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The Tokugawa Shogunate's *Daimyo Kaieki* (attainder): Based on the 'Bakufu Nikki'

This paper examines the autocratic nature of the Tokugawa shogun's power, by studying the actions of the Tokugawa shogunate in expropriating the fiefs of *daimyo* lords with Edo Shogunate Journals called in general "Edo Bakufu Nikki – Himeji Sakaike Bon".

Since all land in Japan was regarded as belonging to the shogun, the shogun exercised control over these bands of retainers by expropriating or transferring the fiefs of retainers who violated the law or rebelled against the shogunate. This kind of punishment – confiscation of fiefs – was particularly common for *daimyo* with more than 10,000 *koku* in the early 17th century, when the Tokugawa shogunate was in its infancy and it has traditionally been called '*kaieki*' (attainder) in Japanese.

In other words, '*kaieki*' originally signified more than just the confiscation of a fief, but rather a change in social status. In conventional research, however, all punishments whereby the fiefs of *daimyo* lords were confiscated have been treated as attainder.

Analysis of the Himeji Sakaike Bon reveals that the fiefs of 14 *daimyo* lords were expropriated during the years 1631–1651. Of these, there were five cases of expropriation on grounds of succession issues, and nine cases of expropriation for reasons other than succession issues. A study of cases in which *daimyo* lords had their fiefs expropriated as described in the Himeji Sakaike Bon proves, on first reading, that the expression '*kaieki*' is not used. Instead, expressions indicating expropriation, ritual suicide, entrustment, donation of castle and confiscation are used in the nine cases.

There are thought to be the following two reasons why *kaieki* (attainder) of *daimyo* lords by the shogunate is traditionally treated as the most severe measure for control of the *daimyo*. Firstly, *kaieki* was a punishment of status, stripping the *daimyo* of their samurai status, and the *daimyo* are thought to have feared losing their status above all else. Secondly, all expropriations have traditionally been regarded as attainder. From this perspective, the fact that the shogunate was able to hand down numerous punishments that stripped the *daimyo* of their status could be cited as important evidence for arguing the predominance of the shogunate's absolute power over the *daimyo* lords.

What should be noted above all, however, is that the shogunate's acts of expropriation could hardly be interpreted as signifying attainder. For example, as shown in the case of Kato Tadahiro cited in this paper, the perception that the shogunate's acts of "expropriation" amounted to "attainder" is found not in the historical materials of the shogunate that was responsible for these punishments, but in those of surrounding parties who conveyed these facts to society, or in the statements of other *daimyo* lords. From this, it is thought that the Tokugawa shogunate deliberately avoided use of the expression '*kaieki*', which was thought to indicate the exercise of autocratic power. That is, it would appear that, instead of displaying the predominance of its autocratic power in its relations with the *daimyo*, the shogunate may actually have been seeking a greater harmony with the *daimyo*. The present paper examines *kaieki* through this perspective.