

# HEADSHIP AND SUCCESSION IN EARLY MODERN KYOTO: THE ROLE OF WOMEN

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**ABSTRACT:** *In this study I examine headship and succession in early modern Kyoto. I combine a variety of data. For one, the documents of the Fukui family business of measuring cup manufactures contain the documents for several successions including one major succession dispute in the early nineteenth century. I also use the population registers for some Kyoto neighborhoods that include a number of larger family businesses and maintain a stable residence and place of business in this very mobile environment. The population registers also show some of the legal concerns in the determination of headship when the household was not a family business and differences in social and economic status.*

*With this data I address the topic of headship succession from two directions. First I examine the question of heir choice. Then I examine the timing of inheritance and succession. This second topic relates to the question of retirement and marriage.*

## INTRODUCTION

Research on inheritance in Japan tends to focus on the rules of regional patterns regarding heir choice, timing and living arrangements after retirement when succession occurred with retirement instead of death (Yonemura and Nagata 1998; Ochiai 2000). This focus on rules, however, often ignores the practical reasons families had for developing these patterns as well as the broad range of variation in the patterns found within regions. Much of this research has focused on families in rural agricultural communities. On the other hand, research in business history has focused more on the flexibility of heir choice for the practical purpose of ensuring that the headship of a family business was inherited by the heir best suited to the continued prosperity of the business (Nakano 1978, 106-193). The roles of women and heiresses in the succession process, therefore, take on very different interpretations depending upon whether the researcher focuses upon rural villages or family businesses.

When women succeed to headship in rural villages, their role is described in several ways. As widows they are merely place holders until a son or other male heir either grows old enough or finally returns from outside labor migration to take over. When daughters inherit, the family is thought to be following a pattern of eldest child succession, or perhaps they became the default heirs because no sons were available

to inherit. On the other hand, in family businesses an heiress is a convenient means to recruit a capable male heir while keeping the business in the family if there are no sons or the sons are incapable or unwilling to manage the family business. In these interpretations, family businesses have strategies, but other families follow rules.

In this study I use three data sets to investigate the role of women in headship, succession and inheritance in the urban setting of early modern Kyoto. Two of the data sets are the population registers of two neighborhoods in Kyoto. Seido neighborhood in central Kyoto was a rather small, but affluent neighborhood containing a number of family businesses of varying sizes. Sujichigaibashi neighborhood, on the other hand, was located in the Nishijin silk weaving district in the northwest sector of Kyoto. Sujichigaibashi was about double the size of Seido, but most of the residents were weavers, other small artisans and generally employees in the textile industry. Residents of Sujichigaibashi were not as affluent as those of Seido and a number of households received economic assistance from the municipal authorities as shown by an investigation of households in need of assistance in 1861. In short, the residents of Seido neighborhood were employers while the residents of Sujichigaibashi were employees.

While population registers are very useful tools for research in family and demographic history providing information on all of the residents of a community – or in this case a neighborhood – they cannot reveal the intentions and voices of the individuals involved. My third data set is a collection of documents from the Fukui family business of Kyoto measures. The head of the Fukui family business was both master carpenter and master artisan leading the Kyoto measures guild. At the same time, the family business included the manufacture and sale of measures and standardization of the measures of western Japan. In this latter activity they also had an official government appointment under the Nakai magistrate who was in charge of the carpenter's organization (Fukui collection No. 412; Moritani 1988; Kyoto Rekishi Shiriyokan 2001). Thus the head of the Fukui family business was artisan and merchant, manufacturer and government official. The documents in the Fukui collection contain records of seven headship successions during the data period including *notes verbales*, wills, oaths, letters, suits, contracts, settlements and other documents. These documents provide a window into some of the intentions, problems and solutions behind the successions seen in the population registers.

In early modern Europe families were frequently constrained in their inheritance and succession choices by laws imposed by the state. If families had a tradition that differed from the legal practice, they had to develop strategies to get around the law to accomplish their own goals. In regions where assets were tied to specific pieces of property held for generations, impartible inheritance was often preferred to keep the farm or the business viable over time. If the state decreed, however, that inheritance should be partible, then strategies would develop for compensating the heirs that did

not want to remain on the property or in the business, or for sharing the management or reconstituting the business or property after inheritance broke it up. Women could play an important role in this process through marriage alliances and dowries. Moreover, women also seemed to play an important role in recruiting capable heirs while ensuring the family line (Schlumbohm 1998; 2000; Wall 1998).

Inheritance practices in Japan show a great deal of regional variation during the early modern period. The Tokugawa regime decreed that succession should go to eldest sons in the warrior class. Outside of the warrior class, however, there seems to have been no hard and fast rule. Families in agricultural villages and family businesses tended to focus on family continuity and succession could go through either the sons or the daughters. Eldest son succession, however, was the general preference. Even in regions where the eldest child inherited regardless of sex appears to have been the rule, analysis of village population registers has revealed that heiresses tended to inherit largely when there were no sons. Moreover, when headship passed to an heiress, it usually passed to her husband. Again, heiresses seem to have been a means for recruiting a male heir (Yonemura and Nagata 1998; Ochiai 2000 [MLN1]). Analysis of legal rulings in inheritance disputes reveals a great deal of flexibility within a framework of general rules. Bloodline was most important and inheritance decisions were subject to family controls. A person could not unilaterally decide to will headship and his assets to anyone he wanted without gaining the signed agreement of family and kin. In case of dispute, bloodline was most important with sons having preference over daughters. However, daughters provided a way for families to recruit capable heirs from outside the family while still maintaining the bloodline connection. Moreover, when the inheritance went through an heiress, she retained full property rights on the inheritance (Katakura 1986).

While inheritance in Japan is usually regarded as impartible in that one heir inherited the position and responsibilities of the head, this does not necessarily have the same meaning as impartible in heritage in other places. In an agricultural village a family might not be attached to a specific piece of property, but have rights and duties to a certain share of the land attached to the community. In this case, the actual property might be rotated between the households in the community with any particular family using good land one year and poorer land another year (Nagata, Kurosu and Hayami 1998). Moreover, a typical method for expanding the influence and affluence of a family – whether agricultural or a commercial business – was by establishing branches. A rural family that became successful at brewing sake, for example, might invest some assets in establishing shops in towns and cities and these shops would be regarded as branches of the stem family. Such branches could be established by kin or by non-kin employees and continued to act as businesses in their own right either under the management and capital umbrella of the stem business or as independent

businesses related to the stem business (Yasuoka 1971; Yunoki 1989). The establishment of such branches could be considered a kind of partible inheritance, but they were only possible when the stem family had enough assets to expand into a lineage organization called a *dozoku*. Nevertheless, even when families establish branches the inheritance issue focuses upon the head of the stem household or the stem family rather than the branches, which also become stem families in their own right. Therefore, inheritance in early modern Japan did not usually focus on the distribution of assets, but on the succession of headship together with the rights and duties of the position of head. Indeed, the legal definition of inheritance only came to mean inheritance of assets with the Meiji civil code as shown in the draft revisions of 1878 (Tetsuka 1957 [MLN2]). The issue of partible or impartible inheritance, however, was not a strict rule. Inheritance could be partible if there were enough assets and all family members agreed to the arrangement. For example, the main business and headship might go to a son while the branch shop might go to the manager of the branch who had married a daughter. Assets that are not integrated into one business might also be split between daughters upon inheritance (Katakura 1986).

The head of the household or family was responsible for managing the labor, finances and other assets of the family. He was party to and responsible for all contracts and other agreements members of his household entered into. He also often played a role in the local community administration. Moreover, he was in charge of the family religious rites to tutelary deities and the ancestral tablets. Finally, he was responsible for ensuring the continuity of the family to future generations (Yonemura and Nagata 1998). Women could fulfill many of these duties, but they were often officially excluded from public office such as village councils or service as community elders. This was the case in Kyoto under the Tokugawa regime (Makita 1986). Nevertheless, women did become heads of household even when there were men in the household who could take the role. Daughters and their spouses also inherited even when sons were available and women appear to have wielded some power in the succession process.

In this study I examine the roles of women in headship and succession in early modern Kyoto. I begin by examining household heads by age, sex and circumstance. Next I examine heirs, heiresses and the succession process. Finally, I examine and discuss the roles of women as revealed in the data.

## DATA AND METHODOLOGY

Under the Tokugawa regime, Kyoto was no longer the political or administrative center of Japan. Nevertheless, Kyoto remained the official capital and the residence of the emperor and his court as it had been since 794. As a result, Kyoto was the residence

for courtiers and nobles, scholars and poets, and also acted as a second administrative center for western Japan. In this latter capacity, several daimyo also maintained residences in the city. At the same time, the Tokugawa regime was fully aware of the historical and therefore political significance of Kyoto and prohibited the residence of freelance warriors who were not attached to a specific daimyo or official post (Akiyama 1980).

As the administrative center for western Japan, Kyoto was the location of several important guilds and trade associations officially designated by the central government to set and maintain standards for western Japan. One such organization was the carpenters under the administration of a magistrate from the Nakai family, originally carpenters from Nara province. The measures guild was subordinate to the carpenter's organization since many measures were made of wood and were seen as a sub-specialization of carpenters. The Tokugawa regime appointed a master carpenter Fukui Sakuzaemon to lead the measures guild and maintain the standard measures for western Japan based on the measures manufactured by the Fukui family business from the seventeenth century (Moritani 1988; Kyoto 2001; Tani 1992 [MLN3]).

Fukui Sakuzaemon came from Fukui village in Yamato province and assisted the Tokugawa forces in the battle of Osaka in 1615. Sakuzaemon subsequently participated in the construction of Edo castle and a number of other government construction projects. After acting as master carpenter and supervisor of the construction of Nijo castle in Kyoto, Sakuzaemon gained the appointment to manufacture and maintain the standard measures in 1634. At the same time, Sakuzaemon and his successors were also responsible for organizing any repairs required on Nijo castle should it be damaged by fire, flood, age or other cause (Fukui collection No.412). Thus the head of the Fukui family had to qualify as a master carpenter as well as master artisan to fulfill his official duties. At the same time, he needed to be a capable businessman and manager to ensure the continuity and prosperity of the Fukui family business. Inheritance strategies in the Fukui family business, therefore, were designed to train or recruit heirs with these qualities. The Fukui data includes numerous documents related to seven cases of headship succession in the Fukui family. I use a limited sample of 46 documents for this study.

Kyoto was also the home of several industries, one of the most famous being the silk textiles of the Nishijin district in the northwestern sector of the city. Nishijin continues to be the home of numerous weavers, spinners, dyers and other artisans in the textile industry today, but it had far greater importance during the early modern period when Nishijin silk was prized by the rich and the elite (Hareven 2000). Sujichigaibashi neighborhood is located in the northern edge of this district and many residents of this neighborhood participated in the Nishijin silk industry during the data period 1843-1862. Eight of eleven households listed in a welfare investigation of households in

need of assistance in Sujichigaibashi had professions related to the textile industry such as spinning or weaving. Many of these households were supported by wage work in workshops suggesting that residents of Sujichigaibashi tended to work for others, whether at home or commuting to workshops or manufactories. Only one household appearing in the Sujichigaibashi registers employed a maid and only five male servants appear employed by only four of the 308 households appearing in the data and accounting for only 0.3% of the individual male observations in the data.

Seido neighborhood, on the other hand, is located near the commercial center of the city and continues to be the home of several businesses as well as private residences. A majority of the households appearing in the registers during the fifty-year data period 1818-1868 owned their residences and many employed numerous maids, servants, clerks and other workers. Maids account for 16.3% of all individual female observations in the registers and male servants comprise 38% of all male observations. Although the Seido data does not provide much information regarding the actual professions of these households, they are clearly businesses and far more affluent than the residents of Sujichigaibashi.

The population registers of early modern Kyoto were compiled by neighborhood officials in each neighborhood separately, so gaining a comprehensive view of the city is impossible without collecting the registers for all or most of the neighborhoods. Nevertheless, a comparison of these two very different neighborhoods provides two samples of residents in very different circumstances and social statuses in Kyoto. Moreover, these registers were compiled for the same authorities suggesting uniformity in data form making them easily comparable.

The Kyoto registers were compiled annually in the ninth month of the lunar calendar. The registers list each resident under his religious sect and identify him as a member of a specific household, identified by shop name or profession and the name of the head, in his or her relation to the household head. Each household listing also records the name and address of the landlord if the household rents its residence. One purpose of the registration was to confirm religious affiliation as non-Christian and registered with a Buddhist temple. Therefore, each individual listing also includes the name and address of the temple of registration. From 1843 the record also includes the current age and the birth province of each individual. Moreover, the compilers made an effort to record entries to and exits from the registers including the reasons for these changes 1843-1862. These entries record deaths, births, marriages, divorces, moves, and other vital events. Unlike many rural registers, however, the authorities were not at all interested in where residents moved to, where they had been when absent or whether any household members were absent. The volume of immigration to Kyoto also prompted the compilers to include an update listing of new residents in the second lunar month of each year 1846-1862.

The Seido data sample includes yearly registers 1818-1868 including updates 1846-1862 with only one year missing in 1867, so they provide a continuous record of the households for 49 years in a 51-year period followed by an additional year after a one year gap. Seido is a small neighborhood with 23 physical residences according to the registers with an average of 25 households appearing per year during the data period. The households are relatively stable with an average stay of 5 years, more than half of the households staying three years or longer and three households present the entire data period of 51 years. Several households also leave temporarily and later return. During the period 1843-1862, when the compilers record reasons for exits and entries to the neighborhood, rather more attention is paid to the exits than to the entries. Thus, a wife might suddenly appear in a household with a simple notation to add her to the register, but her departure might include the notation that she was divorced or sent back to her parents. With a total lack of explanation in most years and only brief explanations 1843-1862 for exits from the listing, I assume that sudden disappearances of individuals are deaths and sudden disappearances of groups from a single household are migrations unless the registers provide more detailed information.

Sujichigaibashi neighborhood was more than double the size of Seido, claiming 58 physical residences as compared to Seido's 23. Sujichigaibashi also had a far greater turnover in households, many more renters and far more residence sharing than Seido; Sujichigaibashi averaged 85 households per year while Seido averaged only 25. Thus, the compilers of the Sujichigaibashi registers had a far greater task than the compilers of the Seido registers. As a result, although both neighborhoods tend to pay far more attention to the reasons behind departures than the reasons for entry, the Sujichigaibashi registers frequently just cross households or individuals out or note that they are gone. Otherwise, the records are quite similar. Although Sujichigaibashi neighborhood is far larger than Seido, I have fewer registers for this data sample. The Sujichigaibashi data sample includes twelve registers from the twenty-year period 1843-1862: 1843-45, 1848-51, 1856-57, 1860 and 1862 including updates for 1846, 1849-52, 1857, 1861, and 1863 with an investigation of eleven households in need of assistance in 1861. Since there are several gaps in the data, I cannot account for households or individuals that enter or exit during these gaps. Like the Seido data I assume that sudden unexplained individual exits from a household with no later re-entry are deaths and sudden disappearances of groups from a single household are migrations unless the registers provide more detailed information. The gaps also make it difficult to calculate the average stay in the neighborhood. The average number of household appearances is 3, but I estimate the average stay to be nearly five years. Nearly two thirds of the households in Sujichigaibashi stay in the neighborhood less than two years, however, so it is rather less stable than Seido.

Although Seido is a small neighborhood the length of the data sample provides

6077 individual observations and 1257 household observations with 33 cases of inheritance. The Sujichigaibashi data sample provides 3199 individual observations and 1016 household observations with 26 cases of inheritance. Much of the difference in the number of individual observations between the two neighborhoods is due to the large number of servants employed by Seido households. Otherwise, the size of Sujichigaibashi neighborhood balances the length of the Seido data run.

I address three topics in this study. First I use the register data to examine general characteristics of household heads in the two neighborhoods. In particular I focus upon the contrast between male and female heads, evidence of retired heads and the existence of very young heads. Second I examine the 59 cases of inheritance in the register data and the seven cases of succession in the Fukui data. In particular I focus on who inherits and how. Finally I address the role of women in headship and the succession process focusing on widows, heiresses and female heads as well as the headship or succession of young children followed by discussion and conclusions.

### HEADS AND HEADSHIP

Households in Sujichigaibashi and Seido neighborhoods (hereafter called SCB and SD) are quite different in some ways as would be expected from differences in their social economic status. As noted above, SD households often employed many servants and servants comprise 27.9% or more than a quarter of the individual observations in the SD data whereas SCB households hardly employed any servants at all. In other ways, however, households in the two neighborhoods are remarkably similar. Women had a 0.0472 probability of being head in SCB and 0.0434 probability of being head in SD discounting the observations contributed by female servants. In contrast, the probability that a man would be head was 0.5800 in SCB and 0.5340 in SD when servants are discounted. The probability that a head would be female was only 0.0728 in SCB and 0.0804 in SD. Apparently there was a strong preference for male heads in both neighborhoods. Indeed, some of the records for female heads in the SCB registers contain the apologetic notation that no males could be found in the kin group and so they listed this woman. Nevertheless, this was not always the case as two men are listed as the male spouse of a female head of household for three observations. I say observations because gaps in the SCB data make the assumption of years inappropriate although each observation, even in the updates, represents one register year. One of the men actually appears in two listings spanning a three-year period. The other man only appears once. The full analysis of relation to head by sex and five-year age groups can be found in table 1 for Sujichigaibashi and table 2 for Seido. Table 3 shows the probability comparisons between the two neighborhoods. I show two sets of figures for Seido as the registers only record ages from 1843.



Table 1. Sujichigaibashi observations of relations to head by sex and age group

SEX	age group	head	spouse	child	parent	sibling	other	servant	totals
Female	1-5			149		7	6		162
	6-10			132		19			151
	11-15			66		17			83
	16-20	4	8	55		19		1	87
	21-25	6	44	38	4	15			107
	26-30	3	126	9	7	10			155
	31-35	6	101	5	7	3	1		123
	36-40	5	114	4	16	6	4		149
	41-45	7	84	5	16	6			118
	46-50	9	62	5	33	6			115
	51-55	6	40	2	37	2			87
	56-60	3	28		47	1			79
	61+	25	34		80		2		141
	age unknown		3	8	1				12
Female total		74	644	478	248	111	13	1	1569
Male	1-5	9		166		12	1		188
	6-10	23		141		11	1		176
	11-15	21		79		13		3	116
	16-20	35		50		5		3	93
	21-25	56		44		9		1	110
	26-30	105		36	3	5	1		150
	31-35	111		12		8	1		132
	36-40	108	2	3	6	7	3		129
	41-45	114	1	2	4	6			127
	46-50	102			14		2		118
	51-55	80			7				87
	56-60	74			6				80
	61+	91			15				106
age unknown	9		2		1			12	
Male total		938	3	535	55	77	9	7	1624
sex unknown	31-35	1							1
	56-50						1		1
	age unknown	3					1		4
total unknown		4					2		6
total		1016	647	1013	303	188	24	8	3199

Table 2. Seido observations of relation to head by sex and age group

SEX	age group	head	spouse	child	parent	sibling	other	servant	totals	
Female 1843+	1-5			113				2	115	
	6-10			92				5	97	
	11-15	1		80			1	3 32	117	
	16-20		11	59			7	3 81	161	
	21-25		53	25			5	4 59	146	
	26-30		86	15			5	5 17	128	
	31-35	3	69	3	6		1		87	
	36-40	10	51						68	
	41-45	9	40		11	1	1	2	64	
	46-50	6	33		32	3	2	3	79	
	51-55	5	21		27				53	
	56-60	4	14		31				49	
61+	11			87			2	100	kin	
Female total		49	378	387	194	30	20	206	1264	1058
Male 1843+	1-5	2		163					165	
	6-10	3		92		4	2	5	106	
	11-15	8		61		12		217	298	
	16-20	16		36		8	2	217	279	
	21-25	20		22		5	1	87	135	
	26-30	45		17		5		35	102	
	31-35	71		8				6	85	
	36-40	89					1	1	91	
	41-45	65						1	66	
	46-50	63			1				64	
	51-55	40				1			41	
	56-60	27			5				32	
61+	32			26				58	kin	
Male total		481		399	31	35	7	569	1522	953
total after 1843		530	378	786	225	65	27	775	2786	2011
female totals all ages		101	815	835	458	82	37	479	2807	2328
male totals		1156		789	71	107	42	1105	3270	2165
totals entire period		1257	815	1624	529	189	79	1584	6077	4493

Table 3. Sujichigaibashi and Seido probability comparisons

	SCB	SD 1843+	SD total
total individual observations	3199	2786	6077
total household observations	1016	532	1257
probability of being a servant	0.0025	0.2782	0.2607
female	0.0006	0.1230	0.1706
male	0.0043	0.3739	0.3379
probability of nonstem kin	0.0664	0.0458	0.0597
female	0.0791	0.0473	0.0511
male	0.0532	0.0441	0.0688
probability of siblings	0.0589	0.0323	0.0421
female	0.0708	0.0284	0.0352
male	0.0476	0.0367	0.0494
brother is elder brother	0.1299		0.0093
probability of being head	0.3184	0.2636	0.2798
males age 61+ as head	0.8585	0.1100	
males age 61+ as father	0.1415	0.8700	
female heads / all female kin	0.0472	0.0463	0.0434
male heads / all male kin	0.5800	0.5047	0.5340
female heads / all heads	0.0728	0.0925	0.0804
male heads / all heads	0.9232	0.9075	0.9197
male heads as < 16	0.0565	0.0270	

Several household characteristics in the two neighborhoods point to both similarities and differences in headship and inheritance. One similarity is that males over sixty years old in both neighborhoods are listed only as either the head of household or the father of the head of household. There is a major difference between the two neighborhoods in these proportions. Men over the age of 60 were highly likely to be head of household with a probability of 0.8585 in SCB compared to only 0.1100 in SD. The father of the head of household was most probably the retired former head of household, so these figures suggest that male heads were far more likely to retire and continue living in the household with the new head in SD than in SCB. Male heads of household in SCB were far more likely to keep their headship until death or migration than to retire.

I have already noted the comparatively low probability of female heads in both neighborhoods. Another interesting characteristic of the heads of household in the two neighborhoods is the existence of very young heads ages 1-5, 6-10 and 11-15. Although the probability that the head of household would be a very young male was quite low at only 0.0565 in SCB and 0.0270 in SD, nevertheless the existence of these

child heads poses the questions of why they became head, who actually fulfilled the role of household head and what headship meant for these households. After all, such small children could hardly have been the eldest or most responsible members of their households. A related issue not readily apparent from the analyses in the tables is birth order. For simplicity I have listed all siblings as siblings, but the Japanese designation distinguishes between elder and younger brothers or sisters. While male siblings comprise only 4.7% of all male kin observations in SBC and 3.7% in SD, four SCB households list the elder brother of the head of household, sometimes for several years. This suggests that inheritance skipped the eldest son in favor of a younger sibling in some cases. Only one elder brother of the head of household appears in the SD listings and for only one year. This could mean either that SD households tended to follow birth order rules or that the non-inheriting elder sons generally left the household before their younger siblings inherited.

These three characteristics—very young male heads, female heads and the presence of the elder brother of the household head—could be related. If the authorities or the compilers of the registers were very reluctant to list a female head of household, then they might list even an infant if he were the only male in the household to list. An elder adopted son brought in temporarily from outside as a possible replacement heir might appear as the elder brother for a year before inheritance since the registers do not distinguish between natural and adopted kin. Female heads of household might only be listed in default when there were no males in the household of any age. Examination of the households with very young male heads, female heads and with elder brothers present provides a clearer picture of the situation.

The SD registers only contain four households headed by boys under the age of fifteen. In three of the four households, the head is indeed the eldest male in the household. Heijiro age 4 sai,<sup>1</sup> for example, became head of the family business Hishiya when his father died in 1854. The other members of the household were his mother Kiku age 33 and his elder sister Kame age 5. On the other hand, Tsunejiro enters the data at age 8 as head of Surugaya even though both of his parents lived with him. The SCB registers confirm this pattern as well as revealing some differences. The SCB registers contain 24 households with heads ages 15 or younger. Nine of these very young heads, or close to half of the households, had both parents living in the household and sometimes even grandparents, aunts and uncles. Moreover, the registers for some households record fathers retiring in favor of their infant or very young sons. This suggests

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<sup>1</sup> Age in early modern Japan was not a record of time elapsed since birth as it is in the west. Instead, age reflected which calendar year of life a person was in and increased each new year by the lunar calendar. A child born in the seventh month of the lunar calendar, for example, would be 1 sai, or in his first year of life. When the new year came he would become 2 sai while still less than a year old, but he would be a year old in western reckoning before he finished that calendar year. Thus Heijiro at 4 sai was in the calendar year he would turn 3 years old by western reckoning. All ages shown in this study refer to age as described in the registers or documents.

that listing very young children as household head was a conscious strategy of some sort rather than a default tactic to avoid listing a female head. I will address this practice again later in this study.

Examination of the households with female heads further confirms this impression. While the majority of the households in SBC and SD headed by women were entirely feminine households, female headship does not appear to have been a default tactic. The SCB registers record 21 households with female heads of which five households include adult males. Two of these women had spouses in the household who did not take headship, and the other women had adult sons or grandsons in their households. Nevertheless, these women kept their role as head of household until death.

The SD registers record 31 households with female heads. These households are primarily feminine households with no spouses, sons, grandsons, brothers or other male kin, although several have male servants. Unfortunately, 18 of the households appear before 1843 when the registers first begin recording ages. Nevertheless, even without ages the registers reveal five households with adult males in the household as sons, grandsons or the younger brother of the female head of household. In one case there is a married son who later inherits and then is disinherited by his mother. Apparently, while women were not the first choice as head of household, they were not the default choice either and there were other concerns more important than sex or age in the choice of household head in both neighborhoods.

Finally, let me note that the elder brothers of the household head appear in the SCB data primarily in households with adult male heads. In most cases the head is married with children while the elder sibling remains single. The one elder brother Unosuke of a household head Kosaburo in the Seido data appears before the registers record ages. We cannot know if Kosaburo is an adult without the recorded ages. However, Unosuke appears with his wife while Kosaburo remains without a spouse. The other members of the household are their mother, two elder sisters and two younger brothers suggesting that Kosaburo, the head, is at least the second son and at least the fourth child. Apparently the appearance of the elder brother of the household head is not limited to very young heads and inheritance did not always follow birth order rules.

Now I will briefly review the heads found in the Fukui family documents. The Fukui family business and the official nature of the head of the business required that the head be an adult male trained as a master carpenter and a master artisan. In documents regarding two of the headship successions during the nineteenth century, the old head notes that his son or sons are too small to take over the headship and so he is making other arrangements (Fukui collection 257, 558, 1910). In this way, the nature of the Fukui family business makes headship succession and inheritance somewhat different from the households of SCB and SD. Nevertheless, there are similarities as will

become apparent in later sections.

In summary, although men were by far the preferred heirs, women were also important. Evidence suggests that women did not inherit only by default, but sometimes gained and maintained headship even when adult male alternatives were available. On the other hand, a small number of households chose to list very young boys as heads of households and this practice also was not merely a default when other alternatives were unavailable. The household structures of households that list very young children and infants as head of household sometimes included both parents suggesting that this was a conscious action taken with some strategy in mind, although we cannot know the reason behind this choice from the available data. In the next section I address the question of who inherited and how.

### WHO INHERITS AND HOW

Headship change and inheritance in Kyoto could take place in several ways. The heir could inherit upon the death of the former head, the former head could retire and continue to live with the heir, the former head could leave and migrate out, the heir or other member of the household could establish a new branch household subsidized by the stem household. Differences in the data peculiar to Sujichigaibashi (SCB) and Seido (SD) registers complicate the analysis of inheritance and headship change in the two neighborhoods. The Sujichigaibashi data sample has four gaps of 1-4 years in the data run, so we cannot know what happened during the missing years. The Seido registers have no data gaps, but the registers only provide data regarding disappearances from the neighborhood 1843-1862. Thus, the information provided in the data shows headship change or inheritance in five categories: the death of the former head, the out-migration of the former head, the sudden disappearance of the former head (for death or migration unknown), the retirement of the former head who continues living in the household, and establishing a new household.

There are 59 cases of inheritance in the SCB and SD registers. Succession by retirement is the easiest to see since the retiring head continues to live in the household with the new head and no further information is required. There are four cases of retirement in the SCB registers and fifteen cases in the SD registers for a total of nineteen cases of retirement. Inheritance by establishing a new branch can only be observed if the new branch is in the same neighborhood as the stem branch. This happens for two households in the SD data, but none in the SCB data, although there is always the possibility that a son who has left the neighborhood may establish a new branch elsewhere not seen in the data. The Fukui data also provides some insight in this respect. Inheritance by the death or migration of the former head can only be established if the death or migration is noted in the registers and the registers only record

this information 1843-1862. From these notations, the SCB registers record nine cases of inheritance upon the death of the former head and six instances of the head leaving the neighborhood and the family, passing headship on to another family member. The SD registers record only four cases of inheritance upon the death of the former head and no instances of the head moving away from family and neighborhood. This leaves the undocumented cases in which the head simply disappears from the household with no further explanation or he is crossed out or otherwise marked as "gone." The SD registers contain twelve cases of this sort of succession because headship succession happened to occur during one of the years when no notations regarding events or changes to the households in the neighborhood are provided. Since the documented disappearances all occur with the death of the former head and the households in Seido were rather affluent making migration unlikely, I assume that such disappearances were due to the death of the former head. The SCB registers, however, warrant further investigation since the SCB registers include cases of both inheritance upon the death of the former head and inheritance upon the departure of the former head with seven unknown cases.

Most of the seven undocumented cases of headship succession in SCB occur in households that owned their own residence and were therefore among the more affluent residents of the neighborhood. Furthermore, each headship succession occurred sometime during the data gaps: three occurred 1845-1848, one 1851-1856, one 1857-1860, and two 1860-1862. Since none of the former heads ever appears in the data after departure, we can treat these disappearances also as deaths. The analysis appears in table 4. Inheritance in SCB occurred largely upon the death of the former head, although inheritance upon the out-migration of the former head is an important and intriguing sub-category. Inheritance in SCB by retirement or the out-migration of the former head is mostly limited to male heirs; women inherit mainly upon the death of the former head. Inheritance in SD, however, is almost evenly divided between

Table 4. Type of inheritance by neighborhood and sex of heirs

	death	retirement	migration	branch	total
SCB female	4		1		5
SCB male	12	4	5		21
SD female	6	2			8
SD male	10	13		2	25
SCB total	16	4	6		26
SD total	16	15		2	33
totals	32	19	6	2	59

inheritance upon the death of the former head and the retirement of the former head. Families residing in SD thus show a stronger preference for inheritance by retirement and therefore greater control of the transition process and the new head than families residing in SCB.

Analysis of the relations of the heirs to the former heads reveals that sons were indeed the favorite heirs accounting for about half of the heirs in both neighborhoods and the favorite heirs for inheritance by retirement. Some important differences between the neighborhoods are the inheritance by sons-in-law in SD and the inheritance through migration of brothers in SCB. The analysis is in table 5. Analysis of the marital status of heirs, however, shows remarkable similarity between the two neighborhoods. Male heirs inheriting upon the death of the former head frequently had no evidence of ever having been married. Male heirs who inherited when the former head retired, however, were most often married with a spouse present in the household. Nevertheless, male heirs overall were more often to have no evidence of marriage. Women tended to be widowed or divorced with evidence of a former marriage, but no spouse present in the household.

**Table 5.** The relation of heirs to the former head by inheritance type, sex and neighborhood

		death	retirement	migration	branch	total
SCB female	daughter	1				1
	wife	2				2
	mother	1				1
	unknown			1		1
SCB males	son	9	3	1		13
	grandson	1				1
	father	2	1			3
	brother			4		4
SD females	wife	5				5
	mother	1	1			2
	aunt		1			1
SD males	son	7	9		1	17
	son-in-law		3			3
	grandson	1	1		1	3
	father	1				1
	brother	1				1
totals		32	19	6	2	59



Table 6. Marital status of heirs in Sujichigaibashi and Seido by inheritance type and sex

		death	retirement	migration	branch	total
SCB females	no marriage evidence	1		1		2
	spouse present evidence of former	3				3
SCB males	no marriage evidence	9	1	4		14
	spouse present	2	3	1		6
	evidence of former	1				1
SD females	no marriage evidence					
	spouse present evidence of former	6	2			8
SD males	no marriage evidence	8	5		1	14
	spouse present	2	8		1	11
	evidence of former					
totals		32	19	6	2	59

In summary, sex was important with sons as the preferred heirs, while marriage was also important, but not necessary. Heads in Sujichigaibashi tended to keep headship until death unless they left family and neighborhood and moved away. In Seido, however, heads were just as likely to retire as to keep headship until death and they generally remained in the household with their heirs after retirement suggesting greater control over the transition process and the new head after official succession. The documents for the Fukui family business may provide more clues to this question of who inherits and how.

The head of the Fukui family had two official posts in addition to his role as head of the Fukui family business of manufacturing and selling measures. In his official capacity the head was a master carpenter in charge of any repairs to Nijo castle and the head was the leader of the measures guild in charge of standardizing the measures for western Japan. To fulfill all of these duties, the head of the Fukui family had to be an adult male who qualified as a master carpenter, a master artisan and as business and financial manager of the Fukui family business. The head of the Fukui family also always used the name Fukui Sakuzaemon and each new head inherited the name together with the position (Fukui collection 258).

The Fukui family collection includes documents regarding seven successions to the headship of the Fukui family and business. In each case the former head-the current

Fukui Sakuzaemon-wrote *notes verbales* addressed to the Nakai magistrate stating that he was ill and no longer able to fulfill his official duties. In these *notes verbales* Fukui Sakuzaemon designated his intended heir claiming that the heir had completed the necessary apprenticeships and was undergoing final training by assisting Sakuzaemon in his headship duties (Fukui collection 412, 414, 494, 197, 1193). In some instances there are also wills or other contracts with the new heir specifying other conditions of the succession process. When the heir became the new head, he also generally swore an oath by which he also inherited the name Fukui Sakuzaemon (Fukui collection Nos. 253, 1551, 1558, 1559, 1734).

Although sons were the preferred heirs to keep the business in the family, this was not always possible or practical for fulfilling the role of the next head. The current Fukui Sakuzaemon might not have any sons, or his sons might be too young to fulfill the necessary qualifications and duties of the head, or outside pressures might require Sakuzaemon to recruit another heir. Indeed, headship passed to the current Sakuzaemon's son in only two of the seven successions in the data. Let me review the successions in order of occurrence.

In 1725, the current Fukui Sakuzaemon died and headship passed to his son and designated heir Unosuke who became the new Fukui Sakuzaemon (Fukui collection No. 414, 8/1725; No. 494h, 5/1725). In 1754, the current Sakuzaemon became ill and designated Shimizu Heibei-an unrelated friend-as his heir. Sakuzaemon apparently recovered from his illness since he does not die until 1761. At that time, Heibei refuses to take the position as head of the Fukui family, but arranges for Sakuzaemon's nephew Zenshichi to inherit the position. Zenshichi was the son of Shimizuya Zenbei, Sakuzaemon's brother-in-law, and had recently completed his apprenticeships as carpenter and measures artisan. Heibei promises to continue to advise Zenshichi until he completes the necessary training (Fukui collection No. 494g, 4/1754; No. 1633, 2/1761; No. 587, 2/1761; No. 1551, 1761). The next succession to take place is in 1803 when headship passed to the current Sakuzemon's son Zenjiro age 40. Again, Sakuzaemon wrote a *notes verbales* designating Zenjiro as his heir and Zenjiro inherited the name and position after Sakuzaemon's death (Fukui collection No. 494f, 2/1803; Nos. 1558 and 1559, 1803).

In 1819 the current Sakuzaemon found himself in a difficult situation. He contracted with Hisakawa Saburobei, his major creditor to whom he owed a major debt, that Sakuzaemon would adopt Saburobei's son Kanshichiro as his heir in return for canceling the debt. The contract provided that the new head would continue to support Sakuzaemon's household, his sister Nofu's household and his concubine Iwa (Fukui collection No. 585, 12/1819). Several obstructions to the agreement, however, needed to be taken care of before the adoption and later succession could be completed. Sakuzaemon had a young son and a wife Fusa who objected to his plan; he divorced

and disowned them (Fukui collection 480, 11/1820). Sakuzaemon also arranged for Kanshichiro to marry Sakuzaemon's niece Shika, the daughter of Sakuzaemon's sister Tomi, who Sakuzaemon would then adopt as his daughter (Fukui collection No. 558, 1/1820). Moreover, Kanshichiro needed to complete the necessary basic apprenticeships as master carpenter and master artisan (Fukui collection No. 479, 11/1820). Kanshichiro inherited the position in 1823 when he also took the name Fukui Sakuzaemon and the former Sakuzaemon changed his name to Souemon (Fukui collection No. 253, 1823; No. 752, 7/1823). Since Sakuzaemon was retiring, he probably expected to continue to advise Kanshichiro and exert some authority over him for a while after the succession process was completed. Unfortunately for Souemon, the new Sakuzaemon had other plans. Sakuzaemon gave Souemon control of two other households/shops in other neighborhoods in Kyoto and paid him a huge sum as severance from the family in exchange for a promise never to involve himself in the business in the future (Fukui collection No. 815, 7/1823; No. 181, 7/1823). Souemon may not have taken Sakuzaemon seriously at first, but six years later in 1829, Souemon began the process of disinheriting and disowning the new Sakuzaemon (Fukui collection No. 186, 3/1829).

The suit to disinherit and disown Sakuzaemon by the retired head Souemon was not yet settled in 1831 when Souemon died (Fukui collection No. 222, 7/1831). Indeed, some of the documents written by Souemon in the months before his death suggest that he was willing to retract his suit (Fukui collection No. 220, 3/1831; No. 231, 4/1831; No. 1934, 5/1831). Nevertheless, the suit was continued after Souemon's death by his former concubine Iwa, now claiming to be Souemon's widow. Iwa was also mother of Souemon's three daughters. The suit is quite complicated and there is not enough room in this short study to give the situation the attention it deserves. However, the magistrate finally ruled in 1833 that Iwa had not ever been married to Souemon and therefore had no authority to continue the suit (Fukui collection No. 330, 11/6/1833). For our purposes here let me note some of the mechanisms behind these dramatic events.

The head of the Fukui family recruited an heir by adoption by marrying him to a niece and adopting her as his daughter. Thus, Kanshichiro entered the Fukui family as an adopted son-in-law or husband to an adopted daughter, therefore fulfilling the bloodline requirement for inheritance through Sakuzaemon's niece. The various problems in the situation prompted Sakuzaemon to retire instead of keeping headship until death as former generations had done. By retiring, Sakuzaemon expected to control the transition process and continue to have a say in the management of the business. When events did not meet his expectations, Souemon-the retired Sakuzaemon-took steps to disinherit the new Sakuzaemon. Finally, the former head's widow apparently could act in his behalf after his death and continue the disinheritance suit or make other inheritance decisions. The magistrate seriously considered Iwa's suit and claim because she

had the authority as the widow of the former head to make the suit. Iwa also lost this part of the suit because she could not substantiate her claim as Souemon's widow. She had no authority as the concubine. This suit is evidence for the role of women and widows in headship and inheritance in early modern Kyoto. I will address this issue later with data from the population registers.

In any case, the new Sakuzaemon did not remain in the post long after the final settlement in 1833 since the next succession took place in 1838. Sakuzaemon had two young sons, Umenosuke and Kasaburo, who were too young and inexperienced to inherit the position. Sakuzaemon contracted with Hishiya Manbei, the younger brother of Sakuzaemon's wife Shika, to take over as head of the Fukui family until Sakuzaemon's son Umenosuke should qualify (Fukui collection No. 1910, 11/1838). Manbei was apparently agreeable to this arrangement. In 1858 the current Sakuzaemon retired in favor of his nephew Umenosuke-the son of the former Sakuzaemon. Umenosuke at this time was 26 sai and had completed the necessary apprenticeships (Fukui collection No. 197, 9/1858). The final succession in the Fukui documents occurs in 1866 when the current Sakuzaemon-presumably the former Umenosuke-arranges to adopt his younger brother Kasaburo as heir because his sons were still too young to qualify for the position of head (Fukui collection No. 1193, 12/1866; No. 1449, 12/15/1866; No. 1145-5, 11/1866).

In summary, while the head of the Fukui family was always an adult male heir, women played an important role in the succession process. Nephews were an important alternative and daughters or nieces could be a means for recruiting a capable heir from outside the family. Widows and sisters also played an important role in inheritance decisions. Now I return to consideration of the population register data keeping in mind the mechanisms and roles found in the Fukui data.

## HEADSHIP SUCCESSION AND THE ROLE OF WOMEN

The above analyses show that families in Kyoto used a variety of inheritance strategies depending on the circumstances of succession and with varied results. Even in one family, such as the Fukui family, we can see inheritance upon the death of the former head and inheritance with the retirement of the former head, each with differing degrees of control and different intentions. Each style of inheritance also has different background implications. In this section I review the various inheritance styles and the roles women played in them.

Succession upon the death of the head suggests both a possible reluctance by the head to give up control of the household, the family and possibly the business and a lack of control over the heir and the succession process. As the Fukui data shows, the former head could make his intentions known through wills, *notes verbales* and other

means, but these intentions might not be honored. Moreover, untimely death may leave the family unprepared with no appropriate person capable of taking over the headship duties forcing the family to settle for whoever is available. The notation in the Sujichigaibashi registers that a woman was listed as head because no male names could be found among her kin or in her household also suggests that female succession was often by default. However, the listing of male spouses of female heads suggests the contrary. Now let us reconsider inheritance upon the death of the former head and the inheritance of widows, mothers and children as household heads.

I test the possibility that women or small children became head upon the death of the former head only because there were no other options by examining households where women inherited upon the death of the former head. The SCB data reveals four women taking headship upon the death of the former head: two widows, one daughter and, in one case, the mother of the former head. While mortality ensured that in some cases there was no other choice available to the household, one widow-Wakasaya Fusa-took headship even though she had two adult sons-Heisaburo (age 28) and Otokichi (age 20)-in the household as well as an adult daughter Rie. Another woman, Nakanoya Tsuru, became head even though she had a son Shintaro (age 10) suggesting again that children were not listed as head only to avoid listing a female head. In the SD data, also, while many women took headship when there were no adult males in the household, one widow took headship even though she had a married adult son living with her. I will address this case further a little later in this study. In addition, several women certainly became acting head of household when their young sons inherited the position of household head. When Chojiya Shinbei of SCB died in 1848, headship went to his young son Shintaro (age 3) making the widow, Chojiya Kin effective acting head of the household. Similarly, when Hishiya Jisuke in SD died, his son Heijiro (age 4) inherited making Jisuke's widow Kiku effective head of the household in 1854.

Even more interesting is that a widow might maintain this effective headship for her son even after another adult male appears in the household. Notoya Sue took effective headship when her son Teikichi (age 12) inherited the title upon the death of her husband Sensuke and kept her position even when her brother-in-law moved in with his son two years later. Apparently, although women were hardly the preferred heirs, they were not simply replacements for men, but could and did take headship and maintain it when necessary to the survival of the business and the family. Moreover, young children were not used as a means for locking women out of headship, but rather as a means for women to take effective headship while blocking the intrusion of other solutions.

The role of women in headship decisions as heirs or in control of the headship process becomes more apparent when we examine the people who inherited upon the retirement of the former head. Retirement, of course, implies a certain amount of

planning by the retiring head as well as possible continued control by the retiring head over the transition process and over the business. The Fukui data, however, shows that the retiring head could not always effectively maintain this control depending upon a variety of circumstances. There are nineteen cases of inheritance by the retirement of the household head in the Seido and Sujichigaibashi registers. Most of these cases, however, come from the Seido data while Sujichigaibashi heads tended to maintain their headship until death. Moreover, twelve of the nineteen heirs inheriting upon the retirement of the former head were the sons of the head following a smooth pattern of transition. In this study, however, we are more interested in the unusual cases – particularly those involving women or small children.

The Seido registers provide data for 15 cases of retirement. Nine of the new heads were adult sons, as one would expect in a smooth transition for a family business. However, the remaining heirs include two women and three sons-in-law, or the adopted spouses of heiresses. Most of these unusual cases occur in the inheritance and succession cases of three households living in Seido neighborhood, so I will examine these three households in more detail.

Hoteiya Gohei appears in 1818, the first year of the data series, with his wife Naka, his son Rihei, Rihei's wife Kuni, two male servants Yasubei and Ukichi and a maid Sayo. Incidentally, the shop name Hoteiya is named after one of the seven gods of good fortune in the Chinese tradition who carries a cotton cloth bag. Thus the shop name cannot tell us about their business, although one Hoteiya in Kyoto at this time became famous for its playing cards. Gohei dies in 1819 and his wife Naka appears as head with her adult son now called Gohei, his wife Kuni, and servants Yasubei, Ukichi and Sayo. Already we can see that the adult son Rihei has inherited his father's name Gohei in anticipation of becoming the next head, but he is not yet listed as head. Gohei is listed as head in 1821 with his wife Kuni, his mother Naka and the three servants Yasubei, Ukichi and Sayo. Gohei maintains his position as head for only two years. In 1823 Naka is again listed as head with her adult son Gohei, Gohei's wife Kuni and five servants led by Yasubei. Gohei, Kuni and two of the servants are gone in 1824, leaving Naka and three servants including Yasubei.

The above series of events reveals some conflict over Rihei's succession to the position of household head after his father's death. Usually, he would have inherited immediately, but his mother Naka takes it for a year. On the other hand, Rihei was allowed to inherit his father's name and this is the legal definition of headship succession provided in the 1878 draft revisions for the Meiji civil code; until that time the heir inherited the name of the head (together with the responsibilities) whereas the new code defined inheritance of the assets to control at will (Tetsuka 1957). We can see here in the Hoteiya household and business the difference between these two definitions. Rihei inherited his father's name and gained the position with a lag of a year, but

he lost the position after only two years suggesting that he was not in control of the assets or the position as yet. Instead, his mother Naka, the former head's widow, exerted and maintained her control over the household, business and the succession process. Gohei and his wife then leave the household. We cannot tell if they died or moved, but it seems likely that they moved after his disinheritance. This series of events, however, is not the entire story.

Hoteiya Naka remains household head for several years after taking headship from her son. The number and composition of the servants employed by Hoteiya increases and changes over time, but Yasubei is always listed first and gains the designation *tedai* in 1828. The designation as *tedai* identifies Yasubei as one of the main non-kin managers of Hoteiya and confirms that this shop is an expanding business with apprentices, managers and skilled workers. All of these employees, however, are usually listed as servants. In 1830, Naka brings a niece Tora into the household. In 1831 Yasubei is listed as Naka's son and the niece is named Tami. In 1833 a granddaughter Yuki appears in the listing. In 1834, Yasubei is now head of the household taking the name Gohei with his wife Tami, daughter Yuki and mother Naka as well as five servants. Naka, now called by her retirement Buddhist name Myokei dies in 1835.

In this new series of events, Naka-the widow of the earlier head-recruits her main employee Yasubei by adopting him as her son. Then she ties him to the family by having him marry her niece. Since this all occurs during the period when ages and other information are not provided in the registers, we cannot know whether niece Tora and niece Tami are a single girl who changed her name (a common practice in Japan at this time) or if Yasubei was actually given a choice of spouses. Nevertheless, we can see here how the widow of the former head took over the business, maintained the business and fully controlled the succession process even to disinheriting her son and later recruiting a skilled employee to become the next head.

The household of Masuya Sozaemon also passed headship to a son-in-law as the spouse of Sozaemon's daughter. However, there were many other things going on at the same time including the establishment of a branch household and business and the succession to headship of the branch. Differences in religious affiliation also appear to have been a possible source of tension in this family.

Masuya Sozaemon appears in 1818, the first year of the data series, with his father Sohachi, mother Isa, wife Iku, daughter Mitsu, his cousins Manbei and Tomekichi and four servants. The servants do not play a role in the succession and inheritance of this family in the data. The cousins come and go. Cousin Manbei is gone in 1819 and cousin Monkichi appears; cousin Tomekichi is gone in 1820 replaced by cousin Sosuke. Without the ages and birth province information provided after 1843 we cannot guess if these are four cousins or if the original two cousins merely changed their names. Nevertheless, these cousins show the continued relations with Sohachi's

nephews. In 1821, the elder couple Sohachi and wife Isa move out and establish a branch household with their nephews Sosuke and Monkichi. The new household is identified as Masuya Sohachi and uses a new identifying chop. At the same time there is also a religious split. Until this point, the household has been registered under the Pure Land sect of Buddhism headed by the east Honganji temple. Now Sozaemon and his wife Iku convert to the Shingon sect of esoteric Buddhism. Therefore, the split into two households may have been an economic strategy to expand the business by establishing a branch, or due to a conflict in religious affiliation between the elder and younger generations.

In 1823 the two nephews Sosuke and Monkichi are gone, but another nephew Bunsuke appears in the elder household. By this time, Sozaemon has three daughters: Mitsu, Kou and Tsuya later followed by Fuji who appears in 1830. Sohachi dies in 1829 and his widow Isa takes over the branch household. At this point the register is ambiguous. On the one hand, Isa is described as Masuya Sozaemon's mother, but she also continues to use the second chop of the branch household to witness her listing suggesting that she continues to maintain the separate residence together with her nephew Bunsuke. Moreover, in 1831 the registers list Sozaemon's younger daughter Fuji with her grandmother in her grandmother's religious affiliation, which is different from her parents although backward calculation from her listed age in 1843 reveals that Fuji is still a small child of about age 6. In 1834 the nephew Bunsuke changes his name to Sohachi and takes over the branch household with yet a third chop and Isa returns to the household of her son Sozaemon. Bunsuke later dies or disappears in 1840 and the branch household is rented out. Meanwhile, Isa and her granddaughter Fuji continue to be listed under the Pure Land sect, but attached to Sozaemon's household. An adopted son Genjiro age 17 joins them in the household listing under the Pure Land sect in 1845 when Fuji is 16 and Genjiro inherits in 1847 with his wife Fuji when Sozaemon and his wife retire.

In this complicated series of events in the Masuya households we can see several things going on. First we have the establishment of a retirement branch household. The difference in religious sect also suggests that Sozaemon himself may have been an adopted son-in-law who reverted to his original religious sect after he became firm in his position as head of the household. The strength of the household religious tradition appears in the return to the elder couple's affiliation by the grandchildren who inherit in the next generation. I should also note that Fuji was not the eldest daughter, but the fourth daughter. While two of her elder sisters may have died or left the household for marriage or other reason before Fuji inherited, her sister Kou remained in her parents' household when Fuji's registration was moved to that of her grandparents suggesting that the family had already chosen her as the heiress.

The third inheritance by an adopted son-in-law in the Seido data follows the



expected pattern. The original household consists of Shioya Nofu age 15 and her aunt Mitsu age 62 appearing in 1844. The registers list Nofu as head in 1844 and Mitsu as head with her granddaughter Nofu in 1845. The household disappears in 1848 and reappears in 1855 after an absence of eight years during which time Nofu has married Uhei, who is now head. The link to the former household is confirmed by the use of the same witnessing chop. The new household in 1855 also includes Nofu's "mother" Mitsu and three children. In this case there were no sons or other children to inherit, so headship went to Nofu's husband.

While the records for the Fukui family and the Seido registers suggest that retirement was often a strategy for controlling the headship transition process, families in Sujichigaibashi did not make much use of it. The SCB records include only four cases of inheritance by retirement in which the retired head continues living in the household after retirement. Three of the heirs were sons of the former heads, but one heir was actually the father.

Kiya Kotaro age 7 appears as head of household in the second and ninth month registrations of 1850. His household includes his father Jihei age 30, his grandmother Tsune age 65, his mother Kin age 29 and younger brother Tamejiro age 3. In 1851, however, Jihei is listed as head of household with wife, mother and two sons. The ninth month registrations are missing from the data until 1856 when the household no longer lives in the neighborhood.

The situation in the above series of events presents some intriguing questions. Obviously Kotaro did not retire to control the transition process or because of old age. Instead, he likely stepped down to go into service the following year. The question is why he was listed as head in the first place in a household that included so many adults including his father. One likely possibility is that his father Jihei was himself an adopted son-in-law and respected the family's wishes to step down for his son immediately upon birth. This would have the added benefit of gaining extra respect for himself and his business in the community while he effectively continued as acting head. Here again the person controlling these events was likely the grandmother-the widow of a former head.

My final example from the registers of these two neighborhoods comes from the households where headship was inherited when the former head moved away, or headship by migration. All of these households lived in Sujichigaibashi. Inheritance by migration is a kind of retirement, but also implies much less control by the former head and even that the former head had other things he would rather do and other places he would rather live. In most cases, headship passed to the younger brother of the former head reinforcing the premise that the head of household did not want the position. However, in one case the head of household actually abandoned his wife and four children when he left and headship passed to his infant son. Again, the mother was most

likely the acting head of household, but the household is listed under her infant son's name. At the same time, however, the members of the household are listed in their relations to the former head who had moved away rather than in their relation to the listed head. This practice continued for three years before changing to reflect their relation to the new head.

To summarize, although households in Sujichigaibashi and Seido show a clear preference for male heirs, especially sons, women also seem to have played a major role in the succession process. I will discuss this in the following concluding section.

## DISCUSSION AND CONCLUSIONS

There can be no doubt that families in early modern Kyoto preferred male heads and they preferred to pass headship to eldest sons. Nevertheless, this was not a hard and fast rule. The family might have no sons and the eldest son might not be the most capable person to take over headship. Moreover, inheritance had a stronger connection to a profession than to assets. The head managed the family business or took over the family profession and sons might prefer to enter a different profession. In these situations—no sons, no capable sons, unwilling sons—families found other solutions and women certainly played a role in the solutions they found.

The use of adoption to recruit a capable heir shows that capability was an important consideration, particularly for inheritance of a family business like Masuya of the Fukui family or Hoteiya in Seido neighborhood. Nevertheless, such outside heirs were tied to the family by marriage to either a daughter or a niece with blood relations to the family line. In this way, the family could gain a capable head while ensuring that the bloodline continued in future generations. The early retirement of male heads in favor of infant sons in the Sujichigaibashi data suggests this same consideration in the artisan class where the capability of the listed head was less of a problem than the capability of the acting head. Moreover, this practice suggests that the question of patriline or matriline was less important than simply the direct bloodline combined with capability. The direct bloodline was most often a patriline, but could follow the matriline if male heirs were adopted from outside. Certainly, the bloodline was more important than the actual sex of the heir or heiress, even when male heads were considered necessary. At the same time, the artisans in Sujichigaibashi also seemed to allow for skilled female heads even if they had male spouses.

Wives and widows also played a role in deciding the heir and controlling the succession process. The fact that Fukui Sakuzaemon, later Souemon, had to divorce his wife because she did not agree to the adoption of an heir suggests that the role of wives in deciding the heir was in addition to their spouses rather instead of their spouses when the spouse was absent. Hoteiya Naka and Iwa, the concubine of Fukui Souemon

who claimed to be his widow, show that widows also had the power to control inheritance and take action to disinherit the new head if he did not or could not fulfill his responsibilities. Thus the role of women in inheritance was not limited to their possible role as heiresses, but included active participation in inheritance decisions and the succession process even when the heir was male.

In short, while families in early modern Kyoto preferred to pass headship from father to eldest son, ensuring the capability of the head of a family business and keeping headship within the bloodline were more important considerations. Depending upon the business or the profession, women could inherit when sons were absent, incapable or unwilling. Heiresses were also used to recruit capable outsiders into the bloodline. Finally, the decision of who would inherit and whether the new head would maintain his position or be replaced was a combination of a preference for following succession rules and more practical family strategies to ensure the continued survival and prosperity of the family and business. Women played a role in making and carrying out these decisions in addition to their role in providing alternatives to the succession rules. Thus we can say that these urban families generally followed the established succession rules, but they also made use of family strategies. These strategies were most likely an important factor in the continued survival and prosperity of the respective families.

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