), vol. 30, p. 81.

important because it “combine[s] various text genres” (p. 199) and thus represents traces of an earlier oral mentality. To further this argument, she asserts that “land proprietors did not necessarily legitimise claims by only showing documents, edicts and deeds of transfer, but also by recalling stories related to the origins of their lands” (p. 90). Fröhlich fails, however, to take account of evidence suggesting that this record was not used to justify land claims. According to *Wakayama-ken shi* (a relevant work that, like *Kōyasan monjo*, a seven-volume prewar collection of Kōya documents, Fröhlich does not cite), *Goshuin engi* was given to Retired Emperor Shirakawa in 1088 so that he would designate Kōya as a holy center; it thus is “unreasonable to think that it was linked to an expansion of Kōya lands.”⁶ Fröhlich does not mention this earlier development, stating simply that *Goshuin engi* “appeared to have fallen into oblivion for over a century” before “Empress Bifukumon’in rediscovered the records” (p. 92) and returned them to Kōya.

Although Fröhlich uses court cases to illuminate patterns of literacy, her analysis of Kamakura law is also problematic. She provides evidence that the Kamakura codes, the *Goseibai shikimoku*, established precedents that would last for centuries: they were cited by a nun six years after their initial 1232 promulgation and were used in an attempt to commute a death sentence as late as 1553 (p. 135). In 1344, eleven years after the Kamakura regime had been destroyed, the code was even enshrined in a temple (p. 30). In Fröhlich’s opinion, this act made the code a “petrified symbol of secular and sacred law.” Such an argument fails to explain the ongoing significance of the *Goseibai shikimoku*. She also could have provided a better analysis of the varying functions of different forms of medieval law. As much of Fröhlich’s study is concerned with adjudicated disputes at Ategawa estate, the analysis of such disputes would benefit from distinguishing more clearly between judicial, administrative, and penal law. The *Goseibai shikimoku* was primarily a judicial, not, as Fröhlich asserts on page 188, a penal code. Criticisms that Kamakura “did not . . . systematically keep law codes and records related to legal cases . . . [as] precedents for future references, let alone promulgate them consciously among the population” (p. 144) blur the difference between common and statutory law. Fröhlich also overstates the newness of her claim that “oral means of expression” were important for the assertion of land rights (p. 201). Writing in 1990, Jeffrey Mass argued that the Kamakura regime’s judicial decisions were “based upon oral and written testimony.”⁷ Fröhlich does not refer to Mass’s later writings, citing only his 1979 *The Development of Kamakura Rule* (pp. 17, 74, 123–24), and otherwise relies on criticisms of an ill-defined “conventional wisdom” (p. 195).

The topic of writing and speaking is a rich one, deserving of insightful study. The social significance of writing and reading in medieval Japan transcends modern academic shibboleths regarding literacy, or for that matter, the dreary binary opposition of “elite” and “oppressed.” Fröhlich is to be commended for taking up this important subject, but unfortunately the work at hand suffers from mischaracterizations of secondary scholarship, spotty and tendentious generalizations, imprecision in terms of analysis, and lack of analytical rigor.

⁶ *Wakayama-ken shi, chūsei*, ed. Wakayama-ken Shi Hensan Linkai (Wakayama, 1994), p. 65.

⁷ Jeffrey Mass, “The Kamakura Bakufu,” in vol. 3 of *The Cambridge History of Japan*, ed. John Whitney Hall et al. (Cambridge University Press, 1990), p. 77.