Servitude in Early Modern Japan

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1. Introduction

In Japan today, *dorei* 奴隷 is used as the translation of the word "slave." This Chinese character compound is found in classical Chinese texts.[1] However, in both China and Japan before the modern period (up through the early modern period), *dorei* was not commonly used to refer to actual people in servitude.

In the academic field of history, the class characteristics of the variously named types of servitude in Japanese history have been discussed in relation to society's construction, namely, whether society had the institutions of slavery or serfdom. However, when developmental stage theories—the premise of such discussions—ceased to be seen as valid, scholars' interest declined in whether such servile people belonged to the serf or slave classes. It is clear that discussions about whether people were slaves change depending on the definition of "slave," and it is also clear that defining "slave" is no simple matter.

Isogai Fujio's scholarship sees servile people in Japan during the ancient and middle ages as "slaves." Pointing out that it is necessary to distinguish between people with the status of "slave" and people living in slave-like servile conditions, he defined a "slave" as someone who is legally recognized as the property of someone else.[2] According to Isogai, when the society in question affirmatively creates a space for this relationship of ownership and being owned and this relationship is recognized by public authority or the state, there is the status of "slave." From the Yayoi period (ca. 300 BC–ca. AD 300) to the Shokuhō period (1568–1600), he asserts, Japan was a society in which this social status was legalized. He also holds that there were non-slave, free social statuses that were the polar opposite of slaves. However, Isogai says, it was not an either-or situation: there were diverse "slave-like servile social statuses" that existed in-between.

In the early modern period, due to the establishment of a new social status society, people in servitude disappeared from society's surface. According to Isogai, this was a time in which "slavery" ceased to be covered by

the law. People in servitude were placed inside each social status and understood as servile in the context of intra or inter-*ie* 家 ("household"; see below) relationships.

In this article, I will provide an overview of servitude in Japan before the modern period and consider its characteristics, primarily focusing on the early modern period, when Japan encountered and broke away from the Mediterranean-style system of slavery.[3]

2. People in Servitude in Japan during Ancient Times and the Middle Ages

The ancient Japanese state, which drew from Tang China's legal codes (referred to as *ritsuryō* 律令 in Japanese), adopted their *liang-jian* 良賤 (Jp. *ryō-sen*) status classification scheme that divided the populace into "ordinary people" (Ch. *liang-min* 良民; Jp. *ryō-min*) and "base people" (Ch. *jian-min* 賤民; Jp. *sen-min*). *Senmin* referred to people who had been hereditarily in servitude to government offices or members of the ruling class. These people, who had previously been referred with the native Japanese term of *yakko* 奴, came to be referred to as *nuhi* 奴婢, a Chinese legal term (Ch. *nu-bi*). However, people of the *senmin* status and people referred to as *nubi* in China were not necessarily the same. Also, opinions are divided as to whether Japan's *senmin* were slaves.[4] The *ryō* status and *sen* status were entrenched as state-dictated statuses and became hereditary due to the family registration system (*koseki* 戸籍) that began in 690. There were *senmin* who were used by the emperor and government, as well as *senmin* who belonged to the likes of aristocrats and regional power holders. The former were provided with the same share of rice land (*kubunden* 口分田) as *ryōmin* and the latter with a third of this share. However, *senmin* did not have to pay taxes or provide labor to the state while *ryōmin* did.

Senmin could be bought and sold. They were required to marry other *senmin*. At first, children born to these marriages were all assigned the *sen* status and considered the property of the mother's owner. Later, faced with the reality that marriages were taking place between *ryōmin* and *senmin*, children born to these marriages were deemed to have the *ryō* status. Estimates of *senmin*'s percentage of the population include below five and below ten percent.[5] Their labor primarily consisted of miscellaneous domestic tasks, and they were not the core of activities of production. As the *ritsuryō* system receded, the *ryō* and *sen* statuses lost any real meaning.

In society during the middle ages, there were not consistent status divisions that ran throughout society. Actual individual relationships had

more meaning. An indicator of one's status was whether one was serving a master. Representative terms include *genin* 下人 ("person below": a general term for lower-class people ruled over by others) and *shojū* 所従 ("person who follows": refers to the person in servitude in a master-subordinate relationship). However, these were not necessarily directly connected to the *senmin* status of ancient times, and their degrees of servitude varied.

Scholars have discussed for a long time whether or not to define them as slaves. Isogai, who does define them as "slaves," states that "slaves" were supplied in the following way in Japan during the middle ages: by (1) enslaving prisoners of war, (2) enslaving criminals and/or their families, and (3) enslaving people due to their economic circumstances. Isogai places the most emphasis on the third.

As agricultural productivity declined and stagnated due to the climatic cooling from the thirteenth century onwards, increasingly those of the peasant social status were enslaved. Public authorities in the middle ages were unable to take effective measures to prevent this. Facing famine due to irregular weather, people in danger of starvation ended up having to rely on power-holders, by, for example, selling themselves or family members, having power-holders provide for them, or borrowing food and the like. People who were sold immediately were in servitude to their buyer. People unable to repay their debt (including debt resulting from having been provided for) could sell themselves or their family instead. Isogai asserts that "slavery" in Japanese society during the middle ages was expanding. He also holds that this enslavement of fellow humans for economic reasons had a safety net aspect in that at the very least it kept people in poverty alive and even led to the paternalistically benevolent treatment of "slaves".[6]

Ishii Susumu points out that *mibiki* 身曳—the practice, frequently carried out in the middle ages, of handing oneself over to a master and becoming servile to them—existed since ancient times and that it was done due to crimes and debts.[7] Both atoning for a crime with one's property or oneself, as well as paying off unfulfilled contracts and unrepayable debts by serving the obligee, took the form of *mibiki*. This shows us the nature of servitude that emerged from within society.

Due to the small number of wars with foreign countries in Japanese history, the en"slave"ment of other ethnic groups in such wars normally was not a large part of "slavery" in Japan.[8] Below I have listed cases in which it is clear that prisoners of war were sold off:

- In the 1281 Mongol invasion of Japan, some prisoners of war were enslaved by the Japanese warriors. In the 1274 invasion, the Mongols

may also have kidnapped Japanese people and enslaved them.[9]

• The *wokou* 倭寇 (Jp. *wakō*) pirates that were especially active from the latter half of the fourteenth century onwards took food as well as people from coastal areas. There are cases of the captured people being turned into *nuhi* in Japan as well as of them being the object of commerce (for example, being sold off or being sent home after someone paid to have them returned).[10]

• During the Japanese invasions of Korea of 1592–1598, it is said that tens of thousands of Koreans were captured and brought back to Japan. Many of them were sold widely across Japan or overseas.[11]

Fujiki Hisashi points out that the capturing and kidnapping of people in wars with overseas countries was a manifestation of the domestic battlefield custom of capturing people alive in order to acquire ransom or sell them.[12]

3. Encountering and Parting Ways with Mediterranean-style Slavery

During the late middle ages to the Sengoku period we find the most pronounced increase in the number of prisoners captured in domestic wars. This was also the time in which the kidnapping and capturing of non-Japanese people (as part of *wokou* plundering and the Japanese invasions of Korea), as well as the selling overseas of Japanese prisoners from wars in Japan, flourished to the greatest degree. Wars continued alongside climate change, making local reproduction unstable and producing many people in servitude. Regardless of their social status, people were kidnapped and sold, and people in servitude became visible throughout society. It was precisely during this that people from societies with Mediterranean-style slavery came to Japan on Portuguese and Spanish ships. One missionary said, "Portuguese people buy Japanese people because Japanese people sell them."[13] People in servitude facing a variety of factors and situations were discovered to be purchasable, or, in Western terms, slaves. By being bought and sold, these people were separated from their origins, backgrounds, and the basis of their servitude, and again became slaves based on a new set of rules (sales contracts) that were different from previous rules of servitude. The situations in which they found themselves under these new rules varied.[14]

From the perspective of Sengoku period daimyo and the subsequent unified government that spread these daimyo's approach to rule and territorial expansion throughout the country, whether independent small farmers or people in servitude, this was an outflow of the labor force under their rule, and could lead to a decrease in taxpayers. If these people went overseas, then

it would not be easy to get them back. It was inevitable that rulers would seek a stricter prohibition on the buying and selling of people.

Toyotomi Hideyoshi fought to unify and rule over the entire country, as well as issued new policies for areas under his control. The core of them was determining land plots and their cultivators, as well as distinguishing between the ruling warrior social status and the ruled farmer, craftsmen, and merchant social statuses.

When doing so, the Toyotomi administration adopted a strict approach towards human trafficking,[15] which could have led to social status fluidity and a shortage of cultivators.

In 1587, Toyotomi Hideyoshi went to Kyūshū, the westernmost part of Japan, to attack the Shimazu clan. In a warning sent to the Portuguese at this time, he wrote that it was illegal to sell Japanese people overseas and that it was prohibited to buy and sell Japanese people in Japan.[16] While there is a debate as to whether this warning indicated that the buying and selling of people was completely prohibited in Japan,[17] this was the first clear statement in Japan regarding Mediterranean-style slavery. The red-seal order issued by Toyotomi upon seizing Odawara in 1590 prohibited human trafficking there: "Human trafficking is unpardonable. Both the seller and the buyer commit a serious crime. Buyers shall immediately return [people that they have bought] to their original place. The buying and selling of people is hereafter strictly prohibited."[18] Also, in addition to covering the confiscation of peasants' weapons, distinguishing between peasants and indentured laborers (*hōkōnin* 奉公人) for the warrior class, and calling for the return of peasants who moved to other areas, the instructions (*sadamegaki* 定書) issued in the same year after conquering Dewa and Mutsu also prohibit human trafficking.[19]

For the Toyotomi administration, which aimed to take control of all land and people on the Japanese archipelago, the prohibition of human trafficking was a measure for countering the outflow overseas of people under its rule, as well as was closely connected to its objective of having tax-paying peasants become established on specific plots of land. This objective was its foundational policy for ruling over the people.

The Edo bakufu inherited this approach. The first clear human trafficking prohibition of the bakufu was in a 1616 signboard (*kōsatsu* 高札) directed towards commoners. It states, "The buying and selling of people has been prohibited in the entire country. If there are people who recklessly engage in [such] buying and selling, both the seller and the buyer will lose this money, and the sold person will be allowed to do with themselves as they please. In the case of selling after kidnapping, the seller will be punished, and the sold

person will be returned to their original master."[20] More detailed rules regarding human trafficking were issued in 1619 and served as a model for subsequent ones.[21] This law stated that a person who kidnaps and then sells another person shall be put to death, as shall the person who arranged the transaction. While there is room for debate as to whether this law banned all forms of human trafficking,[22] it can be seen as an extension of the Toyotomi administration's declaration of the state's right to rule over the people.

Providing slaves by capturing and kidnapping people in domestic and foreign wars, which appears to have particularly increased during the Sengoku period, basically vanished under the unified government of Japan's early modern period.

Due to the prohibition of private wars under the Toyotomi administration, as well as, under the rule of the Edo bakufu, the 1615 downfall of the Toyotomi clan and the disappearance of civil wars after the suppression of the 1637–1638 Shimabara-Amakusa Rebellion, there were no longer opportunities to take losers of civil wars as captives or to seize people on the battlefield.

As a military administration, the Edo bakufu tried its hardest to avoid wars with foreign countries out of concern that it would lose its domestic authority if it were defeated. In 1621 the bakufu prohibited foreign ships from engaging in acts of piracy as well as exporting weapons and people. Then, in 1635, it completely prohibited Japanese from going overseas, and in 1639, it banned Portuguese ships, which had been the largest slave export route, from coming to Japan. By greatly restricting contact with foreign countries, there was no longer the possibility that people would be taken captive in wars with them.

In summary, upon encountering Mediterranean-style slavery, Japan's unified government adopted policies to prevent the land and people under its rule from becoming a source of slaves.

4. Social Status, *Ie*, and Servitude in Early Modern Society

Amidst sixteenth-century social changes, class fluidity increased and social groups spontaneously appeared and developed around Japan. The unified government of Japan's early modern period was thus confronted with the task of reorganizing a new social order.[23] Japan's early modern social order has for many years been explained as consisting of four social statuses: *shi-nō-kō-shō* 士農工商, that is, warriors, farmers, craftsmen, and merchants. However, recent research sees it as having been a social status society ruled based on social status groups.[24] These occupational ability-based social status

groups were formed as the division of labor progressed in society. By carrying out public roles in accordance with their respective professions, society recognized their status. Social status groups possessed a degree of autonomy and also played the role of maintaining their internal order.

In early modern society, people in servitude were not seen as forming a single social status or social status group. They were placed at the base of the class order within each social status. While there was the *senmin* social status, these were social status groups with their own internal organization and autonomy. Such people were not in servitude to specific masters.

We should note, though, that it was not the case that all individuals were directly placed in social status groups. The *ie*, which was found throughout society's classes (including at the level of commoners), served as the basic unit of early modern society. The *ie* "was an entity that was not the same as a family of blood relations. While including adoptees, indentured laborers, and other people who were not related by blood, an *ie* operated its business and owned the assets necessary for doing so."[25] The heads of *ie* comprised social status groups.

The vast majority of early modern society was villages and peasants. Due to the leadership of the unified government, villages, which had spontaneously formed as autonomous communities during the late middle ages, were turned into the feudal lord-controlled units for the ruling framework and yearly taxes. Official village members had the social status of "peasant" (*hon-byakushō* 本百姓). They were each the head of an *ie*. In order to be recognized as having the "peasant" social status, one had to be the owner of land and a residence plot in the official land register, as well as pay taxes, perform public duties, and participate in running the village.

While the internal composition of villages at the beginning of the early modern period differed greatly depending on the place and historical circumstances, there were more than a few *ie* that included many people in servitude. People in servitude to an *ie* were referred to by a variety of names—*genin*, *shojū*, *nago* 名子, *hikan* 被官, *fudai* 譜代—and were in various circumstances. However, they can be broadly divided into two categories depending on their relationship with their master's *ie*: (1) *Genin*, who were completely part of their master's *ie* and its operations. For their entire life, they performed labor for their master's *ie* and were provided with means of living. (2) *Hikan*, who provided labor for the operation of their master's *ie* while forming an operations entity with their own family that was separate from their master's *ie*.[26]

Genin often refers to people who did not form families and were

hereditarily owned as an individual by a master's *ie*. However, some did have their own residences and form families. They could be bought and sold. Their labor was sometimes domestic and in other cases productive. If their master's *ie* was directly managing its farming land instead of using tenant farmers, *genin* would cultivate this land along with *hikan*.

Hikan, on the other hand, were given land to reside on and cultivate as well as grassland, and in return worked for their master's *ie*, by, for example, cultivating its land. In some cases, they would also provide ritual services for ceremonial occasions. The amount of labor provided in each sphere varied. This was a master-subordinate relationship that cannot be simply described as an economic relationship in which tenant farmer rent was paid for land loaned. Depending on their master's *ie*, *hikan* were sometimes bought and sold/pawned as a set with the land.

For people with such elements of servitude, one opportunity to escape servitude was when land cultivators were identified during land surveys.[27] If they were recognized as the cultivator and able to continually pay taxes and perform public duties, they could become the entity responsible for yearly tax payments and an official member of the village. When land surveys were carried out, more people sought independence from their master's *ie*.

At the beginning of the early modern period, the phenomenon of middle and lower-class peasants moving as a family to another place—referred to as *hashiri* 走り or "running away"—appeared widely, particularly in the Kyūshū, Shikoku, and Tōhoku regions. In order to address the shortage of cultivators caused by land ruined due to battles and people running away due to hefty yearly taxes, some villages and feudal lords gave land to people who had run away from other villages and allowed them to settle on it. Therefore, in some cases, running away enabled one to escape servitude and become a *hon-byakushō* in another village.[28]

The increase in farming land and productivity due to the unified government's large-scale water control/irrigation civil engineering projects and development also was a condition that made it possible for people who had been in servitude to acquire stability by forming an independent operations entity.

Cultivating a patch of land with family labor is unstable. While wars had stopped, it was a fragile endeavor that could quickly collapse if taxes were increased or famine occurred due to unusual weather. In the first half of the 1640s and the first half of the 1670s, there were country-wide famines. During this period, people, unable to pay taxes, often pawned, or sold for a fixed term, themselves or their families.[29] Even so, from a macro-perspective, as the

seventeenth century progressed small operations run by lineal family members become more and more independent and stable, albeit with regional disparities.[30)] They aimed to maintain and improve their lives and production while relying on villages.

In villages, there were also landowner-like higher-class peasants with independent positions and interests. While their situations were shaped by the development of their small operations, they played their own roles in villages and areas.[31)] The *ie* of higher-class peasants subsumed people in servitude as *genin*, or became the master *ie* of a servile *ie*, turning the latter into a *hikan*. In some cases, these relationships died out at an early stage, while in others they would be maintained, while changing, throughout the early modern period.

Higher-class peasants who released people from servitude would assume the role of a landowner. They would lend to tenant farmers their directly managed land that had depended on the labor of these people in servitude. During the second half of the early modern period, landowner-tenant farmer relationships widely spread throughout the country, and in some places people emerged who owned large tracts of land that went beyond their own villages. Even if they continued to directly manage their land, farming and domestic labor would come to be performed by fixed-term indentured laborers.

This was not only the case in rural villages. In the early modern period, the *ie* of urban craftsmen, merchants, and warriors came to procure their primary labor force via fixed-term indentured labor. Such indentured labor started as (1) the selling of people for a fixed term,[32)] as well as (2) people becoming collateral for borrowed money (a pawn) and returning its interest with labor (all of the borrowed money having to be returned separately). Then, it shifted to (3) returning an advance loan with term labor (*ikeshi* 居消し) and (4) fixed-term indentured labor in which labor would be sold for a certain number of years and payment received in advance. Also, there was a shift from long-term contracts (for example, ten years) to short-term ones. In 1698, the bakufu, which at first had banned long-term contracts of over ten years, did away with this limit and allowed people to serve an *ie* for generations as *fudai* if both parties agreed. Maki argues that with long fixed-term and *fudai* indentured labor contracts decreasing in number, it was no longer necessary to regulate them.[33)]

5. The Continued Existence of and Transformation of Relationships of Servitude

While people were freed from relationships of servitude after establishing their independence and as a result of the shift to fixed-term indentured labor

and other economic relationships, not all relationships of servitude went away. Let us consider some examples of relationships of servitude that existed during the early modern period.

(1) Servitude as Punishment

There were limited cases in which criminals and/or their families were made to work in servitude. In bakufu laws and ordinances, we find the punishment called *yakko*.[34] It was primarily applied to women, such as the wives and daughters of people accused of serious crimes. Those who wished to have such people at their disposal were given them. The punished were made to work for their entire lives. Subsequently, this punishment was only used for women who snuck past checkpoints (*sekisho yaburi* 関所破り).

In some domains, there were similar institutions. In the Tsushima domain, a legal framework was developed around the end of the seventeenth century for punishing criminals by making them labor for domain warriors as *nuhi*. This was based on the practice that had existed since the middle ages of giving *genin* to retainer warriors. This was applied to not only the criminal himself but also his wife, children, and servants. Sometimes this punishment was for a fixed term and other times it was not. Also, sometimes they were made to work for a government office. While in later years, the focus of this punishment shifted from the lowering of social status to making people engage in labor in order to reprimand them, this was not abolished until the mid to late nineteenth century.[35]

(2) *Genin* and *Hikan*

In daimyo territories, we find domains that made some warriors live in villages. These warriors would use *genin* for agricultural and domestic labor. In the case of the Satsuma domain, until the mid to late nineteenth century, there were *ie* with *eidai genin* 永代下人. These *genin* belonged to an *ie* for their whole life. Sometimes, several generations of their descendants would as well. Some *eidai genin* were allocated a residence and land, while others lived their entire life in their master's residence. Those who were given land were under the aegis of their master's *ie* for all matters related to daily life, and engaged in a variety of types of labor. Even in nineteenth-century historical materials, we find people who newly became *eidai genin* after being sold or transferred in early childhood, or after being born to a *genin*/*gejo* 下女 (female *genin*). In some cases, long and short-term indentured servants became *genin*. *Genin* were raised from early childhood in residences of their master's *ie* and had close relationships with their master. During Japan's domestic battles of the mid

and late nineteenth century, they served as attendants for their masters. Such *genin* were seen as part of their master's *ie*. They were sometimes buried in its graveyard.[36)]

The Tokikunis, a famous *ie* of Noto since the middle ages, had many people, unrelated by blood, in servitude throughout the early modern period. This *ie* was the only one with *hon-byakushō* status in its village. While these people were referred to as *genin* and many formed families and lived in separate houses, they were in servitude to the Tokikuni *ie* as *fudai*. Upon inheritance and the establishment of branch families, they were passed around, just like livestock, without regard to their will. There were many things that led to them becoming *genin*. While we do find cases of being trafficked by a family member, making amends for contract violations or crimes, or being taking in after having lived a life of a vagrant, some people became *genin* because they were born to *genin* parents. For the Tokikunis, they engaged in agricultural operations, cattle rearing/management, and mountain tending, as well as its cargo ship transportation and distribution business and salt production business. They had a variety of professional skills. Sometimes, they would go to other places to engage in hired labor.[37)]

In the Shinano province's Ina area, until the mid to late nineteenth century, we find the continued existence of *hikan* who, while having *ie* operations entities and families, offered their labor to master's *ie* in return for various benefits, such as land to live on and cultivate.[38)] *Hikan* could be sold and pawned. Their master's *ie* had the right to force them to work and punish them. Such relationships between *hikan* and their master's *ie* could be found in other areas as well. Based on developmental stage theories, many have been seen as remnants in underdeveloped areas with low agricultural productivity of forms from the middle ages. Scholars have argued that the institution of *hikan* headed towards dissolution as master's *ie* agriculture changed from directly-managed to landowner agriculture (centered on the collection of land rent on lent tenant farming land) and the need for *hikan* labor decreased. However, this change was gradual. People who acquired a new economic foundation due to the spread of the commodity economy and due to changes in how agriculture was carried out still acquired *hikan* as an expression of their superior position in their village, and downfallen peasants also newly became *hikan*.

In these examples, the titles of *genin* and *hikan* were not necessarily distinguished between based on whether such individuals had families or operations entities. They were idiomatic expressions used to indicate that people were in servitude.

In the above three examples, under local power holders, an established practice of servitude continued to be reproduced while changing in nature yet being referred to with the same term. It appears that one of the causes of the continued existence of these practices was that they played a certain role in the community. This can be seen in, for example, taking in vagrants, which served both to prevent and address people's downfalls due to poverty as well as to secure labor. The degree of servitude varied, and master-subordinate relationships also led to closeness and entrustment of *ie* operations.

There are also cases of a large number of people newly entering into servitude due to a change in economic relationships.

After the Satsuma domain's invasion of Lūchū (Jp. Ryūkyū) in 1609, the Amami Islands were cut off from Lūchū rule and went under that of the Satsuma domain. In the mid-eighteenth century, the domain's approach to ruling switched from rice cultivation to sugar cultivation and its compulsory purchasing. Due to not only relentless appropriation as a result of the domain's tight finances but also natural conditions (severe storms came almost yearly) and a policy to increase sugar production that sacrificed food production, there were frequent famines which produced peasants unable to pay taxes in the form of sugar having increased debt to power-holders, who were also these islands' government officials. People sold themselves and family members, leading to an increase in *genin* and *gejo* (referred to as *yanchu* 家人 in the local dialect) under power-holders.[39] They were used for sugar cultivation and domestic labor. Children born to *gejo* were provided for by the master family and then became *genin* or *gejo*. They could be sold to others. While ostensibly they could be freed after paying off their debts, the possibility of this was low. Higher-class peasants' large-scale sugar production was carried out with the labor of such *genin* and *gejo*. The Satsuma domain's sugar appropriation-based colonialist policies gave rise to a great number of *yanchu*.[40]

(3) Providing Sex as Indentured Labor

As fixed-term indentured labor switched to economic relationships in which labor was sold for a fixed number of years, it was only in the case of sex provided as indentured labor that human trafficking-like elements remained.[41]

The *yūjo* 遊女 of the middle ages, who were both entertainers and providers of sex as a commercial service, had autonomy and group characteristics. They formed matrilineal *ie* (family/assets/business) that contained two levels of *yūjo*: the *ie* head and those in a *genin*-like position. During the Sengoku period, generally the monopolization of the public sphere by men progressed, and with men becoming the *ie* taxpayer, there were no

longer *ie* with *yūjo* heads.[42]

In early modern Japanese society, the buying and selling of sex was societally recognized as commerce, amusement/entertainment, and a site of labor. The bakufu officially recognized and gave exclusive business rights to pleasure districts consisting of *yūjo* enterprises in Edo, Kyoto, and Osaka. One example is Edo's Shin-yoshiwara 新吉原. It strictly prohibited the selling of sex outside of these pleasure districts. Individuals who did so were referred to as *kakure baijo* 隠売女 (literally, "women selling [sex] secretly"). The women who provided sexual services in these pleasure districts were the early modern period's *yūjo*. The selling of sex was also allowed in other specific places, such as post station inns and teahouses, with a limited number of women, who were referred to with terms like *meshimori-onna* 飯盛り女 ("rice-serving girl") and *chatate-onna* 茶立て女 ("tea-making girl"). Domains also officially recognized pleasure districts in their territories. People patronized pleasure quarters' openly and without embarrassment.[43]

The women that worked there signed advance loan, fixed-term indentured labor contracts that, compared to normal indentured labor, were closer to human trafficking. As indentured laborers, they were in servitude to the operator of the sex business and were constantly treated as merchandise that could sell sex. In the Edo period society, patriarch's rights were strong, and fathers had the right to decide on their daughters' places of employment and indentured labor. Providing sex as indentured labor in order to save one's parents or family from poverty was even seen as a filially pious act of virtue. Even if the position of servitude of women in *ie* normally was not immediately apparent, when an *ie* faced an economic crisis, a new form of servitude, that is, as a provider of sex as labor, emerged.

The female indentured laborers at the *yūjo* enterprises, inns, and teahouses where sex was sold could be bought, sold, and pawned. Insofar as they could not repay their advance loan, they were legally unable to leave their contract holder (*kakaenushi* 抱え主). Furthermore, in many cases, they were unable to go out as they pleased. They were monitored while only being allowed to reside at the site that the sex business operated. The operator of the sex business was the contract holder, to whom went payments for their sexual services.

From the beginning of the early modern period up through the mid to late nineteenth century, we find such entities that operated sex businesses, as well as women within them being in servitude as fixed-term indentured laborers. Due to the development of cities and transportation, sex began to be sold in a greater range of places, and it spread throughout the country. New

pleasure districts were developed to increase the prosperity of cities outside of major urban centers.[44]

In this way, a human trafficking-like form of indentured labor continued to exist only in the case of women who provided sex as a service. This was a major characteristic of servitude in early modern Japanese society.

6. Conclusion

As we have seen, the concept of slave and slavery were neither historically emic concepts in Japanese society before the modern period nor found in scholarship on this time period. Servitude in human relationships continued to exist in a form that differed from areas involved in Mediterranean-style slavery.

One of the major characteristics of this servitude was that the people in servitude came from within the Japanese archipelago. While the enslavement of people from different ethnic groups and religions (and the provision of slaves overseas) was not entirely non-existent, this was limited both in terms of numbers and time period.

People primarily went into servitude due to crimes and economic reasons.

Making criminals and their families go into servitude appears to have had the following meanings as punishment and atonement: (1) Based on the view that crimes are defiled, placing people with defilement in a position lower than ordinary people, (2) depriving people of their status (privileges and good name) in the present and future, (3) using people in servitude to make them experience the pain of difficult labor, (4) forfeiting the asset of the body (as a provider of labor), and (5) helping those who would otherwise have their life taken away due to their crimes.

Servitude for economic reasons took various forms: the transfer as collateral or selling of humans after incurring debt unreturnable due to poverty or other reasons, the return of advance loan interest in the form of indentured labor, and so on. Human trafficking that involved the likes of kidnapping and fraud was always prohibited. However, authorities strictly prohibited neither servitude to feudal lords that resulted from being unable to fully pay yearly taxes nor servitude due to defaulting on debts that had been assumed to pay taxes. Servitude for economic reasons appears to have had two meanings: (1) forcing people who have no other possessions to pay their debts and (2) anchoring someone in the community or area so that they could stay alive.

Upon encountering Mediterranean-style slavery during the Sengoku

period, a time when the number of people in servitude increased due to domestic and foreign wars, the forming unified government administration refused to allow Japan to become a source of slaves. When travel to and from the Japanese archipelago became restricted to an extreme degree, the inflow of people was cut off and people in servitude again began to only come from within the country.

In some cases, they were included in a status group official member's *ie* in a lower-class position that prevented them from becoming an official member of a status group, while in other cases they formed their own subordinate *ie*. In both cases, these relationships acquired social recognition in the community and area. Between those putting others in servitude and those made to be in servitude were service-aegis relationships that took a variety of forms. These relationships were understood as similar to those of parents and children or lord and vassal. The degree of servitude in these relationships varied. These relationships spanned from ones involving coerced labor and harsh treatment to ones in which it perhaps appears the relationship of servitude was maintained because it was beneficial for both parties. Furthermore, social status society, which was comprised of men who represented *ie*, produced indentured servitude that was similar to sex trafficking. This was the most extreme form of servitude for women subsumed into *ie*.

In early modern Japanese social status society, the situations that led to and terms for servitude maintained characteristics from ancient times, and relationships of servitude continued to be preserved in social status groups while changing form.

<div align="right">Translated by Dylan Luers Toda</div>

Notes

1) Ishikawa 2013, p. 100.
2) Isogai 2007. This definition is not necessarily shared by all scholars. Below, I will write slave(ry) in double quotation marks ("slave") when using Isogai's definition.
3) Shimizu and Kidō 2013; Shimizu 2020.
4) In recent years, comparative research on Japan and Tang China's legal codes has been developing. For this paper, I primarily referred to Jinno 1993 and Enomoto 2019. Jinno sees *senmin* as domestic slaves, while Enomoto judges them to not be slaves.
5) Jinno 1993.
6) Isogai 2007.
7) Ishii 1983.

8) Takahashi 1992.

9) Isogai 2007, p. 544, pp. 585–591.

10) Tanaka 1987.

11) Naitō 1976; Sousa/Sōza and Oka 2017.

12) Fujiki 1995, pp. 56–64.

13) This was said by the Jesuit Gaspar Coelho. In Murakami, trans., 1969, pp. 277–278; Isogai 2007, p. 562.

14) Sousa/Sōza and Oka 2017.

15) Maki 1961 is the most comprehensive scholarship on human trafficking. For recent work on the subject, see Watanabe 2014 and Shimojū 2012.

16) "Oboe" [Memo]. Dated the eighteenth day of the sixth month of Tenshō 15 (1587). In Hirai 1986; Minegishi 1991.

17) Shimojū 2012, pp. 88–89.

18) Dated the twenty-seventh day of the fourth month of Tenshō 18. In Tōkyō teikoku daigaku bungakubu shiryō hensanjo 1935, 2:838; Minegishi 1991.

19) "Sadame" [Instructions]. Dated the tenth day of the eighth month of Tenshō 18. In Fujiki 1985, pp. 189–191.

20) "Sadame" [Instructions]. Tenth month of Genna 2. In Tōkyō teikoku daigaku bunka daigaku shiryō hensan gakari 1925, 12-25-701p; Maki 1970, p. 57.

21) "Jōjō" [Articles]. Twenty-sixth day of the twelfth month of Genna 5. In *Gotōke reijō* 29 (Ishii 1959); Maki 1970, p. 58.

22) Maki holds that here "buying and selling" refers to permanently selling someone and did not include selling someone to engage in labor for a fixed period of time (Maki 1970, pp. 50–51), and Shimojū asserts that this did not go as far as to deny the power of disposition of the *ie* head over *ie* members (Shimojū 2012, pp. 132–133).

23) Kishimoto 2011, p. 19.

24) Tsukada 1987, 1997; Yoshida 1998.

25) Bitō 1992, pp. xiv–xv.

26) There were a variety of distinctions between the village's constitutive elements, such as *hon-byakushō* (who held land) and *mizunomi* (who did not), as well as "main *ie*" and "branch *ie*."

27) While Araki (1969) saw Toyotomi Hideyoshi's land surveys as making small farmers independent, liberating them from servitude, as empirical research on the subject progressed, the independence of small farmers came to be seen as a more complicated, long-term process.

28) Miyazaki 1995.

29) Minegishi 1991, pp. 20–21.

30) This was not only the case for people in servitude who were unrelated by blood. Collateral relatives also increasingly established branch *ie*.

31) Watanabe 2020.

32) The concept of "buying and selling" before the modern period was not the same as that of today. During the middle ages, often orders (*tokusei* 徳政) were issued that invalidated the transfer of ownership rights that had been acquired due to previous transactions. In the early modern period as well, there were sales of people and land that transferred ownership rights permanently as well as for a fixed term. See Maki 1961, pp. 47–54.

33) Maki 1970, pp. 112–113.
34) Sone 2006; Shimojū 2012, pp. 141–143.
35) Yasukōchi 1953. Yasukōchi also points out that the Tsushima domain's *nuhi* institution was influenced by similar ones on the Korean peninsula.
36) Hidemura 2004, ch. 6.
37) Sekiguchi 1993a, 1993b. They were also referred to with by a variety of other terms that expressed their position of servitude, such as *hikan*, *kerai* 家来, and *meshitsukai* 召使. Sekiguchi asserts that such *genin* were different from people in servitude found in underdeveloped areas that were a carryover from the middle ages.
38) Furushima 1974.
39) Kanehisa 1963; Matsushita 1983.
40) Maehira 2010, p. 87.
41) Maki 1970; Shimojū 2012; Matsui 2013.
42) Tsuji 2017.
43) Sone 2003.
44) Stanley 2012.

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