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Rule in the Name of Protection: The Japanese State, the Ainu and the Vocabulary of Colonialism 「保護」という名の支配ー植民地主義のボキャブラリー

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Introduction to and Selection from *Reading Colonial Japan: Text, Context, and Critique*

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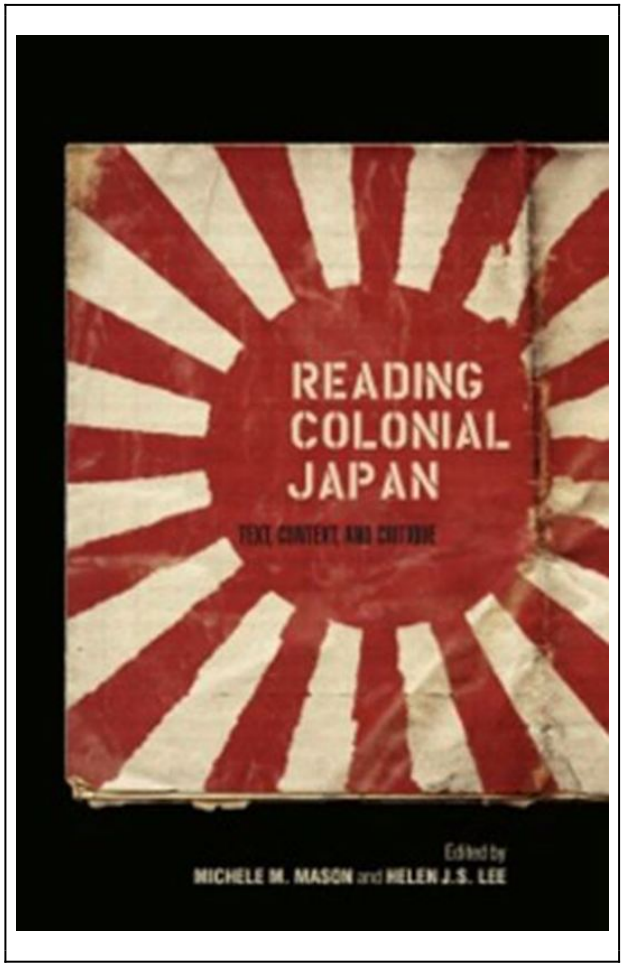

By any measure, Japan's modern empire was formidable. The only major non-Western colonial power in the twentieth century, Japan at the height of its empire controlled a vast area of Asia and numerous archipelagos in the Pacific Ocean. Its reach extended from Sakhalin Island north of the Japanese archipelago to the Solomon Islands in the South Pacific and expanded into Manchuria, areas of China, Korea, and much of Southeast Asia and Micronesia. Over the more than seven decades of Japanese colonial rule (1869-1945), Japan successfully naturalized two colonies (Ainu Moshir/Hokkaido and the Ryukyu Kingdom/Okinawa) into its national territory. The massive extraction of resources and extensive cultural assimilation policies radically impacted the lives of millions of Asians and Pacific Islanders. The political, economic, and cultural ramifications of this era are still felt today.

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Reading Colonial Japan aims to further deepen knowledge of Japanese colonialism(s), providing both an eclectic selection of translated Japanese primary sources and analytical essays that illuminate the specificities of Japan's many and varied colonial projects. The primary documents, which span a variety of genres, serve to highlight the centrality of cultural production and dissemination to colonial endeavors and to accentuate the myriad ways colonialism permeated every facet of life. In the essays, the contributors are primarily concerned with representation and rhetoric and how these intersect with operations of power. They investigate the workings of imperialist discourse through close readings of cultural representations in colonial narratives and imagery, revealing how the Japanese imperial project was understood, imagined, and lived. The contributing scholars take as a premise that colonialism is not simply a military quest, legal process, or government-led project. Rather, it is a complex cultural system, both in the formulation of underpinning ideology and the execution of policies backed by those ideological beliefs. In addition to forming economic and political structures, colonial powers enlist the participation of various institutions, educational processes, and publication networks, which produce "knowledge" that rationalizes the colonial order. By making available and analyzing a wide range of sources that represent "media" during the Japanese colonial period, we engage in a dialogue with scholarship in cultural studies and highlight the powerful role that language and imagination play in producing the material realities of Japanese colonialism.

Serving as the mainstay of the theoretical framework of *Reading Colonial Japan* are the following two premises: that colonial discourse never marshals a totalizing persuasive power and that colonial powers do not exert their authority through a single, cohesive, and consistent ideology. As formidable as is the ideological capacity to determine reality, especially when backed by overwhelming military force and economic privileges, there always exist inherent contradictions, competing ideologies, and intersecting subjectivities. As the resistance movements in Taiwan and Korea suggest, not everyone was convinced of the "benevolence" of the Japanese imperial project. The experiences of a collaborating colonial elite in Korea, a Chinese "coolie" in Manchuria, an Okinawan police officer, or a Japanese female settler differed greatly as any individual's place within a group, and the empire was determined by a number of shifting, and not infrequently incompatible, factors. In fact, one of the most laborious tasks of colonial authorities was to police various levels of slippage that potentially undermined the order of the empire.

That said, no colonial project succeeds without substantial support from its citizenry. In fact, cultural production by a broad spectrum of "ordinary" Japanese citizens—for instance, a housewife in Manchuria, settlers in Korea, manga artists and fiction writers in mainland Japan—functioned effectively to reinforce the

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official political, economic, and cultural policies that controlled and violated the lives of the colonized throughout Japan's empire. Whether individual Japanese actively promoted the imperial project or quietly acquiesced to its demands, they were, to varying degrees, complicit with imperial ideology. Although a young man volunteering for the army might have been a conspicuous expression of loyalty to the imperial state, the works featured in *Reading Colonial Japan* show that no one was precluded from participating in the promotion and maintenance of the colonial campaign. Women, for instance, published "memoirs" that mobilized colonial rhetoric and their promotion of state policies in locally published cookbooks served imperial causes in significant ways well beyond the restricted domestic sphere of the home. Likewise, children's *manga*, such as the *Adventures of Dankichi,* reveal both unsettling manifestations of racialized colonial justifications and the unapologetic recruitment of Japanese children's imaginary world and minds. In fact, every mode of expression was mobilized to further the colonial agenda. If laws such as the "Hokkaido Former Natives Protection Law" dramatically impinged on and restricted the lives of the colonized, a variety of fictional works justified unequal power relations between Japan and its many colonial entities. Be it depictions of the naturescape in Hokkaido that erased the existence of the island's indigenous population, or the "retelling" of a violent legend of Taiwanese "barbarians," literary depictions of the Other joined forces with official arguments to shore up a colonial world order. Many Japanese citizens from all walks of life consumed, accepted, and reiterated the implicit and explicit messages of such texts, thereby participating in the imperial project in the most mundane, yet indispensible, ways.

Below we showcase a translated essay by Komori Yoichi, professor of Japanese literature at the University of Tokyo, which is paired with a translation of the Hokkaido Former Natives Protection Law (*Hokkaido kyudojin hogo ho*, 1899). Komori is a prolific and dynamic scholar of literature, who frequently ventures far beyond the normal confines of the field. He is sometimes considered an institutional and intellectual outsider, due to having received his Ph.D. from Hokkaido University, his sharp criticism of political, economic, and social injustice, and his on-going activism against changing Article 9 of the Japanese constitution. While Komori is famous for his trenchant readings of canonical writers, such as Higuchi Ichiyo, Natsume Soseki, and Miyazawa Kenji, he is also firmly grounded in a school of literary studies that is committed to providing historical contextualization and understanding the power of language to determine and shape history.

Komori's essay, entitled "Rule in the Name of 'Protection': The Vocabulary of Colonialism" (*"Hogo" toiu na no shihai: shokuminchishugi no bokyaburarii*, 1997) illuminates the juridical implementation of the Japanese state's expansionist aspirations in Hokkaido through a close analysis of the vocabulary and tone in the Hokkaido Former Natives Protection Law. This regulation was ostensibly drafted to stabilize the lives of Ainu, who had lost their means of livelihood because of incursions into their homelands by Japanese colonizers. The law endorsed individual land grants and the adoption of Japanese agricultural practices as the best means to rescue Ainu from poverty. For those Ainu who complied there were also provisions for medical treatment and education for children. It might be better understood, however, as a program of forced assimilation, which worked in tandem with other laws to undermine the ability of Ainu communities to support themselves in traditional ways and to suppress their language, history, and cultural practices.

This work by Komori is significant as an early, and still rare, example of scholarship that clearly recognizes Hokkaido as a modern Japanese colony. His liberal use of scare quotes

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in the original chapter functions to disrupt conventional meanings, emphasize the power of naming, and highlight how words determine and obfuscate reality and history. In order to improve readability, we have eliminated some of the scare quotes in the translation after a term has been sufficiently established as deserving critical analysis.

This introduction and text are adapted from:

READING COLONIAL JAPAN: TEXT, CONTEXT, AND CRITIQUE edited by Michele Mason and Helen Lee

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Rule in the Name of "Protection": The Vocabulary of Colonialism[1]

Komori Yōichi

Translation by Michele M. Mason

Two "Protection Laws"

Building on the Emigrant Protection Regulation of April 12, 1894 (Ordinance No. 42), the Emigrant Protection Law (Law No. 70) was enacted on April 7, 1896. Then, the Hokkaido Former Natives Protection Law (Law No. 27) was officially announced on March 1, 1899. This law, which had been presented as a government-sponsored proposal in the preceding year, was based on the Hokkaido Natives Protection Law Proposal submitted by Diet members Chiba Tanehide and Suzuki Mitsuyoshi in 1895. This article aims to interrogate why these "protection laws" were enacted like bookends on the Sino-Japanese War (1894-1895) and what precise kind of act the word "protection" denotes.

To begin, there is one place in the

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Emigrant Protection Law where the word "protection" is clearly used. Article 4 of the law reads, "To *protect* emigrants, maintain public order, or when deemed necessary for diplomatic purposes, the government may prohibit emigrant voyages or revoke permission to take such voyages" (italics added). Moreover, Article 1 of the Emigrant Protection Regulation states, "By this decree the definition of emigrant is a person who for the purposes of labor travels abroad, and the term emigrant agents designates those people whose occupation it is to run agencies that recruit emigrants and arrange for the emigrants' travel abroad regardless of what they are called." In a similar fashion, the Emigrant Protection Law sought to supervise the relationship between "emigrant agents" and "emigrants" through the licensing of national "administrative" agencies. That is to say that the principal objective of this protection law was to "protect" emigrants from emigrant agents whose aim was commercial gain.

"Emigrant services" emerged as a particular industry, and the reason the state could ill afford to ignore it concerned the rapidly increasing numbers of "emigrants" at the time. For instance, comparing the numbers of Japanese residing in foreign countries in 1885 and in 1895 reveals a dramatic jump; in the United States the number of Japanese rose by almost 5,000, from 1,090 to 6,156 persons, in Hawai'i by 21,000 Japanese, from 1,949 to 23,102 persons, and in by Korea 8,000, starting at 4,521 and reaching 12,303 persons. Then, during the five years between 1896 and 1900, the United States suddenly saw an increase of 26,000 Japanese, in Hawai'i an increase of 34,000, in Korea 3,000, and in China 3,000, which amounts to a precipitous growth exceeding the preceding ten years. After the Sino-Japanese War, Japan was facing a true overseas "emigration era." Consequently, the emigrant service industry came into being, and numerous problems emerged between emigrant agents and emigrants and even more so between the nation called "Japan" and the countries to which the emigrants traveled.

The crux of the trouble becomes evident from matters prohibited by the law. The aims of the regulations included preventing people from traveling abroad without government permission, attempting to gain permission by lying about one's destination, conducting the business of emigrant services without governmental permission, and "recruiting emigrants by means of deception." What we must remain cautious about is the seventh article of the Emigrant Protection Law wherein it is stipulated that "only imperial subjects and, alternatively, commercial companies that conduct the main part of their business within the imperial nation and whose stockholders or employees are solely imperial subjects can be considered 'emigrant agents or agencies.'" First, we understand that emigrant services were chiefly

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conducted by commercial companies, and, thus, an era arrived when humans as labor commodities, in the form of emigrants, became the objects of commerce in the same way things become goods.

However, we also notice an excessive insistence on the issue of the interior of the "imperial nation." The important point is that commercial companies permitted to undertake emigrant services had to be managed by imperial subjects only. Companies that were involved with foreigners or foreign capital were denied emigrant service status. Here, the memory of one incident involving emigrants, which occurred at the beginning of the Meiji era, must have had an impact. In 1868, 148 Japanese were transported to what was at that time the Kingdom of Hawai'i by an American consul general, Eugene Van Reed. In the Kingdom of Hawai'i there were vast fields of sugarcane, and toward the middle of the nineteenth century the technological innovations in sugar production suddenly made advances, necessitating a massive labor force of obedient farm workers. These Japanese, really labor commodities, were taken to Hawai'i in a manner equal to the slave trade. The Japanese government, angered by this, called off all emigration to Hawai'i, a ban that would last for seventeen years, until 1885. When Walter Murray Gibson, who had been appointed premier in Hawai'i in 1882, petitioned to the Meiji emperor to reopen Japanese immigration to Hawai'i, the offer was accepted, and the first group of government-contracted emigrants was sent in February of 1885. By 1894, when the 26th group arrived, close to 30,000 Japanese had crossed over to Hawai'i.

In 1885, when Minister of Finance Matsukata Masayoshi's deflation policies reached their extreme, poverty and starvation in rural farming communities reached an all time high due to overpopulation in the post-Meiji-Restoration era. Japanese farmers who could not make a living within the borders of the nation of Japan, and who until that point had been forbidden to go abroad, left, favoring Hawai'i and California. The Republic of Hawai'i was established in 1894 because of an intervention carried out by the combined efforts of U.S. ministers and pro-American forces the preceding year. From this year on, the Japanese system of government-contracted emigration was abolished and replaced by private companies, which functioned as go-betweens for contract emigrants. Consequently, situations exactly like those feared in the Emigrant Protection Law actually developed in the year that this law was enacted.

In November 1896 the arrival of emigrants on the ship *Toyomaru* occasioned a lawsuit, and in February of the following year, 534 Japanese were not allowed to disembark when they landed in Honolulu aboard the *Shinshumaru*. Again, on March 20 the 163 immigrants transported on the

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Sakuramaru were denied entrance into Hawai'i. The basis for these denials on the Hawaiian side was the fact that the Japanese emigrants lacked the fifty dollars needed for status verification, as stipulated in Hawaiian immigration regulations. What the private emigration companies had been doing upon docking was to lend fifty dollars cash to those emigrants who lacked such funds and then collect the fifty dollars once the emigrant arrived ashore. In other words, it was camouflaged "show money." In this way, according to the Hawaiian officials, the number of delinquent emigrants continued to grow. At the time the Japanese Emigrant Protection Law was issued, one could count nineteen such specialized emigrant companies in the nation.

On the one hand, protecting Japanese who emigrated abroad meant, first of all, protecting imperial subjects from the profit-driven emigrant enterprises that committed illegal activities in both Japan and the destination country. On the other hand, the emigration problem was also a phenomenon that arose out of a rivalry between the United States, which was modifying its colonial policies toward Hawai'i and developing its naval military power in the Pacific Ocean, and Japan, which formed colonial strategies in opposition to these moves. In the ten years following 1886 – the year an emigration/immigration agreement was signed by the Japanese foreign minister, Inoue Karoru, and Hawai'i's foreign minister, R. W. Irwin — over 30,000 Japanese so-called emigrants were transported to Hawai'i. In Hawai'i, the populations of Americans, Hawaiians, Chinese, and Japanese became roughly even. The politically cozy relationship between King Kalakaua and Chinese merchants provoked in the United States a sense of impending danger that Hawai'i would be taken over by Chinese immigrants. In 1890 a tax law that was to protect domestic American sugarcane business interests was enacted, and agitation by American owners of Hawaiian sugarcane fields for the annexation of Hawai'i became stronger. In 1898, Hawai'i became incorporated as a territory into the United States.

At this time, Japan's central colonization policy was based in Taiwan's colonial economy. On April 17, 1895, the peace treaty for the Sino-Japanese War was signed in Shimonoseki, and it was decided that China should pay the sum of 300 million yen in reparations and cede the Liaodong peninsula, Taiwan, and the Pescadores Islands. Then on April 23, as is common knowledge, there was the so-called "Triple Intervention" by Russia, Germany, and France over the Liaodong peninsula. On May 5 Japan accepted the recommendation to "return" the Liaodong peninsula. Five days later, on May 10, Admiral Kabayama Sukenori was appointed Taiwan's first governor-general, and Imperial Guards, under the division commander Prince Kitashirakawa, landed in Taiwan. On June 2 China handed over

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Taiwan to Japan, but a resistance movement that opposed the ceding of Taiwan fought until October, extending into the central and southern areas. Prince Kitashirakawa died from an illness contracted in battle. Subsequently, Japan reformed the governor-general mandate and a civilian system replaced it on March 31, 1896.

Given that failed domestic governance forced Japanese unable to make a living within Japan to other countries, threatening the livelihoods of the inhabitants of those countries, it could be said that wars of colonial invasion and "emigration" fall under the same logic, namely as policies that attempt to solve problems through incursion. At the same time, the Emigration Protection Law was a necessary strategic move by Japan to address international discord caused by both of these varieties of Japanese invasions. It was the case that efforts to exclude Japanese immigrants, which had begun at the end of the nineteenth century, grew even stronger in the twentieth century. Under the pretext of "emigrant protection," the nation-state called Japan actually sought to "protect" its interests vis-à-vis major Western powers, and it is within this context that the term "protection" gains meaning.

This history notwithstanding, in actuality, from the beginning of the Meiji era in 1868 until the twentieth century the majority of Japanese "emigrants" settled in the island Ainu Moshir, homeland of the indigenous Ainu, which was unilaterally named "Hokkaido" by Japan in 1869. As we will see, the word "protection" in the Hokkaido Former Natives Protection Law fulfilled rather remarkably the role of concealing traces of that invasion from the Japanese populace on the mainland.

Invasion in the Name of "Development"

Ainu Moshir was designated a strategic bulwark against Russia's southern expansion policies by the new Meiji government. An 1869 imperial inquiry reads:

Ezo is the northern gate of the imperial nation. It is close to Santan and Manchuria, and although its boundaries are roughly settled, in the northern area there is a place where locals and people from abroad live together. The Japanese administrators there, who have enslaved the natives until now, have been cruel in the extreme. The foreigners have been exceedingly amiable; therefore, the natives are sometimes hostile to our countrymen and instead have reverence for the foreigners.[2]

At this point in history, the Japanese appellation for Ainu Moshir was "Ezo," or the Land of Barbarians, and the Japanese understood the geographical scope to include Sakhalin. The vague phrase "a place where locals and *people from abroad* live together" indicates the presence of Russians. Japanese are referred to as "our countrymen," while the term

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"natives" is chosen for the Ainu.

However, in September of that same year, in a letter by Sanjo Sanetomi addressed to the Hokkaido Development Agency we can see several significant changes.

September 1869

Development Agency:

> 1. Hokkaido is the imperial nation's northern gate and is an extremely valuable area. In accordance with the recent command to develop Hokkaido, we must carry out the deepest wishes of the imperial will. To that end, one must follow the path of caretakers, spreading civilization and deepening moral customs.
>
> 2. As mainlanders gradually emigrate, they must cooperate with natives, be productive in their occupations, and devote themselves to the civilizing mission.
>
> 3. As for Sakhalin, where mainlanders live among Russians, one must be wholly decorous, devote oneself to reason, and not behave in a thoughtless manner or take up vices. Even in the case that Russians are arrogant or do unjust things, one cannot respond as an individual. In all decisions, one must choose rightly and consult with the consul. Moreover, in those cases where one experiences difficulties, one must go through government agencies, using all of the nation's resources appropriately, enduring trifling matters peaceably, and endeavoring not to subvert our larger mission.
>
> 4. Especially when building a new country in a distant place, if one does not work in solidarity with government officials, far-reaching projects will never succeed. One should not debate who is noble and who is not, but should approach everything with consideration and sincerity and obey orders and not just pretend to do so.
>
> Minister of the Left[3]

In August of 1869 Ezo was renamed "Hokkaido," and what the Japanese called "Karafuto" (Sakhalin) was deemed to be a separate entity. Since this decision was predicated on Russia's encroachment upon Sakhalin Island, this area was referred to as a "Russian mixed-residential quarter," and a logical framework different from the one applied to Hokkaido was followed. Given that Sakhalin was a space where two nations, Russia and Japan, confronted each other, "individual personal conduct" was impermissible, and in the case that trouble should arise, "one must go through government agencies" and "consult with the consul" of Russia. In those situations when matters still could not be resolved, then "all of the nation's resources" would be brought to bear. In contrast, the

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area named Hokkaido was viewed as a territory without any such preconditions. There, Japanese officials employed the legal terminology "ownerless land" by which European and American powers had earlier established the "sovereignty" of their modern nation-states by pushing through colonial strategies that ignored indigenous peoples.[4]

The "development" of Hokkaido was at the heart of an employment scheme for former samurai whose previous special privileges were rescinded through the process of abolishing feudal domains and establishing prefectures in 1871. After the creation of the Hokkaido Development Agency in 1869, "regulations for emigrant assistance" in the Sapporo area were put into place. These stipulated:

Farmers will be provided housing, a small stipend, farming implements, household items, a three-year food supply, and even expenses for opening land, in addition to travel expenses. For merchants and artisans, capital for building a house and a pecuniary allowance will be granted or lent. Some of these privileges will be available not just to individuals recruited by the Development Agency but also to those who voluntarily resettle. Moreover, we will establish facilities for those who are approved and relocate to their designated posts.[5]

With the promulgation of the Family Register Law (*Kosekiho*, 1871), the Ainu were incorporated into the category of "commoners," and at this time it became practice to enter them into the record as "former natives." The Hokkaido Development Agency carried out blatant assimilation policies, issuing most notably an order that strictly abolished "customs" that were deeply rooted in Ainu livelihood.

Announcement to Natives:

> 1. Those people who engage in opening land will be provided with a house, farming implements, and other things, and it is forbidden to burn the house of a deceased person and change residences, as has been hitherto the custom.
>
> 2. It is strictly forbidden for girls born hereafter to be tattooed.
>
> 3. Hereafter, the custom of wearing earrings is strictly forbidden for men, but for the time being, women may do as they wish.
>
> 4. One must make every effort to learn spoken Japanese, of course, but also the rules of written Japanese.
>
> Development Agency[6]

In the first place, in the phrasing "people who engage in opening land" there lies a

notion that denies the fundamentals of Ainu life. Only people who open land and undertake farming are recognized.

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However, Ainu livelihood relied primarily on hunting and fishing, not to mention the fact that they did not have the concept of owning land or private ownership. According to the Ainu, Ainu Moshir, or the Quiet Land of Humans, was a collectively shared natural world. Still, the Hokkaido Development Agency passed the Land Holdings Regulation in September of 1872, and land that had already been "opened and planted" was converted into privately owned land, while, with the exception of areas that had previously been designated for government use or private "lease land," all of Hokkaido, as a government-owned entity, was put up for sale to interested private parties. This regulation was for the sake of none other than "mainlanders." Vast areas where Ainu were once able to hunt and fish were expropriated as land for Japanese settlers.

In a similar fashion, the rituals related to Ainu traditional views on life and death were denied, and Ainu were even forced to adopt the gendered customs of the so-called mainlanders. It goes without saying that the language of the Hokkaido Development Agency's announcement is Japanese. The Ainu language, which did not have a writing system, was not acknowledged as a language. Thus, Hokkaido became a place where only mainlanders could live and prosper, and "cooperating with natives" there was fundamentally impossible.

This was not, however, solely the idea of the Hokkaido Development Agency's director Kuroda Kiyotaka. Kuroda, who had traveled to the United States, invited Horace Capron, commissioner of the Department of Agriculture under the authority of the victorious Civil War general President Grant, as a foreign consultant to assist in "developing Hokkaido." The offer to Capron set his yearly salary at 10,000 dollars and included housing. Capron, after arriving in Japan in 1871, ordered a survey by forestry agents and chemists who had accompanied him from the United States, instructing them to search for appropriate farming, logging, and mining locations. America's putative development path after the opening of the transcontinental railroad was put into practice in Hokkaido. That is to say, the strategic aggression against, and encroachment upon, American indigenous peoples by Anglo-Saxon "immigrants" were replicated by Japanese immigrants in Hokkaido, the homeland of the Ainu. Capron, who advocated free migration and foreign capital, but opposed to the bitter end the Meiji administration's commitment to "development" through government channels, returned home in 1875.

Then, in that same year there was a turning point in Hokkaido's development due to the signing of the Russo-Japanese cooperation agreement called the Sakhalin-Kurile Exchange Treaty. The states known as Russia and Japan unilaterally divided up the territory of Ainu Moshir and drew the countries' borders in such a

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fashion that people of the same ethnic group were made to hold differing citizenship. Once the national borders were fixed, 854 Ainu living in Sakhalin were forcibly moved to Hokkaido, and there were even cases in which Ainu were coerced into relocating to interior areas because authorities feared they would escape back to their homeland.

In 1876, William Smith Clark came to Japan on a contract to establish the Sapporo Agricultural College.[7] In the short period of one year, he taught agricultural practices suited to Hokkaido's climate and lifestyle, converted students to Christianity, and attempted to shape Hokkaido's landscape into the likes of a rural farming community in New England.

Thus, the origins of the development of Hokkaido, to put it simply, lie in a system of invasive immigration as relief for the former samurai who had lost privileges that they had had as military personnel and government officials under the shogunal system during the Tokugawa period (1600-1868). For example, in 1873, the Hokkaido *tondenhei* farming-militia system was created, which until 1890 mainly recruited former samurai as a crucial means to provide them aid. By 1899, when the Hokkaido Former Natives Protection Law was issued, 7,337 households totaling 39,911 people were sent as "emigrants" to Hokkaido under this program.

In 1883, the year after the abolishment of the Hokkaido Development Agency, the central government decreed that every year 150,000 yen could be lent to former samurai who applied to migrate and settle in Hokkaido, and the Regulation for the Settlement of Former Samurai (1885) in Hokkaido was issued. This regulation gave extremely privileged and favorable treatment to former samurai from all prefectures who could not shoulder the resettlement expenses, loaning them interest-free capital for opening land and even offering payment plans that allowed a deferment for seven years and thereafter twenty annual installments. Each household was provided with approximately 8 acres of land, and after this had been opened it could be purchased at a low price. Under this Regulation for the Settlement of Former Samurai, 300 samurai households "emigrated" to Hokkaido. Not only that, there were numerous legal devices put into place to "protect" the "emigrants," who were mostly samurai. Of course, in the background, the livelihoods of Ainu, which were fundamentally rooted in nature, were destroyed by this process.

Thus, the term "protection" in the Hokkaido Former Natives Protection Law not only suppresses the over thirty years of history of the Japanese invasion and looting of Ainu Moshir, but also, in the end, contains the intention to invert the situation so as to make it appear that it was the Ainu's fault. We should not forget, moreover, that the Hokkaido *tondenhei*

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farming-militia fell under the Ministry of the Army's administration and participated in both the Sino-Japanese War and Russo-Japanese War (1904-1905) as part of Japan's imperial regular army. These ostensible emigrants were therefore also an invading army.

The Discourse of "Ruin"

Article 1 of the Hokkaido Former Natives Protection Law reads, "Those Former Natives of Hokkaido who are engaged, or wish to engage, in agriculture shall be granted free of charge no more than 12 acres of land per household." As mentioned above, this law applied only to those who "engage in farming" or those who "wish to engage in farming." Thoroughly permeating this law is the idea that without converting to the practice of farming, one cannot be recognized as a Japanese "citizen," which completely disregards the *habitus* of the Ainu, who for many centuries had lived by hunting and fishing. To force the practice of farming on a people who live by hunting and fishing is none other than an act of violence against their very right to a livelihood. Thus, this law constituted an attack on the Ainu's entire arena of life, ranging from issues of physical health and nutritional balance based on daily foodstuffs to worldviews, cosmology, and religious beliefs.

Article 5 of the law reads, "Hokkaido Former Natives who are injured or ill but cannot afford medical treatment shall be provided with medical treatment or expenses for medicine" and Article 7, "Children of destitute Hokkaido Former Natives who are attending school will be provided with tuition fees." Article 9 states, "An elementary school will be constructed with funds from the National Treasury in areas where there is a Former Native village." For the Ainu this law meant ultimately to be controlled by the science of hygiene and made into Japanese citizens through a "civilizing" mission executed through the educational system. In other words, to be subjugated in the name of "protection."

This colonial law claims its purpose is to make "former natives" independent by converting them to farming according to "the Emperor's wish for universal benevolence" and to "bestow the honor of becoming imperial subjects" on Ainu through assimilation and advancement via the educational system. However, this assertion is made possible only because the law presents "national duty" within an assumed "logic" of "survival of the fittest."[8] It goes without saying that it was the Japanese putative development of Hokkaido that precipitated the crisis of Ainu society and that it was not caused by the Ainu themselves. Moreover, we must pay attention to the fact that the policies of "protection" and "assimilation" themselves, essentially policies of "imperialization" (making Ainu into imperial subjects), deployed in colonial law hastened their "ruin" and not the other way around.

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Still, at this time when the Meiji government was creating modern "citizens" (by abolishing the former four hierarchal statuses – samurai, farmers, artisans, merchants – and making all Japanese equal), the process of turning Ainu into "citizens" through the phrase "former natives" paralleled the new designation of the outcaste class (*hisabetsu burakumin*) as "new commoners," positioning both groups on the periphery of the concept of citizenship by fixing their difference. Afterward, Japan's imperial rule over foreign peoples proceeded apace and Japanese leaders applied their experiences subjugating the Ainu and took as their reference the Hokkaido Former Natives Protection Law in these new contexts. For example, consider the Korean Civil Name Change Order (1939), which forced Koreans to take Japanese names, or the suppression of "Takasago aborigines" in Taiwan. Also, the "aboriginal school houses" built in the mountainous regions of Taiwan were modeled on the "former natives' schools" set up by the Protection Law.[9]

In practice, the enforcement of the Hokkaido Former Natives Protection Law, which lacked any budgetary support, did not proceed as planned. However, as Murai Osamu rightly points out, the emerging ideology found in it can be said to have formed the foundation of the colonial policies of the Greater Japanese Empire. Not only did the promulgation of the Imperial Rescript on Education (1890) represent a critical opportunity to establish the ideology of assimilation centered on compulsory schooling, but rapidly growing new academic discourses at the time also played a significant role in the establishment of this ideology. The emerging scholarly disciplines were anthropology, archeology, and linguistics. The symbol of the "ruin" of the Ainu people was comprehensively formulated by these three academic fields, which mutually drove each other on. Those who created the fundamental premises of this new scholarship, as it turns out, were foreign diplomats and foreigners hired to work in Japan.

There was, for example, English consul Walter Dening's research on Ainu vocabulary, the study of Ainu poison arrows by Dr. Stuart Eldridge, who was Horace Capron's underling in the Hokkaido Development Agency, geological surveyor Benjamin Smith Lyman's measurements of Ainu bodies, the Ministry of Industry's geologist John Milne's survey of the customs and language of the Sarudani Ainu, Austria's legation's official translator Heinrich von Siebold's research on folk customs, zoologist Edward Morse's scientific surveys, and Isabella Bird's reports on Ainu life. Even Basil Hall Chamberlain, professor at Tokyo Imperial University, visited the Ainu village Biratori in 1887. Chamberlain developed the new academic fields of "Japanese national language studies" and "Oriental comparative linguistics," and he undertook comparisons of Ainu and Japanese

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languages, myths, and place names and even extended his efforts to the Ryukyuan language, hypothesizing a theory of the genealogy of the Japanese language based on the theory of evolution.

Of course, it goes without saying that at the center of Ainu research was the missionary John Batchelor. After Batchelor came to Hakodate in 1877 on a mission for the Anglican Church, he began the study of the Ainu language and continued **proselytization** for the "salvation of the Ainu." As the numbers of converts increased, Batchelor established the Airen Charity School in Horobetsu village in 1890 and endeavored to teach Ainu youths, but this became untenable since such activities were illegal according to treaty stipulations. In 1892 he set up a school in the Yachigashira area of Hakodate and educated Ainu children who boarded there, and again in 1895, he taught twenty Ainu girls, who were living with him in his home in Sapporo. In 1892 he built an Ainu hospital in Sapporo, and, cooperating with the head of the Sapporo hospital Sekiba Fujihiko, provided medical treatment to close to four hundred Ainu over the course of four years. In addition to Batchelor, Englishwoman Miss Lucy Payne set up a charity school in 1891 in Harutori village in Kushiro and built "native schools" adjacent to a number of churches.

The state of education in Hokkaido after the promulgation of the Imperial Rescript on Education points to the nationalistic backlash against the activities of foreigners. A report by the 1893 investigative committee on the Former Natives Education Law claims, "Ainu schools have not yet been set up, so students begin their education in vain with foreigners. There is a school in Horobetsu that is managed by Batchelor. More than twenty Ainu accept his absolute control. The schoolhouse in Harutori was built by Payne. Over forty children are being raised there. It will be a national disgrace if we continue to look on as spectators."[10]

To somehow extract the Ainu from the care of foreigners was an idea passed on since the days of the Matsumae domain's domination in Ezo during the Tokugawa era. This thinking was not in the least bit different from when the 854 Ainu were forcibly removed once Sakhalin became Russian territory. Without a doubt, one of the goals of the Hokkaido Former Natives Protection Law was to extricate Ainu from the educational and medical activism of foreigners and to place them under the auspices of the state then called the Greater Japanese Empire. At the same time that the word "protection" functioned to simultaneously separate the indigenous people of this internal colony from the "foreigners" and segregate and distinguish them from Japanese under the control of the Greater Japanese Empire, this term also concealed the fact that the successful Japanese colonial invasion known by the monikers "immigration" and "settlement"

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thoroughly destroyed the roots of indigenous culture and society.

Then, according evolutionary theories, the Japanese were positioned as early adopters of "civilization" and superior to the Ainu, and the discourse of cultural anthropology, which reasoned with the oft-repeated idea that Japanese needed to protect the racially inferior and distinct Ainu race since it was suffering a crisis of "ruin," gained footing through the work of Japanese anthropologists.

In 1893, the first courses in anthropology at Tokyo Imperial University were launched. The "Koropokkuru Debate" that developed between Tsuboi Shogoro (1863-1913), who adhered to the Edward Morse school of thought, and Koganei Yoshikiyo (1859-1944) of the Erwin von Bälz school, was quite famous, and in 1894 the Hokkaido Anthropological Society came into being and the colonization of knowledge continued.[11] The following is a portion of a speech given by Koganei in the year before the Hokkaido Former Natives Protection Law was proposed in the National Assembly:

So then, as scholars from Japan and abroad have said, the people called Ainu *are not capable of acquiring civilization*, the same as the world's ordinary barbarian races. As for the reason for this — that these barbarian races are unable to acquire civilization — there is the argument that civilization is *like a poison to them, and barbarian races that come in contact with civilization gradually become extinct*, which is a claim that can likewise be made regarding the Ainu. When we think carefully, however, *it still retains some vagueness. We must try to think of what could bring about a successful meeting of Ainu and civilization*.

So, if someone should say the Ainu are steadily becoming extinct because the Japanese have imparted civilization to them, well, that is an explanation hard to swallow. To be sure, since the Meiji Restoration, the development of Hokkaido has progressed yearly, and the more Hokkaido improves, the more worsening hardships are created for the Ainu. This may be obvious. As the land is further reclaimed, the animals they hunt [bear] and the fish they catch [salmon], among other things, decline. This is perhaps undeniable. Compared with civilized people, barbarians generally need a great expanse of land. That is to say, since the barbarians do not know how to adopt farming of their own accord, taking and eating that which is produced by nature, they require quite a large area of land. As more Japanese come to settle and open land, from a perspective of people-to-land ratio, the land area decreases, and, owing to this, the Ainu's struggle to survive becomes increasingly difficult. This is for the Ainu a considerable hindering obstacle. Whether Ainu can overcome this obstacle or not — this is a matter of life or death. In other words, because survival will become more challenging, I believe

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that if Ainu cannot manage to survive through work, they will inevitably gradually decline.[12]

Koganei's speech is replete with contradictions. He starts by stating that "As Hokkaido progresses" via "development," "worsening hardships are created for the Ainu." It is none other than the Japanese, who, under the name of development, usurp Ainu hunting and fishing grounds, privatize their territory, and convert it into farmland by "reclaiming" the forests. Up to this point, his argument is founded upon the historical realities of Hokkaido and its colonization. However, the argument that the responsibility of "imparting civilization" to the Ainu falls to the "Japanese" affirms the colonization of Hokkaido and the Japanese settlement there. Not only are the Ainu a "barbarian race," it is asserted, they are also "incapable of acquiring civilization," the latter being a common characteristic of the "world's ordinary barbarians." Therefore, it is suggested, the Ainu barbarian race is fated to "extinction."

This is Koganei's irrational logic. The impoverishment of Ainu livelihood caused by Japanese colonization and emigration is attributed to problems with the Ainu "race." On the one hand, we have the "Japanese race," which was able to adopt civilization, and, on the other hand, the "barbarian race" of Ainu, who naturally go "extinct" when they come into contact with "civilization." As a result, within this discourse there operates an unfounded assertion that the Japanese are civilized. Based on this definition, Koganei produces a logic that assumes that the so-called civilized Japanese race has been charged with the mission to protect the barbarian Ainu race that is becoming extinct.

Once colonial invasion is justified under the rhetorical devices of "civilization" and "race," the schema wherein the Japanese did the protecting and the Ainu were the ones protected towers as if a scientific truth. This logic was not applied just to the Ainu race. It was shared by the linguist Kindaichi Kyosuke, who tried to "protect" the literary heritage of the Ainu traditional oral epics (*yukar*) from "ruin." In this way, hidden behind the language of protection, the colonial crimes of the Greater Japanese Empire and the truth of the circumstances forced on the Ainu, wherein the Japanese were obliged to protect the Ainu who were destined to extinction, were concealed and erased from historical memory.

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Notes

[1] [Translator's Note] Komori's essay first appeared in the book *Media, hyosho, ideorogii: Meiji sanjyunendai no bunka kenkyu* (Media, Representation, Ideology: A Study of the Culture of the Third Decade of Meiji), eds. Komori Yoichi, Kono Kensuke, and Takahashi Osamu (Tokyo: Ozawa shoten, 1997), 319-34. I would like to thank Kim Tongfi, Inoue Makiko, Masayuki Shinohara, and Leslie Winston for their invaluable help with this translation. A special thank you to Komori Yoichi for allowing us to include this essay in our volume.

[2] [Translator's Note] In previous centuries Japanese were under the mistaken notion that Hokkaido was geographically close to Manchuria and Santan, an area in China. It is true that historically Ainu conducted what Japanese called "Santan trade" with various groups on Sakhalin for Chinese goods, such as silk and colored beads.

[3] *Kaitakushi nisshi 4* (Journal of the Development Agency 4) (Tokyo: Tokyo daigaku shuppankai, 1987).

[4] Hanasaki Kohei, "Ainumoshiri no kaifuku: Nihon no senjyuminzoku Ainu to Nihon kokka no taiainu seisaku" (The Restoration of Ainu Moshir: Japan's Indigenous Ainu and the Japanese State's Policies toward the Ainu), in *Iwanami koza gendai shakaigaku 15: sabetsu to kyosei no shakaigaku* (Contemporary Sociology Vol. 15: Sociology of Discrimination and Coexistence), ed. Inoue Shun et al. (Tokyo: Iwanami shoten, 1996), 93-108.

[5] Takakura Shinichiro, *Ainu seisaku shi* (The History of Ainu Policy) (Tokyo: Nippon hyoronsha, 1942), 401.

[6] *Kaitakushi nisshi 2* (Journal of the Development Agency 2) (Tokyo: Tokyo daigaku shuppankai, 1987).

[7] [Translator's Note] Smith was a professor of chemistry and president of the Massachusetts Agricultural College from 1867 to 1879. He is most famous in Japan for his parting words, which were, according to legend, "Boys, be ambitious!"

[8] Utari mondai konwakai (Ainu Issues Discussion Group), 1988.

[9] Murai Osamu, "Kindai Nihon ni okeru *nation* no soshutsu" (The Construction of the Nation in Modern Japan), in *Iwanami koza, gendaishakaigaku 24: minzoku, kokka, esunishitei* (Contemporary Sociology Vol. 24: Race, the Nation-State, and Ethnicity), ed. Inoue Shun et al. (Tokyo: Iwanami shoten, 1996), 117-38.

[10] Takakura, *Ainu seisaku shi*, 571.

[11] [Translator's Note] This debate emerged out of a larger discussion of the "racial" origins of

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the Japanese. Tsuboi argued for the existence of a non-Ainu Neolithic people, based on his discovery of an Ainu legend that spoke of a "dwarf-like people" (*kor-pok-un-kur* in Ainu, *koropokkuru* in Japanese) who had preceded Ainu settlement, while Koganei suggested that the Jomon people, known through archaeological evidence, were in fact Ainu. See Richard Siddle's discussion in *Race, Resistance and the Ainu of Japan* (London: Routledge, 1996), 81-84.

[12] "Ainu no hanashi" (Stories of the Ainu), *Kokumin shinbun* (Kokumin Newspaper), Mar. 27, 1894 (emphasis added). [Translator's note: The interpolations "bear" and "salmon" appear in the newspaper article.

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