

CHAPTER 9

INHERITANCE AND SUCCESSION

1. Types of Inheritance and Succession

The Japanese word *ie* is difficult to translate, since it includes the sense of family, household, and group related by blood. The *ie* as a legal entity was abolished by the Civil Code of 1947, though its relics of impartible inheritance and primogeniture are still visible. The Meiji Civil Code of 1898 clearly prescribed these two elements, but, at the same time, could be said to have lent its weight to the creation of a false image. Although primogeniture and impartible inheritance were established by law after the Meiji Civil Code, they were not necessarily the practices followed in Tokugawa and early Meiji Japan. In fact, even after the code's enactment, people evaded the law on occasion to maintain traditional inheritance and succession practices. It is nonetheless true that primogeniture and impartible inheritance represented the dominant practice.

Upon examining the sources, it is clear that there were many cases in which there was neither primogeniture nor impartible inheritance. The Tokugawa period is the first era for which it is possible to learn of the customs of inheritance and the family lives of ordinary residents from historical sources. Once we enter the Meiji era, the government compiled a "National Collection of Civil Customs" (*Zenkoku minji kanrei ruishū*),¹ the product of a national survey carried out in preparation for compilation of the civil code.

These records include many interesting cases. For example, with regard to succession, the following entry is not exceptional: "Although the first son generally inherits [house headship], in some cases he is adopted out of the house and the second or third son inherits, and in other cases the first son establishes a branch family" (Kuboya-gun, Bitchū province).²

Also with regard to inheritance: "When the second and/or third son establishes a new branch family, the local office must be informed. The amount of the inheritance is decided by the family head and there are no concrete rules." In other words, it was sufficient simply to report the transfer, and partible inheritance was acceptable, even though the division might be uneven: "the standard expression is six parts to four parts, the non-successors

1 The Ministry of Justice held interviews to investigate civil customs in the process of compiling the civil code. The results of these surveys, conducted twice in 1878 and 1881, are collected in *Meiji bunka zenshū hōritsu hen*, pp. 161–374.

2 *Ibid.*, p. 298.

receiving less than successors” (Numata-gun and Aki-gun, Aki province).³

Thus inheritance was not impartible. The custom of ultimogeniture—a system that is the complete reverse of primogeniture—existed in many places in central Japan and throughout the southwest. Although the term “ultimogeniture” is not recorded, the fact that the custom was widespread in central and southwestern Japan is clear from the common notation that “the eldest son established a new branch family.” On the other hand, however, such cases are not seen throughout the whole country, and there are many entries of cases in eastern and northeastern Japan in which the tradition is one of impartible primogeniture.⁴

Ultimogeniture raises the age at which the rights of succession pass down to the next generation. Seen from the standpoint of a household’s labor force, this system most often works in regions where the economic environment is good and land can be acquired easily. In contrast, primogeniture in Japan generally accompanies the tradition of a married child living with his or her parents, succeeding to headship of the household and maintaining the family line, which maintains the labor force within the household. It is therefore suited to places where economic conditions are bad. From a demographic viewpoint, ultimogeniture creates the possibility of family formation by members of the next generation other than the successor, which may also work as a latent force for population expansion. In contrast, because primogeniture does not necessarily guarantee the formation of families other than by the eldest son, there are times when it also acts to suppress population growth. Moreover, because of the difference in the length of the family cycle upon which these two systems are based—the former being long, and the latter, short—they affected changes in the population of the two regions of Japan from the eighteenth through the first half of the nineteenth centuries.⁵ In all probability, we can view non-primogeniture, including ultimogeniture, as linked to population growth in southwestern Japan, and primogeniture as having been linked to population reduction in northeastern Japan.

These facts point to a mistake in the standard explanation regarding inheritance in Tokugawa Japan. From examining sources from the seventeenth century, it is clear that, even in regions where impartible inheritance was the rule, land was sometimes divided equally.⁶ In the early period, arable land was easy to acquire, and the expansion of agricultural production was doubtless great. In the eighteenth and nineteenth centuries, when these conditions disappear, the preference for impartible inheritance is thought

3 Ibid., p. 302.

4 Naitō 1973, pp. 75–77.

5 For regional fluctuations of population at this time, see Hayami 1971, pp. 67–80.

6 In one village in the Osaka vicinity during the middle of the seventeenth century, equal inheritance could be seen among middle- and upper-class peasants. With the passage of time, this custom was no longer practiced, and, instead of equal inheritance, disproportionate inheritance came to be practiced widely. Shinbo 1967, pp. 29–65.

to have increased markedly,⁷ and thereafter, the theory is tenable that not only equal inheritance, but in many cases, even the creation of branch households, were forbidden. In addition, there were different inheritance customs even among neighboring villages within the same generation.⁸ This mixture of impartible and partible inheritance in the same region can be seen anywhere in the world, and is not a feature unique to Japan.⁹

In the latter half of the Tokugawa period, all arable land was turned over to cultivation, and the possibility of an increase in the harvest obtained from a fixed area of such land reached the point of diminishing returns. I think that it is possible to elucidate the functions of the *ie* system through an examination of the strategy pertaining to inheritance and succession adopted by the peasants, based on these conditions.

Laurel L. Cornell pursued research into the nature of inheritance spanning more than three hundred years in a village in Shinano.¹⁰ She did this for the period between 1671 and 1871 by means of documents, and thereafter by means of interviews. Her conclusions are as follows. "Within the household, choice of succession is governed by various principles ... Despite the general practice in Japan that the eldest son succeeds to the household headship, and the local variant, youngest son succession, sons of either category do not make up a majority of all cases. Rather, the choice of successor is dependent on a variety of circumstances, influenced by demographic conditions."¹¹

The major issue that needs to be emphasized is that the traditions of inheritance in Japan were not uniform.¹² Cornell examined a region in which ultimogeniture was the norm.¹³ Succession, however, was not limited to a single pattern. The system of succession was somewhat flexible.

2. Succession in Nishijo

As far as can be judged from the sources spanning the ninety-seven years between 1773 and 1869 for Nishijo-mura, Anpachi-gun, Mino province, excluding the creation of branch

7 Ōtake 1962, pp. 67–170.

8 Ōtake states that in villages nearby the one targeted by Shinbo, equal inheritance is not to be seen. *Ibid.*, p. 169, Fig. 39.

9 Berkner compared the differences in inheritance customs between Calenberg and Göttingen in Lower Saxony. These two regions are separated by less than eighty kilometers. Nevertheless, on a map of inheritance customs for Europe as a whole, this degree of difference ends up being concealed, and ends up being classed as one that is "primogeniture predominant." Berkner 1976, pp. 71–95 and Thirsk 1976, pp. 177–191.

10 Cornell 1981.

11 *Ibid.*, p. 232.

12 Nakamura and Miyamoto 1982. This work presents some important issues, but is thought to oversimplify the Japanese customs of inheritance as being entirely primogeniture inheritance.

13 Cornell 1981.

Table 9-1 Successors

1. Male		
	Population	Percentages
Eldest sons	57	19.9
Middle sons	8	2.8
Youngest sons	20	7.0
Only sons	44	15.3
Sub-total	129	44.9
Husbands	3	1.0
Fathers	1	0.3
Grandsons	3	1.0
Sub-total	7	2.4
Brothers	10	3.5
Brothers-in-law	1	0.3
Uncles	1	0.3
Nephews	2	0.7
Sub-total	14	4.9
Adopted males	35	12.2
Total	185	64.5
2. Female		
Wives	6	2.1
Widows	68	23.7
Daughters	11	3.8
Mothers	10	3.5
Granddaughters	1	0.3
Sisters	5	1.7
Nieces	1	0.3
Total	102	35.5
Total (1+2)	287	100.0

families and families becoming extinct, there was a total of 287 cases where the head of the household changed. Table 9-1 shows these changes according to the relationship between the successors and non-successors. What stands out upon looking at this table is that the eldest son inherited on surprisingly few occasions, only approximately half of the total number of cases even when *yōshi* (adopted sons) are included. Approximately 20% of the total shows the eldest son succeeding, and, when the cases of families with only one son are included, the figure rises to 35%. Succession by the second, third, and youngest sons form approximately 10% of the total. Although eldest son inheritance is more common in relative terms, these figures show that, in Nishijo-mura, primogeniture had not been established systematically.

The transfer of the headship of the household differed according to whether the current head retired or died. In the former case, the head could select a successor in advance. In the latter case, many successions were sudden and unforeseen events, and

selection of a successor was often an urgent issue. For this reason, in order to examine strategies used in succession, we ought first to look at a sample of cases in which the head of the household retired.¹⁴

In Japan, the custom was that the head of the household would yield supervision of the house to his son as he grew older, enter retirement, and give up his obligations to society and his right to represent the household. The standard age of retirement was not fixed. Normally, however, retirement was rare before the age of sixty.

On the other hand, if the head of the household died, it was an “emergency” for family life. Succession was not decided as a result of discussions between the generations, because it was essential to decide quickly who would become successor, and thus it is difficult to detect the same “system” that would come into play when the head retired. In certain circumstances, the headship did not fall to the son, but was passed to someone

14 I am greatly indebted to Laurel L. Cornell for this approach.

else instead. It could be passed to the widow, a younger brother or daughter, or in extreme cases, to the previous generation; that is, even to the deceased's mother or father.

There was also succession that does not fall into any of these categories. This was often the case in Nishijo-mura, when the head of a household left his wife behind in the village temporarily and went to work away from home on *dekasegi*. In this instance, the SACs recorded headship as having passed to the wife.

Table 9-2 classifies the successors shown in Table 9-1 according to the three reasons for succession, namely, retirement, death, or other. This table presents several interesting facts. Firstly, in cases of retirement, the successors are all men, and there is not a single woman. From the standpoint of maintaining the status of the household, the head was preferably male.¹⁵ In the case of death, however, it was not at all rare for women to succeed to house headship. Successors to headship when the head of a household died divide equally between men and women. The most frequent cases are of the headship passing to the widow.

By contrast, in the case of Yokouchi-mura, Shinano province, as examined by Cornell, in only a mere 11% of instances did the house headship pass to a woman when the head of the household died. Furthermore, this only happened in exceptional cases.¹⁶ If we suppose that the fact of a woman being the head of a household indicates the position of women in society, the difference evident between these two villages can be considered meaningful.¹⁷ In the population statistics for 1880, the percentage of female heads of houses in Anpachi-gun, Gifu prefecture, to which Nishijo belongs, was 7.1%, but in Suwa-gun, Nagano prefecture where Yokouchi is located, the figure is only 2.3%, clearly reflecting a different standard.¹⁸ The women of Nishijo-mura often went to the city for labor migration. This fact elevated the economic standing of women within both the village and the region, which is in turn reflected in a relatively higher social position.

In the case of the head of the household retiring, however, the successor was always male. Including *yōshi* (adopted sons), 95% of successors were of direct parental lineage, and only the remaining 5% were close relatives or others. Since we are looking for the presence or absence of some sort of system governing succession, let us here examine the fifty-five cases most representative of the "system," those in which the successor was male.

Of these, nineteen were only sons, and automatically became successors. Of the remaining thirty-six, eleven had at least one male sibling, but, at the time of the succession, these siblings were either disciples in a temple, had been adopted by other households or

15 Cornell has also unearthed similar facts regarding Yokouchi village. Cornell 1981, p. 94, Table 5.5.

16 Ibid.

17 See Cornell 1979.

18 According to the Home Ministry, Household Register Bureau census of 1880, *Nihon zenkoku jinkōhyō*, the national average was 4.5%, with Osaka the highest, at 16.3%.

something similar, leaving only the one male behind. Let us call these “quasi-only sons.” Since in these cases it is not absolutely impossible to recall a person from far away for the purposes of succession, another successor would be possible. However, the possibility of this coming to pass was extremely remote. The first three lines of the male section in Table 9-2 shows whether the elder, second, third, or youngest son was chosen as successor when there were several possible candidates. This was most often the eldest son, reaching approximately two-thirds overall. The remainders were people other than the eldest son. There is not a single case in which the second, third, or youngest son succeeds temporarily, until the eldest son returns from outside. As for close relatives, there is not a single case of the former head of the household’s elder brother succeeding. As a result, as Table 9-2 shows, the ratio between the eldest son succeeding or another male succeeding proves that in this village, systematization of primogeniture was somewhat remote. This fact is exactly the same even when the head died, and is not a special characteristic of retirement.

Table 9-2 Succession by Reasons

1. Male			
	Retirement	Death	Other
Eldest sons	24	33	
Middle sons	5	2	1
Youngest sons	7	13	
Only sons	19	23	2
Sub-total	55 (71.4)	71 (39.7)	3 (9.7)
Husbands			3
Fathers			1
Grandsons	1	2	
Sub-total	1 (1.3)	2 (1.1)	4 (12.9)
Brothers	2	3	5
Brothers-in-law			1
Uncles		1	
Nephews	1	1	
Sub-total	3 (3.9)	5 (2.8)	6 (19.4)
Adopted males	18 (23.3)	12 (6.7)	5 (16.1)
Total	77 (100)	90 (50.0)	18 (58.1)
2. Female			
Wives			6
Widows		68	
Daughters		9	2
Mothers		5	5
Granddaughters		1	
Sisters		5	
Nieces		1	
Total		89 (50.0)	13 (41.9)
Total (1+2)	77 (100)	179 (100)	31 (100)

Figures in parentheses are percentages.

The mean age for the male head of a household to retire was 70.0 (n=23, s.d.=8.57), and for a woman, 60.3 (n=32, s.d.=9.43). The age for the father to retire is higher than expected. This distribution is shown in Figure 9-1.¹⁹ The mean age for men upon succession is 33.2 (s.d.=7.12) when succeeding a male head and 30.0 (s.d.=7.30) when succeeding a female. Figure 9-2 shows the age distribution of men upon succession. The age difference between father and son upon succession is 36.8, approximately 1.5 times the 25 years that is the usual length of one generation. We can take this figure of 36.8 years as the length of one generation in the family cycle. This figure is undoubtedly linked to the late age at marriage and the high rate of infant mortality, but we shall not touch upon that here.

Fig. 9-1 Distribution of Age on Retirement

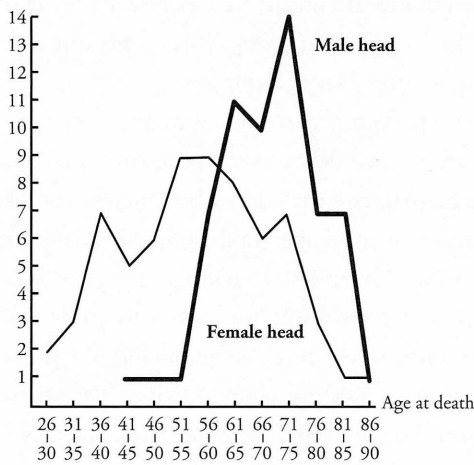
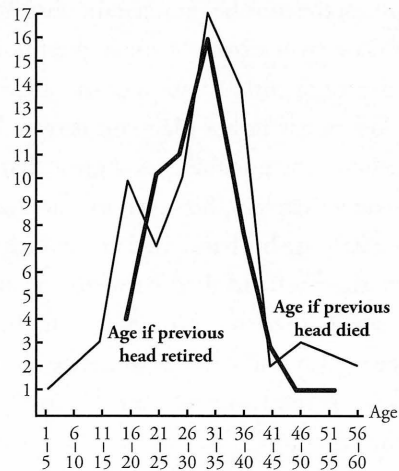


Fig. 9-2 Distribution of Age at Succession



In reality, men succeeded more quickly. As can be seen in Table 9-2, the most common cases of succession were due to the death of the father. Of a total of seventy-one cases, when we examine sixty cases of succession which were due to this reason, the mean age of death for the father is quite high at 69.2 (s.d.=9.67), and the mean age of the man at succession is 30.4 (s.d.=9.95), which differs little from cases in which the head of the household retired. Because death could also occur at a fairly young age, the fact that the standard deviation is high is no great surprise. As seen in Chapter 7, however, in Nishijomura, the age at death of the inhabitants was high.

When the sixty cases of succession which were due to the death of the father are examined, seventeen are only sons, and of the twenty-nine eldest sons, eight are quasi-only sons. Of the fourteen male successors who are not eldest sons, ten are quasi-eldest sons. Excluding these, there are twenty-five cases in which it was possible to choose a successor.

19 In Yokouchi-mura, Suwa-gun, Shinano province, the average is 59.3 *sai*, and the midpoint is 60 *sai*. Cornell 1981, pp. 86-87, Table 5.3.

Of these, in twenty-one cases, the eldest son was chosen. The percentage of succession by the eldest son is high compared with cases in which the head retired, but these are thought to be due to the age of the successor.

The fact that when the former head of the household died the age of the male successor was high, as can be seen in Figure 9-2, was because the former head of the household was often a widow. The following results were obtained from an examination into sixty-eight cases of succession by widows. The mean age of the husband at death was 55.8 (s.d.=13.5), and the mean age of the widow upon becoming head of the household was 47.4 (s.d.=12.7). Figure 9-1 shows the age distribution (in five-year intervals) at the time of succession for both male successors and widow successors. When the head of the household died at less than 55 *sai*, the cases where the successor was a male are extremely rare. In the 56 to 60 *sai* group, the number of male successors increases rapidly, and at 61 *sai* or over, they exceed succession by widows. At the highest point, the 71 to 75 *sai* group, this stands out clearly. The degree of concentration of the widows' ages upon succession is low.

When the father died comparatively young, even if there was a man present in the household, the possibility was great that the widow would become successor temporarily. How do we explain, however, the fact that in many cases, the widow became the successor even when the husband died at a comparatively advanced age? Taking the thirty-five cases where the husband died between the ages of fifty-six and sixty-five from Figure 9-2, in eleven cases there was no son, and in nine cases there was a son but he was absent for labor migration (in four cases of which he returned home to become successor, and in five cases, he did not return home and the family became extinct upon the death of the widow). Of the remaining fifteen cases, there was a son, but in twelve of these cases, the boy was seventeen *sai* or younger. In three of these cases, even when the boy reached a suitable age, he did not become successor. When these cases are examined individually, the first is a temple family, and the son was likely expected to succeed after several years had passed. In the second case, even though there was a son of forty-eight *sai*, he never married and the widow continued as head of the household until her death. There was likely some special reason which prevented the son from becoming successor.

The third case is of special interest. This family was comprised of a landlord with five sons. The eldest son married and was living in the same household, but headship did not pass to him immediately, and the widow became the successor. Three years later, when the third son founded a branch family, the widow moved in with his household. However, the following year, when the fourth son founded a branch family, she moved once again to go and live in his household. This hints at the possibility of some sort of difficulties in the relationship between the widow and the surviving members of the household.

In summary, with the exception of a small number of cases, when there is no son, or when the son is too young, the widow becomes the successor. At what age, then, was a son old enough to become successor? The age distribution of male successors when the father

either retired or died is as shown in Figure 9-2. At first glance, the two lines appear to overlap, but for sons under twenty *sai*, there is a major difference, with only four cases of retirement and sixteen of death. Table 9-3 shows that, whether the widow or the eldest son succeeded depended on the age of the eldest son. Since cases in which the eldest son did not succeed even at twenty-one *sai* or over are considered to be exceptional, as stated above, here the range of observations is limited to eldest sons aged twenty or less. The results obtained from this table are that, generally, the eldest son succeeded if he was eighteen *sai* or over, and that the widow succeeded if he was sixteen *sai* or under. When the son was seventeen *sai*, the cases are exactly equal. Doubts still remain, however, as to how a son of four or nine *sai* could become successor at such an extremely young age.

Table 9-3 Age Distribution of Eldest Sons at Time of Succession by Widows or Eldest Sons

Son's age	Succession by widows	Succession by sons	Total
1	1		1
2	1		1
3	1		1
4	4	1	5
5	3		3
6	1		1
7	3		3
8	5		5
9	1	2	3
10	2		2
11	3		3
12	3	1	4
13	2	1	3
14	3	1	4
15			
16	2		2
17	2	2	4
18		6	6
19		4	4
20	1	2	3
Total	38	20	58

By way of explanation for such exceptions, we may take the case of a male of four *sai* who became successor. Here we find that he was living with an elder sister, aged twenty, so it is clear that he was successor in name only. In one of the cases in which a male child of nine *sai* became successor, he was living with a sister of twenty-three *sai*, while he was on his own in the other case. Consequently, it seems generally possible to explain even these abnormal cases, and they do not contradict the general trend in which sons succeeded at seventeen or eighteen *sai*.

3. Inheritance and Branch Families

Information presented by the Nishijo-mura SACs regarding inheritance is limited to evaluations as to the amount of land owned by each household in the village; in other words, to landholdings. These are calculated based on a land survey of both fields and property attached to the dwelling. In many cases, the original land survey was conducted either at the end of the sixteenth century or at the beginning of the seventeenth, but in Nishijo-mura's case, because land survey registers survive from 1621, in all probability the

number of *koku* dating from that time were used.²⁰

Thereafter, new fields and rice paddies were added. For that reason, when somebody's landholdings are said to be ten *koku*, it means that they hold land in Nishijo-mura which, when land surveys were conducted several decades or several hundreds of years before, was rated as yielding an average of ten *koku* calculated in rice. Subsequently, land productivity increased greatly, and arable land evaluated as being worth ten *koku* in the initial survey was undoubtedly producing 1.5 to twice as much by the end of the Tokugawa period. In addition, the landholdings in the SACs for the village show only the *koku* for the land held within the village, and if land was held elsewhere—seen frequently in the plains—there is no record of it.

One further problem is that SACs are neither tax nor land registers. Doubts remain as to whether, when a given household changed its landholdings, the change was entered in the SACs immediately. It is quite possible that the entry was made several years after the fact. We must proceed in our examinations with an awareness of the problems inherent in information pertaining to inheritance that can be gleaned from the SACs, as might be expected from entries of landholdings alone.

Of the 287 cases of succession examined in Table 9-1, there are only twelve cases in which landholdings changed simultaneously, no more than 4%. This reflects the fact that land was the property not of the individual, but of the family, and that in Japan at this time there was nothing in the form of an inheritance tax system. We can conclude that land inheritance only occurred with the establishment of a branch family, and was not part of normal succession.

In Nishijo-mura, for the period for which there are surviving SACs, joint and extended families were always the exception, and stem and nuclear type families were the norm. Furthermore, the continuous creation of branch families based upon a system of ultimogeniture as detected in Yokouchi-mura by Cornell²¹ was also extremely rare in Nishijo-mura. Consequently, the accompanying inheritance of landed property is not found either. The transfer of land is only found with the creation of branch families in the form of a change in recorded landholdings. We can identify a particular household as a branch house which has broken off from the main house by the phrase in the SACs, "this house separated from such-and-such house." Let us look at the process of establishing a branch family by looking, as in Figure 9-3, at the genealogy of the family that produced the most branches. It is clear from the SACs for 1773 that Household No. 1 comprised the following individuals: a household head of thirty-eight *sai*, his wife of twenty-three, his father and mother, two brothers, and one sister (in addition, there were four servants, but

20 Included in the Tanahashi family collection, Wanouchi-chō, Gifu Prefectural Archives.

21 Cornell has located a case in which a given family between 1693 and 1708 had four sons who broke away one after the other to found their own branch houses, leaving their parents and younger brothers behind. Probably, this was one form of ultimogeniture inheritance.

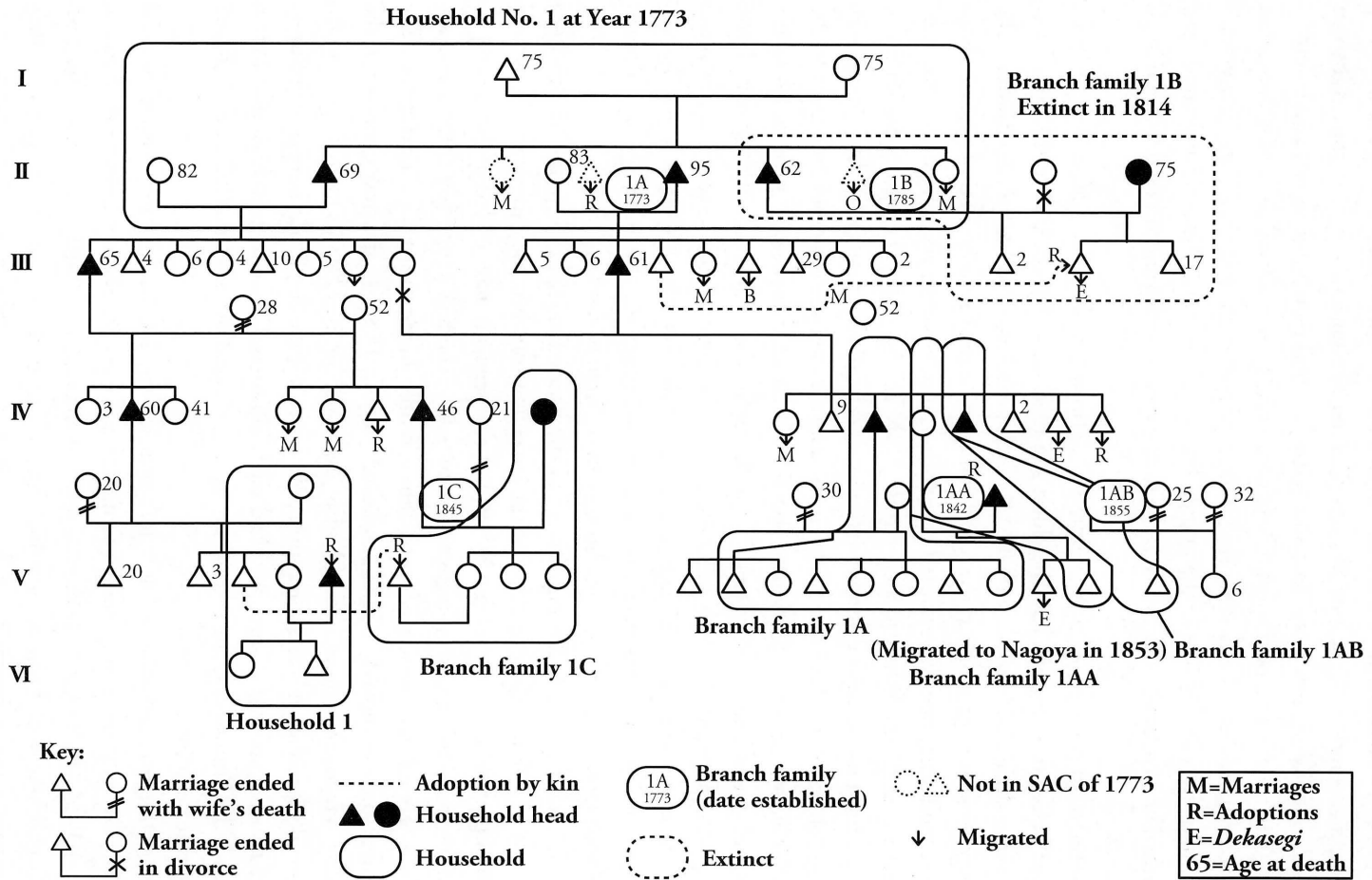


Fig. 9-3 Genealogy of One Household

they will not be considered here). This couple had five sons and four daughters. Among this second generation, the second son was adopted by a samurai family in the castle town of Ōgaki, eight kilometers away. The youngest son, not shown in the figure, had entered a temple as an acolyte in a post town fifty kilometers distant in Owari province. The eldest daughter married into the neighboring village of Niremata in 1771. These individuals are encircled by a dotted line in the figure. The third son married shortly afterwards and established branch family 1A. In 1785, the fourth son also married and established branch family 1B.

In the third generation, eight children were born into the main house, but, of these, five died before reaching ten *sai*. The eldest son married and succeeded to the house, but after having three children, his wife died. He remarried and had four more children. The fourth generation successor was the eldest son born to the first wife, and of the sons born to the second wife, one was adopted by another family within the village, and the next son married and established branch family 1C.²² In the fifth generation, the successor was a son born to the now deceased first wife, but he died at twenty *sai*. In this case, the successor ought most likely to have been chosen from between the two sons born to the second wife, but instead, an adopted son from a far-off village was welcomed into the family and married to the daughter. In the SACs for the final year, 1869, they had two children and founded the sixth generation. The existence of such cases does not prove systematic adoption of sons through marriage, but the fact is worthy of note. Of the two sons born into the fifth generation, one died prematurely, and the other one was adopted into branch family 1C, the younger brother by a different mother.

In branch family 1A, the initial head of the house fathered nine children, of whom three died in infancy and the eldest of the surviving sons became successor. The second son was adopted by his uncle's family, 1B, but this seems to have ended in failure and he moved first to Osaka and then went to live in Sakai. The SACs for 1869 contain entries, moreover, saying that he was adopted into a family living in a village near Sakai. The remaining son also moved to Sakai, and died there in 1838. In the next generation, the successor married the youngest daughter of the main family, who was his younger cousin, but they divorced seven years later, probably because they could not have any children, and he married another woman and had eight children. Of these, the eldest and fourth sons both died in infancy, the second son succeeded and married, but his wife died after having three children.

According to the SACs for 1869, he remarried and had five children with his second wife. The events surrounding branch family 1B were tragic. The son born to the head of the household and his first wife died almost immediately after birth. The head remarried, but no children were born for a while, and it was probably for this reason that they

22 This *ie* is the family recorded with the head of the household as Shūan, in Hayami 1988, Chapter 6, pp. 160–163.

adopted a child from his elder brother, branch family 1A. Immediately after that, however, a child was born, and the adopted son returned to his original family. However, this child died at seventeen *sai*, so after both parents died, the house was rendered extinct.

The youngest son of the fourth generation of the main house studied medicine in Kyoto, and upon returning to the village he not only went into practice but also married and founded branch family 1C. His first wife died young, but he had three daughters with his second wife. Nevertheless, he himself died at the young age of forty-six, and probably for this reason, the eldest son of the main house was adopted in, marrying the eldest daughter. From his name, we can deduce that this adopted son was also a doctor.²³

The first branch house of branch family 1A, 1AA, was founded by welcoming in a son-in-law who married one of the daughters. After living in the village for eleven years, the household moved to Nagoya. The second branch family, 1AB, was founded by the second son of 1A. However, his wife and one of the children died shortly after and only the head of the household and an only son are entered in the SACs for 1869.

In this way, Household No. 1 branched into five households, of which one was rendered extinct and another moved away permanently. There are a considerable number of cases of adoption, and there are two cases where, even though the family already had a boy, a daughter's bridegroom was adopted into the family. In one of these cases, the adopted son-in-law became the successor, and although the other case effectively ended in failure, they were undoubtedly received in place of a biological child. Among these genealogies, in the fourth generation there were total of fifteen sons who became neither successors nor the heads of branch families.

Of these, seven died before the age of twenty, but, of the remaining eight, four were adopted into other families, two went into service in the cities (of whom one was subsequently adopted), and two died after reaching the age of twenty. Adoption was the path often followed by men who never became successors. In addition, many of them remarried following divorce or the death of their wives. Up until the fourth generation, there are eleven cases of marriage among the household genealogies, but, in seven of these, the first marriage ended in either death or divorce. These family lines were the most powerful in the village, which may explain the high percentage of remarriages.

When this data is examined from a demographic perspective, we realize that the child mortality rate was quite high. Throughout the third to the fifth generations, fifty-three children were born, but fourteen died before reaching the age of ten, and another three died before reaching the age of twenty. One child in three never reached adulthood. However, if the period of marriage for couples was a long one, they would have eight or nine children, so that a first generation couple would pass on nineteen descendants to the fifth generation.

²³ This was deduced from the fact that, unlike the peasant names of the era, his name ended in "ho," which was common among doctors. Nakamura and Miyamoto 1982.

Was the establishment of branch families in this way accompanied by the inheritance of land? Let us examine this problem case by case.

Case 1: 1A from Household No. 1

At the point when the branch family was established, 1A did not have any land, and was of the *mizunomi* (landless class) rank. Ten years later, however, they held 8.3 *koku*. At the same time, the landholdings of the original house were reduced by 6 *koku*, suggesting that land was apportioned to the branch house.

Case 2: 1B from Household No. 1

1B, who were *mizunomi* when the branch family was first established, were still so twenty-six years later, so evidently they were not apportioned any land.

Case 3: 1C from Household No. 1

Branch family 1C possessed 16 *koku* from the time of founding. Because the landholdings of the main house were reduced by 15 *koku*, this land was undoubtedly apportioned to them.

Case 4: 1AA from Branch Family 1A

At the time this branch family was established, 1AA held a sliver of land worth 0.2 *koku*, thought probably to be building land, and the main house landholdings were reduced by 0.1 *koku*. It is possible that this land was apportioned, but it is impossible to be sure.

Case 5: 1AB from Branch Family 1A

Branch family 1AB was established with 2.8 *koku* in holdings. However, because there was no fluctuation in the landholdings for the main family 1A, it looks as if there was no apportioning of land.

In this way, apportioning of land from the main house when a branch family was established sometimes took place and sometimes did not. It is clear, then, that there was no fixed pattern.

Next, let us collate the above observations pertaining to all forty-nine cases of the establishment of branch families in the village. The results are as shown in Table 9-4. At first glance, the impression received from the table is that there were only nine cases, or a mere 18%, in which land was apportioned.

However, it must be remembered that, in the nineteen cases in the bottommost row of the table, the main house had no landholdings to begin with. When these are excluded from the denominator, the percentages of land apportioning are increased. Also, of the twenty

cases in which there was “no division of land,” in ten cases, the main house held less than two *koku* originally, making land division practically impossible.

In this instance, there are nineteen cases left in which land apportioning is possible. Of these, land was apportioned in nine cases. Among these, in five cases around the time when the branch family was established, the land of the main house was divided as follows:

- (a) There were 17.177 *koku* in 1786, of which the main house kept 8.177 *koku* and ceded 9.000 *koku* to the branch family.
- (b) There were 29.275 *koku* in 1789, of which the main house kept 16.750 *koku* and ceded 12.570 *koku* to the branch family.
- (c) There were 18.895 *koku* in 1842, of which the main house kept 8.127 *koku* and ceded 9.064 *koku* to the branch family.
- (d) There were 11.641 *koku* in 1855, of which the main house kept 11.081 *koku* and ceded 0.560 *koku* to the branch family.
- (e) There were 6.190 *koku* in 1864, of which the main house kept 4.990 *koku* and ceded 1.200 *koku* to the branch family.

Clearly, (a) and (c) can be viewed as cases of equal inheritance, and (b) as close to being so. The cases listed as “probably not equal division” in the table are cases in which the total landholdings of the main house and the branch family after branching do not agree with the landholdings of the main house before the branch family was established. It is not possible to verify whether there was equal inheritance or even if any land was apportioned or not.

Because, as has been stated before, this village was under Tokugawa control, it is likely that bakufu decrees reached the village. However, it appears that the decree issued in 1673, the “apportioning control law” forbidding the parceling of landholdings of less than ten *koku*, was completely ignored. This is clear from the entries on land apportioning in the SACs, which violate this proscription.

Despite such evidence, it is not the case that all families apportioned land. As seen in case (d), there were also cases in which only an extremely small territory was given. When the land held was very small, it was not divided. We can see that starting with holdings of five *koku* or more, approximately half was then divided. In addition, approximately one-third of these were “equal or partible inheritances.”

These facts are highly significant. They contradict the commonly held view that the potential for Japan’s successful industrialization lay in the fact that the Tokugawa peasantry did not practice partible inheritance. According to this view, the Japanese system of impartible inheritance limited the formation of new families in the rural society, suppressing population growth and expanding individual income, resulting in relatively

Table 9-4 Types of Land Inheritance when Branch Families Established

Types	Cases
Equal	2
Near equal	1
Not equal	2
Probably not equal	4
Single	20
Uncertain	1
No land	10
Total	40

favorable conditions for industrialization. In contrast to Japan, so the theory goes, there was no custom of impartible inheritance in early Qing (Manchu) China, which experienced unlimited population growth, thereby blocking industrialization.²⁴ The author has doubts about this theory. Similarly, I would argue that, just because there was no population growth in central Japan during the period immediately prior to industrialization, this does not by itself prove that the absence of population growth necessarily leads to economic development. The case of Nishijo-mura is surely not unique. If these facts are verified in other villages as well, “impartible inheritance” in Japanese villages will be rendered nothing more than a myth.

Of course, these discoveries do not explain immediately the general pattern of inheritance in villages in Tokugawa Japan. As stated in the introduction, by demonstrating that there was evenly parted inheritance even in a village whose landholdings diminished, I would like to emphasize the fact that traditional explanations should be avoided regarding the Japanese system of inheritance. On the basis of current levels of research, no decisive answer can be given regarding what kind of inheritance system existed. However, peasants—at least the peasants in Nishijo-mura—were not bound by fixed principles, and showed a flexible approach to inheritance depending on the circumstances. Yet it is essential to keep in mind the fact that large numbers of people left this village to enter service elsewhere. Children who could not inherit or who were not adopted left for the cities. The various nearby cities, such as Kyoto and Osaka, provided ample employment opportunities. Such conditions may have relaxed restrictions on the establishment of branch families and made partible inheritance possible. These, too, are not conditions peculiar to Nishijo-mura alone.

4. Extinct Families

Not all the peasant families of Nishijo-mura were in a stable state across countless generations. If that were true, the formation of branch families as seen in the preceding section would have increased the number of households in the village. In fact, the reverse is true, and during the ninety-seven years under observation, the number of households fell from ninety-three to seventy-eight. This reflects the fact that a considerable number of households moved away permanently or became extinct. Table 9-5 shows the fluctuations in the number of households for each social class. Clearly, far more houses became extinct than branched. In addition, the number of households which moved out was five times the number of those which moved in.

²⁴ Ibid.

Table 9-5 Movement of Households by Class

	Tenants	Semi-tenants	Non-tenants	Total
1. Households existing in 1773 registers				
Survived to 1869	6	10	29*	45
Out-migrated	6	1		7
Became extinct	28	5	8	41
Sub-total	40	16	37	93
2. Branched before 1825				
Survived to 1869	2	2	6	10
Out-migrated	1		1	2
Became extinct	7	1	2	10
Sub-total	10	3	9	22
3. Branched after 1826				
Survived to 1869	13	4	4	22**
Out-migrated	1	1		2
Became extinct	2			3**
Sub-total	16	5	4	27
4. Households migrated in				
Survived to 1869				1**
Out-migrated				
Became extinct	1			1
Sub-total	1			2
5. Total				
Survived to 1869	21	16	39	78
Out-migrated	8	2	1	11
Became extinct	38	6	10	55
Total	67	24	50	144

*=Buddhist temples

**=Including households whose landholdings are uncertain

As a result, the households that were still resident in the village at the end of the ninety-seven years were a mere forty-five in number, less than half the number of households resident in the village at the beginning of 1773. How did the majority of these households become extinct?

First of all, nine households can be found in the SACs for 1773 in which a single elderly person aged at least sixty was living alone. Such households have no way of continuing when the individual in question dies, and so they had all become extinct by 1786. Doubts remain as to whether there really were such single elderly people living on their own. Of these, there is even one person who, according to the sources, reached ninety-two *sai*. Even supposing that they were living on their own, their day-to-day life was undoubtedly supported by other households. With the exception of one household, they were all *mizunomi*.

Apart from these, there were another twenty-seven cases during this period of households occupied by a single person which became extinct with the individual's death. A total of thirty-six households, or 65% of the total number of fifty-five households that became extinct, did so in this fashion. The number of extinct households by landholdings is as follows: Four owned two or more *koku*, four owned less than two *koku*, and the remaining thirty were *mizunomi* (this number is greater by two than the original thirty-six because it also includes households that were later re-founded). From this fact, it is clear that once a single person in the *mizunomi* class went to live alone, a high percentage of such households ended in extinction.

A typical case of this is shown below. Household No. 88 appears as a normal household in the SACs for 1773. It was formed of a total of five people: the head of the house aged 49, his wife of 42, their daughters aged 6 and 4, and their son aged 2. In addition, their son of 23 and daughter of 9 were working in Kyoto, and a daughter of 21 was a servant in another household in the village. A son was born in 1775, and then in 1780 their daughter, now aged 13, left to become a servant in a neighboring village. In the SACs for 1793 record that she had married and moved permanently to a nearby village. In 1780, the son of 9 *sai* died, and in 1784, after their daughter of 15 *sai* entered service in a nearby village, she moved to Kyoto in 1803, and eventually died there. In 1785, the remaining son, now 12 *sai*, also entered service in a nearby village, and died there in 1795. In 1786, the couple, now elderly and the only ones still living in the household, recalled their eldest son, now aged 36, from service in Kyoto.

However, in 1801, he entered service for two years in the neighboring village, and upon his return was still not married. The wife died aged seventy-two in 1803, and the husband remained head of the household until the end, but in 1807, he died, leaving behind the still unmarried eldest son, now aged forty-seven. This eldest son stayed in the household all alone, but when he died in 1816, the house became extinct. The brothers and sisters, who moved around a great deal, were also all dead by this stage, with the exception of the third daughter, who was married and living in another village.

The reason that this household became extinct can be thought of fundamentally as being because the final successor did not form a family. This, however, came after the other children who could have succeeded either left for labor migration or died. This *mizunomi* peasant family could not raise all seven children in the village, and had no choice but to send them out to the cities and other villages as soon as they were of an age at which they could become servants. Of the three sons, two died young and the remaining one did not marry and could not live in the village as a peasant, possibly as a result of twenty-four years of urban living.

Thus, the household could not continue. One other fact that must be cited is that this household did not possess any land. If the family had owned land, they would undoubtedly have felt more strongly motivated to work at continuing the *ie* (family line). Doubtless,

either somebody would have become successor or a child would have been adopted earlier, at the very latest by the time the head of the household reached sixty *sai*. The fact that this did not happen is likely because continuation of the family line probably was not so significant for this family. The rational economic basis for tenant farmer families is, according to Hans Medick, “a high ‘total labor income,’ which maximizes its chances of survival even under adverse conditions.”²⁵

Many extinct families suffered the above conditions. Landless *mizunomi* peasants engaged in a trade-off between the social value of continuing the family line and the economic value of an income obtained by sending their children out to work as servants, ignoring the risk of extinction. Of course, not all *mizunomi* peasants engaged in such a trade-off. As Table 9-5 shows, there were forty-five family lines that continued from 1773 to 1869. Of these, excluding two that were temples, forty-three farmer and/or peasant families maintained their family lines across the ninety-seven years. Among them, seven were *mizunomi*, and ten were virtual tenants, peasants who held land temporarily during this period, but only a slight amount, probably only for a dwelling, making a total of seventeen families who may effectively be considered tenants. This is equivalent to 30% of the fifty-six tenant farmers present at the beginning. While this percentage is much lower than the survival rate of 77% for households in other classes, it also shows that the family lines of tenant farmers did not always die out quickly.²⁶

A similar thing can also be said of branch family establishments. Of the twenty-two branch families established by 1825, thirteen were *mizunomi*, and of these, four continued until the final year under examination and seven became extinct along the way. The ratio between surviving and extinct families is the opposite of that in the other classes, but this is not necessarily due to the extinct houses being branch families.

One other point that we must realize is that households appearing in the SACs for 1773 are not only the main families, but also include ones that branched immediately before the SAC was compiled.

Let us include one other issue for consideration. That is, there are five cases in which families that had once become extinct were re-founded. After being extinct for a number of years, these cases are entered in the SACs with the notation “so-and-so succeeds.” All of

25 Medick 1981, p. 43.

26 Thomas C. Smith uncovered the following facts about village Nakahara, which is close to Nishijo: “Families who lost their land usually continued to farm as tenants, adding rent to the burden of taxes. However, this was often the prelude to ruin and demise; for families with land tended to survive, and those without it tended sooner or later to go out of existence.” Smith 1977, p. 108. Even in Nakahara village, not all of the *mizunomi* families died out. Professor Smith emphasizes the existence of families that died out among the *mizunomi* class, a fact that I acknowledge, but since I am pointing out that, at the same time, a considerable number of *mizunomi* houses also did not die out, our stances differ. The difference in this interpretation probably cannot be resolved unless we can measure and compare net incomes, including revenue obtained by sending family members out to work as servants and income remaining after paying annual tributes. It is extremely difficult to learn the state of the household finances of the tenant-farmer class of the time.

these successors were family members who had been working away from home for labor migration. Facts like these show that some families had the latent potential to continue, even supposing there were no component members present.²⁷

This has the appearance of the custom of *hyakushō-kabu* (in which rights in farm property were treated in a manner like stock shares), which was widespread throughout Tokugawa Japan. However, in most cases of this practice, the number of shares and the number of families agree. Even supposing that this system existed in Nishijo-mura as well, the fact that empty shares went unclaimed reveals that the system did not work with particular force in comparison with other regions of Japan. In any event, in the longest case, we find a house which had to wait twenty-nine years for an inheritor to come along and fill the empty position.

Table 9-6 shows the ratios of branched and extinct families by landholding class. The numerator is the number of either branched or extinct families, and the denominator is the number of occasions on which the head of the house changed. Here I have taken the landholding class of the main family immediately before the branch family was established and the class of the family at the time when the family became extinct. It is clear from this table that although there was not a single extinct house in the landlord class, 35% of the houses in the tenant farmer class of *mizunomi* peasants became extinct.

Table 9-6 Branches and Extinct Households by Class

Class	Rates of branches	Rates of extinct
Landlords	29.4	0
Small farmers	16.1	6.5
Very small farmers	12.9	12.9
Tenants	15.8	35.0
Total	17.2	25.0

In other words, at least once every three times the head of the household changed, there was no successor, and the household could not continue in the tenant class. Because these two percentages are equal in the partial owner class, we can state categorically that there was a clear contrast in the shape of succession above and below this class. In the upper classes, branch families exceed the number of extinct families, and in the lower classes, extinct families exceed the number of branch families.

Because we have already observed the relationship between landholding class and labor migration in Chapter 8, there is no need to repeat it here. I would like, however, to emphasize the following point. That is, when an upper-class peasant left to establish a branch family, that branch family became a lower-class family, which means that there was a kind of downward interclass mobility. Conversely, there were several cases in which lower-class peasants sent their children to work away from home on *dekasegi*, mainly in the

27 T. C. Smith states the following with regard to similar facts in Nakahara village: "This was the real reason for demise, even when a family died out biologically; for heirs could always be adopted or appointed posthumously by relatives when there was property to inherit" (Smith 1977, pp. 37–38). I think, however, that, even if the household did become extinct, it could reemerge regardless of whether they were landless or not.

cities, resulting in the house's extinction. These two movements, interclass and geographical, combined to form a single mechanism. Individuals and households moved about a great deal within this mechanism, but the social composition itself of the inhabitants of the village did not change. This reveals that, where this mechanism existed, that is, in regions where there was the opportunity for employment nearby, and the children could be sent to the city, the villages were socially and politically stable. Conversely, in regions where this mechanism was not at work, and there was nowhere for children who would not succeed to go, the social conditions were undoubtedly less stable.

5. Conclusion

The problems that require explanation are many and diverse. This chapter has highlighted problems that will require solutions in the future rather than solutions to certain problems. Among these, household composition, which is too big a topic to be handled in a single chapter, is an indispensable issue. In addition, I have here presented no more than the case of the single village of Nishijo, and have not discussed Japan as a whole. What I would like to emphasize is that, prior to the Meiji Civil Code, the Japanese *ie* system was in no way uniform. It is clearly a mistake simply to conclude that, in the agricultural villages—that is, where 85% of the total population lived—succession to headship always adhered to the rules of primogeniture or that property inheritance was impartible. In certain regions, the youngest child also inherited, and, although I did not touch upon this, there were also times when the first child succeeded, regardless of sex (matriarchal lineage).²⁸

Inheritance too was not an either/or question of partible or impartible, but was determined flexibly in response to the given conditions. Similarly, the continuation of the family line was not strongly adhered to by peasants in the lower and middle classes. Even extinction, that is, “death” for the family, can be seen frequently. There can be no doubt that there were both major differences between the classes and regional differences regarding the shape of succession and inheritance. If these were placed as colored dots on a map of Japan, they would undoubtedly show a colorful, mosaic pattern. With regard to succession and inheritance, even discovering whether there was a regional characteristic or not will require considerable research. However, the author thinks that these can be elucidated in the near future through launching a large-scale project, taking both SACs and early Meiji statistics as the sources.

28 Maeda 1976, pp. 1–40.