DENIAL OF TRADITIONAL AUTHORITY

Denial of the traditional authority represented by the emperor, court nobles, temples and shrines, and even shōgun came from the shugo daimyō and samurai who enjoyed military power. Document 1 is a record of a conversation which presumably took place between one Yamana Sōzen (1404–1473) and a court noble during the Ōnin war (1467–1477). Yamana was one of the shugo daimyō who was responsible for igniting that conflict. Arrogant, and self-reliant, he settled all disputes by means of his military power. His attitude represented the phenomenon of gekokuji. Against this new tide, the traditional authority could only cite precedents or the wrath of the Buddha (Document 2) which were totally ineffective in preserving their power.

1 Challenging Traditional Authority

My Lord, what you say appears to be reasonable, but you cannot continue to rely on precedents [to win an argument]. Hereafter, you must replace the concept of precedent with a concept consistent with our own times... Do not forget that the contemporary world can create precedents for posterity. The basic principles which govern politics are unchanging through the ages, and precedents can be drawn [to illuminate certain principles]. However, I cannot understand why precedents must be drawn to explain other matters. We have witnessed declining fortunes of many great families who adhered too strictly to precedents and without taking heed of the signs of the times. They lost most of their family incomes, and competed for available official positions without regard to knowledge or integrity. In this manner they had to suffer the humiliation of losing control of the nation to the samurai, and had to be placed in the position of ingratiating themselves to the samurai. If we should follow the age-old precedents, I, Sōzen, as lowly born as I am, could never address your Lordship as an equal as I am doing now. Where can you find a precedent for this? Indeed this must be another sign of the times... Hereafter, my Lord, do not cite the so-called precedents of yours to a mindless barbarian like me. On the other hand, if you can make yourself understand the changing times, unworthy as I am, I, Sōzen, shall be happy to defend the Emperor and the court nobles.

2 Seizure of Shōen

As we reflect on the matter carefully, this past disturbance [referring to the Ōnin War] was the cause of the downfall of the laws of

Buddha, the laws of the State, and of aristocratic families... Lately many daimyō and their retainers using the threat of their military power, seized at will many shōen which had temples and shrines as their patrons. Their actions are based on selfish motives, and they hold the authority of the shōgun in contempt. This lawlessness and lack of order must not be tolerated. In fact they act more like animals. From now on, those retainers residing in Yamato [where this temple is located] may also attempt to seize our shōen. Lately, with fair frequency, irregular and unusual happenings come to our notice. These must be the doings of those retainers. They are certain to incur the wrath of Heaven, and cannot escape from it. How deplorable that is! How dreadful that is!

SENSEKU DAIMYŌ AS DOMANIAL LORDS

The following five documents show the control exercised by five different sengoku daimyō over their domains. With the exception of the fifth (Document 7) which deals with military service to be rendered by the farmers and samurai, the documents are excerpts from house laws. There are several common features in these house laws. First, even though the sengoku daimyō might have been rebels before, once they were placed in a position of authority, they all insisted on the observance of law, and often expounded the Confucian ideals. They exhorted their retainers to set up good examples for the people of their domains to follow. They urged their retainers to respect the temples and shrines which cultivated a subservient attitude useful in their administration of the domains. With the exception of Takeda Shingen, the sengoku daimyō generally permitted different sects to live harmoniously together in their domains. Centralization with themselves at the helm was encouraged. The daimyō increasingly assumed the position of lawgiver on purely private affairs and behavior of the people. Document 6 contains excerpts from the 100-article house law of the Chōsokabe family which survived in Tosa under a different family into the Tokugawa times. It is included here as providing the best example of an attempt to legislate public morality with legal sanctions by the sengoku daimyō.

The Asakura House Law

Asakura Toshikage (1428–1481) became Shugo of Echizen in 1481, and became one of the most important daimyō in the Japan Sea area. He became more mindful of the art of government and invited to his domain scholars from different areas. The following seventeen-article injunction was given to his successor Ujikage and constituted one of the best examples of the house laws of the sengoku daimyō. In the injunction he stressed the necessities of centralized control within the domain (Article 15), filling of positions based on merits (Arti-
cles 1 and 2), impartial rendering of justice (Articles 14 and 17), encouragement of indigenous domainal culture (Article 5), and constant preparedness against enemies (Articles 3, 4, and 11). There was a stress on rationality instead of superstition (Article 13). In spite of their good organization and administrative skills, in the end the Asakura aligned with the wrong party and the last of the Asakura, Yoshikage, committed suicide in the year 1573 after a decisive defeat at the hands of Oda Nobunaga.

3

The Seventeen-Article Injunction of Asakura Toshikage, c. 1480

1. The Asakura family must not appoint anyone to the rank of elder. But instead utilize the services of men of ability and loyalty [without regard to the positions they hold].

2. Do not give a command post or an administrative position to anyone who lacks ability, even if his family has served the Asakura family for generations.

3. Post intelligence agents (metsuke) in both near and distant provinces, even if the world may be at peace. In so doing you can spy on the conditions of these domains without interruption.

4. Do not excessively covet swords and daggers made by famous masters. Even if you can own a sword or dagger worth 10,000 pieces (hiki, equivalent of 10 mon), it can be overcome by 100 spears each worth 100 pieces. Therefore, use the 10,000 pieces to procure 100 spears, and arm 100 men with them. You can in this manner defend yourself in time of war.

5. Refrain from frequently bringing from Kyoto actors of the four schools of Nō (Komparu, Kanze, Hōshō, and Kita) for performances. Instead, use the money needed for that purpose to select talented local actors of sarugaku, and train them in the basic elements of Nō (shimai) for the perpetual enjoyment of this province.

6. Performances of Nō shall not be given within the castle at night.

7. Do not send messengers to Date and Shirakawa [in the present-day Fukushima prefecture in the northeast, famed for breeding fine horses] to procure fine horses and falcons on the pretext that it is part of the duties of the samurai. Naturally special considerations may be given to [horses and falcons] arriving from other areas. However, after three years, they must be passed on to some other family. To hold on to them for a long time will inevitably bring forth regret.

8. Members of the Asakura family must by their own example cause all the retainers to adopt quilted cotton clothing nunoko as ceremonial dress at the New Year's celebration. For this purpose, one's family crest must be affixed. If a member of the family wishes to display his wealth by dressing extravagantly, rural samurai from every corner of this province will be forced to follow suit. However, knowing that [their wealth will not permit them to dress up], they will plead illness and absent themselves from their duties for one year and then for two years. In the end, the number of samurai who pay homage to the Asakura family will be reduced.

9. Those retainers who lack special talent or positions, but who are steadfast, must be treated with compassion and understanding. Those who are effeminate may still be used as attendants or messengers if their demeanor is outstanding, and they must not be dismissed lightly. However, if they lack both [steadfastness and good deportment], then it is useless to retain them.

10. If you treat those retainers who have served you faithfully in the same way as those who have not, how can the former be encouraged to continue serving you faithfully?

11. Do not appoint a rōnin (masterless samurai) from another province as your keeper of records, unless you are pressed for such services.

12. Do not allow men with special talent, whether monks or laymen, to serve other families. However, this proscription does not apply to those who have no desire of serving [the Asakura family] and only wish to peddle their skills.

13. Regrettable is the practice of selecting an auspicious day or considering a lucky direction in order to win a battle or take a castle, and even shift the time and date accordingly. No matter how auspicious the day may be, if you set sail your boat in a storm or confront a great host alone, your effort will come to naught. No matter how inauspicious the day may be, if you can discern between truth and falsehood, prepare for orthodox and surprise attacks secretly, be flexible in all situations, and depend on a good stratagem, then your victory is assured.

14. Three times a year, select men of ability and honesty, and send them on inspection tours of the province. They must listen to the views of the common people and farmers, and collect information concerning incidences of misgovernment. It will also be advisable for you yourself to go on an inspection tour, provided you wear a light disguise.

15. Do not permit any castle other than that of the Asakura to be built in this province. Move all high-ranking retainers without exception to Ichijōgatani (the Asakura castle). Permit their deputies (daikan) and lower officials (gesu or shitaizukasa) to remain in their districts and villages [to measure their estates].

16. When you pass a temple, monastery or town dwelling and the like, rein in your horse for a moment. If the place is attractive, give some words of praise. If the place is damaged, show your concern by expressing your sympathy. These people who consider themselves unworthy will be overjoyed by the fact that you have spoken to them. They will repair the damages expeditiously and pay continued attention to preserve the beauty [of those which you praised]. In this way, without effort on your part, you can keep your...
province beautiful. Remember that all of these depend on your own resolve.

17. When a suit is brought to you for your direct decision, do not bend an iota between reason and unreason. If you hear that an official has acted arbitrarily [for private gain], and that fact is well established, you must impose the same penalty on the offending official which was originally meted out to the losing party by him. If you can govern your own domain judiciously and compassionately, there is no need to fear whatever mischief may be committed by the lawless bands of warriors from other domains. If a rumor is spread that there exists in your domain favoritism and unfair discrimination and that rules and behavior codes are violated, other domains may intervene in your affairs.

A famous monk once said that a master of men must be like the two Buddhist deities of Fudō (Sk. Acala) and Aizen (Sk. Rāga-Rāja). Although Fudō carries a sword, and Aizen carries a bow and arrows, these weapons are not intended for slashing or for shooting, but for the purpose of subjugating devils. In their hearts, they are compassionate and circumspect. Like them, a master of samurai must first rectify his own way, and then reward his loyal subjects and soldiers and eliminate those who are disloyal and treacherous. If you can discern between reason and unreason and between good and evil and act accordingly, your system of rewards and punishments is deemed compassionately administered. On the other hand, if your heart is prejudiced, no matter how much you know the words of the sages and study the texts, they all come to naught. You may observe that the Analects [of Confucius in I, 8] contains a passage saying that “A gentleman who lacks steadfastness cannot command respect.” Do not consider that the term “steadfastness” represents only heavy-handedness. It is essential that you conduct yourself in such a way that both heavy-handedness and leniency can be applied flexibly as the occasion demands.

It will be of no value to you if you take the above articles lightly. I, now a member of a Buddhist order, began my career as a young man and alone. By a determined effort, miraculously I became lord of this domain. Day and night, without closing my eyes, I have made plans. I have preserved in my ears the words of those who are well-known in their crafts. I have commanded the soldiers, and now our domain is free from turmoil. If my descendants will adhere to these precepts, obey and consider them as something akin to the teachings of the deity of Hie Hachiman, the province can be preserved and the Asakura name can be maintained. If there is anyone at the end of our lineage who will conduct himself capriciously, he may not live long enough to regret it.

The Hōjō House Law

From an obscure origin, Hōjō Sōun (1432–1519) became one of the leading daimyō of the sengoku period by his sheer fortitude, cunningness, and ambition. After intervening in two succession disputes, he gained control of the entire province of Izu and built his castle in Nirayama. Later he extended his sway to the major areas of Kantō. As a daimyō, Hōjō Sōun was an enlightened despot. He needed the loyalty of his people to guard against invasion by other daimyō lords, and as a means of gaining their adherence, he reduced annual taxes to forty percent (in place of the traditional fifty percent) of the farm produce and insisted on nonexploitation of farmers by his subordinates. His twenty-one injunctions were one of the earliest house laws by the sengoku daimyō, which clearly reflected his philosophy of hard word and of ruling by example.

4 Hōjō Sōun’s Twenty-One Article Injunction for His Vassals, c. 1495

1. Make every effort to rise early in the morning. If you rise late, even your servants will become inattentive, and may not obey your command. In this way you cannot attend to your public duties or private needs. As a result your master, the daimyō, may forsake you. Take heed of this injunction.

2. In the evening, go to bed before eight. Night thieves without exception come during the hours between midnight and the first crow of the cock. If you engage in lengthy conversations in the evening, and go to bed after midnight and become sound asleep, and allow the thieves to steal your household goods, what will that do to your reputation? Save on the firewood and lump oil which you otherwise consume unnecessarily and get up at dawn. Cleanse yourself, and worship the deities, make yourself presentable, and give orders for the chores to be performed to your wife and retainers, and go to your office before six. An ancient saying states that one must retire by midnight and rise at dawn. However, that depends on individuals. In any event everyone will benefit by getting up at dawn. If you linger in your bed until your breakfast time or mid-morning, then you cannot go to your office to serve your master. Nor can you then attend to your own business. How impossible that can be, the day can be simply wasted.

7. Say not a false word to anyone regardless of the person with whom you may deal, high or low. Even on a trivial matter, be exact in your presentation. If you say something without foundation, it becomes a habit, and people will question it. Eventually they will forsake you. If someone corrects your falsehood, consider it the shame of your life.

The House Law of Takeda Shingen

Takeda Shingen (1521–1573) was one of the most colorful sengoku daimyō who, but for his untimely death, could have been the first unifier of Japan, replacing the glory that was exclusively claimed by Oda Nobunaga. As a youth, he proved

himself to be an excellent military commander. When he discovered that his father was losing the respect of the people in his domain, he expelled his father and supplanted him. That was in 1541, and thereafter he continuously engaged in wars of expansion, first northward toward Shinano from his home province Kai, then westward toward Hida, and finally southward toward Suruga. Just prior to his death, he defeated the troops commanded by Tokugawa Ieyasu, who later became the founder of the Tokugawa bakufu. Shingen was not a mere field commander. He was well-versed in Buddhist scriptures, and held a rank in the Tendai sect (compare Article 24). He was also known for his interests in literature. His policy within his domain was essentially one of “Rich Country, Strong Army,” his house law consisted of 99 articles, and here only those which are not duplicated in other house laws are translated. Note the distinct tendency toward centralization under his own power. In this respect, his house law clearly anticipated the Tokugawa laws of the later period.

5 Takeda Shingen’s Control of Kai, 1547

The jito (vassals) of this province have been confiscating lands for their own private benefit, averring that the confiscation was undertaken to punish a crime, but if the criminal is a retainer (hikan) of Harunobu’s (Takeda Shingen’s), the jito is not permitted to interfere. In disposing of other cases, fields and gardens belonging to the criminal must be transferred to another person after securing an order from the daimyo. In such an event, the annual rent (nengu) and other services (yaku) must be remitted to the jito as compensation. As to the land granted by the daimyo (onchi), the title is not to be recorded in favor of the criminal [thus allowing it to revert to the daimyo]. As to the houses, fields and gardens which constitute a taxable unit (zaike) and wives, children, and household goods belonging to the criminal, they must be transferred to the duly appointed authorities.

3. Without a secret understanding with the daimyo, no one is permitted to send messages and letters to another province. However, of necessity, communications by the samurai residents (kokujin) of the Province of Shinano may be continued, as long as it is known to us that they are engaged in devising a stratagem. Those who live on the border, who are accustomed to exchanging letters, need not be prohibited from doing so.

4. Anyone who marries someone from outside the province creates causes for great disturbance, as he may agree to take possession of her estate (shoryo) and send his retainers to serve her family. Therefore such a marriage is strictly forbidden. If anyone disobeys this injunction, a severe reprimand will be administered.

10. Concerning the land granted by the daimyo (onchi), even if it may have undergone two phases of a natural disaster, both flood and drought, one must not expect a change of land. One must serve the daimyo diligently and in proportion to the amount produced from his land (burryo). Even placed in adverse conditions, if one can discharge his duties exceptionally well, he may then be given suitable land [in its place].

12. It is clearly established that there is a prohibition on the sale of the fief granted by the daimyo (onchiryo), from which privately held myoden (name fields) are exempt. However, this restriction may be modified if details of extenuating circumstances are reported, and after the passage of a set period, the land can then be sold.

14. Exchanging oaths privately by relatives and retainers is tantamount to treason. However, on the battlefield, it is permissible to enter into a compact, so as to encourage loyalty.

22. The Pure Land Sect and the Nichiren Sect (to) are not permitted to engage in religious controversy within the borders of our domain (bunkoku). If there are people who encourage such controversies, both the priests and their parishioners will be punished.

The Chōsokabe House Law

The Chōsokabe family, unlike many other contemporary sengoku daimyo, traced its pedigree to at least 1180 which was before the founding of the Kamakura bakufu. The family became a contender for the local hegemony in Shikoku during the Ōnin War, when the Hosokawa who held the hereditary position of shugo could no longer provide adequate local attention. Chōsokabe Motochika (1538–1599) succeeded to the family leadership (kotaku) in 1560. Starting in 1570 he began a series of military campaigns which culminated in the battle of 1583 against the Kawano, which enabled him to become the lord of the entire Shikoku. However, he fought against Toyotomi Hideyoshi and was defeated by the latter in his Shikoku campaign. Thereafter he swore fealty to Hideyoshi and received the latter’s assurance that he could keep Tosa in the southern part of Shikoku as his domain. He fought for Hideyoshi in the two Korean campaigns which was disastrous for the economic well-being of his domain. After his death the family sided with Hideyoshi’s heir against Tokugawa Ieyasu, and the last of the Chōsokabe was executed after the defeat in the battle of the Osaka castle which took place in 1615.

Among the major accomplishments of Chōsokabe Motochika was his cadastral survey which was begun in 1587 and completed in 1598. The survey identified those farmers—who were separated from military duties—and who were responsible for the payment of a set amount of taxes. Note the articles reproduced below which deal with payment of taxes in the event no owner of the land

---

4Here the term jito means vassals of Takeda Shingen.
was listed, or with the settlement of dispute over the titles of the lands. Note also an attempt to legislate morality which was often accompanied by imposition of heavy penalties.

6 The Hundred Article Code of Chōsokabe, 1597

6. Lords and vassals, priests and laymen, noble and mean, high and low, must all keep from allowing the rules of humaneness, righteousness, and propriety to suffer disgrace, but should on the contrary keep them constantly in mind.

7. It should be the primary concern of everyone to train himself unceasingly in military accomplishment. Those who tend to excel their fellows in this should be given additional income. Particular attention should be paid to musketry, archery, and horsemanship. The military code is contained in a separate document.

9. You should try to live up to the teachings of the various (Buddhist) sects. In things like literary studies, those who excel their fellows, according to their achievements, can nourish hopes in whatever their area, whether worldly prosperity or religious life.

10. With regard to (Buddhist) priests: (a) those who return to lay life without reporting this to the lord of the province will promptly be executed, (b) They will no longer go out at night unless there is a compelling reason, and (c) their misconduct, when reported, will bring special reward for the informer. Violations of these points will bring punishment of exile or death, depending on the gravity of the offense.

17. It is only natural that services are demanded of those who hold fiefs, and they must be carried out to the letter regardless of whether they are large or small. Anyone late for logging or construction work will be required to repeat the duty period as punishment. And anyone who comes short of the food and provisions requested of him for work detail without excuse will be required to supply as much again.

18. In regard to those who abscond: offenders must be punished whatever their excuse and so also their relatives. Proper reward should be given neighbors or friends who report anyone whose behavior causes suspicion that he is planning to desert. Those who have knowledge of such intent and fail to report it will receive the same punishment as the offender. Furthermore, a man who reports late for lumbering or construction and leaves without getting permission from the magistrate will have his land declared forfeited. If a man deserts directly to another province, punishment will also be imposed on his relatives. Similarly, if a man’s retainer (hikan) deserts [from labor duty], the master will be penalized threefold.

25. Quarreling and bickering are strictly forbidden. Whether in the right or wrong, begin with restraint and forbearance. If in spite of this, men resort to violence, then both parties should be punished, regardless of the right or wrong of the matter. If one party only raises his hand against the other, regardless of his reasons for having done so he will be punished.

32. Heavy drinking is prohibited for all people, high and low, to say nothing of all magistrates. Furthermore: With regard to drunkards, the fine for minor offenses will be three kan of coins, and appropriate punishment (seibai) will be imposed for severe offenses. A man who cuts or strikes others [while drunk] will have his head cut off.

33. As to illicit relations with another’s wife: Although it is obvious, unless the guilty pair kill themselves, both of them should be executed. If approval of relations is obtained, revenge may be undertaken, but unnatural cruelty will constitute a crime. If the husband fails to kill the man, or if he is away at the time the offense becomes known, the people of the village should kill the offender. In addition: If a woman has a reputation, the [marriage] contract is to be broken.

34. When there is not a man in the house, no males—masses, peddlers, traveling sarugaku performers and musicians, solicitors for religious contributions (banjin), or even relatives—shall set foot in the house. If someone is ill and if the relatives approve, a visit may be made, but then only in daytime. Even the magistrate must carry on his business outside the gate. However, this does not apply to parents, sons, and brothers [of the household head].

35. Also, when a man is not present, a woman is not to go visiting Buddhist temples or Shinto shrines or sightseeing. Furthermore: The annual and monthly rites [for deceased relatives] should be held at the temple.

36. Also, in the absence of a man: It is absolutely forbidden for a priest to go in and out of the house. Furthermore: This does not apply to devotional services.

43. Law suits over kōryō (daimyō domain) and myōden (private, name fields) must stop. Furthermore: Land purchases will be validated by special decree, while the quality of service performed will be the criterion for [transfer] of land for which no validation papers previously exist.

44. It is a punishable offense to convert rice paddy fields into dry fields or house sites. Where this has been done the taxes will be kept at the same rate as those for paddy.

45. With regard to purchasing land: Even if someone has a contract providing for transfer in perpetuity, if the rice produced by the plot is less than ten hyō (about one acre of normal paddy) the land remains redeemable by the seller. Even if it is claimed that a plot was clearly sold permanently, if there is no documentary evidence to support this the plot can be reclaimed by its seller [with restitution of price]. And if despite claims there is no documentary evidence to establish even such redeemable status for land, the land will be considered as
toshibe [redeemable from crop yield]. The above rules were established in accordance with previous regulations. When a contract provides that land will be held in pledge at the rate of one tan per borrowed hyō of rice (about one fifth the yield of average paddy), if the lender has enjoyed crop rights for three years the original owner will no longer be required to repay the loan; he is also entitled to the return of his land. Furthermore: Land alienated under provisions of perpetual or of conditional sale will revert to the original owner if the purchaser's family dies out. But if someone succeeds to this family within ten years the land must again be returned to the purchaser. If, however, it is more than ten years before a successor takes over, their claims lose effect and the land will be considered part of the original owner's fief. The same rule holds for lenders and loans. Furthermore: If the seller's family dies out, except for lands specially registered earlier, all three classifications—perpetual sale, conditional transfer, and terminal option—are to be declared forfeit and confiscated.

46. With regard to abandoned and wasteland throughout the realm: Shōya (village heads) in the area must warn their people against letting it grow rank. If the shōya is unable to deal with it alone he should consult the magistrate about initiating reclamation measures. If the abandonment has been caused by negligence, the shōya of that place must assume responsibility for paying the tax in place of the tillers.

47. As to fiefs throughout the realm: The crop yield, as ascertained by the fall survey of the fields ready for harvest (kemi) should be apportioned, two-thirds to the vassal samurai (jito) and one-third to the farmer. If farmers object to this, the samurai will have to use his own judgment. He must, at any rate, take care lest the land be abandoned and ruined.

50. As for the paddy, dry, and dwelling fields which came in dispute at the time of the land survey: As long as these are unresolved, the shōya of those areas will have to deliver the exact amount of tax due.

51. With regard to irrigation duty: The irrigation magistrate and shōya of the areas concerned must place particular emphasis on allowing nothing to obstruct the irrigation channels. If large-scale damage beyond the capacity of the people dependent on the water takes place, it should be reported to the magistrate, who, after consultation, should call out all the people to repair the damage.

52. Whoever discovers that anyone, whether vassal or farmer, is concealing the existence of [untaxed] fields and reports it to the lord, will be rewarded strikingly. Acting on such information, the magistrate will base his ruling on the land survey register. If it becomes clear that a vassal concealed the field, he will be severely punished. And if it is a farmer who concealed it, he will be forced to pay double the tax due since the land survey, after which he will be banished. If he pleads hardship at this, he will have his head cut off.

53. With regard to disputes over property lines: In all cases such disputes will be decided in accordance with the register of the land survey. After a case has been heard with the arguments of both parties stated, the person found to be at fault will be fined five kan (i.e., 5000 copper coins) to punish him for his carelessness. If both parties refuse to listen to reason, the disputed area will be confiscated.

60. With regard to farmers throughout the realm: The jito, shōya, and magistrates must foster them solicitously in their official capacity. Do not require extra taxes and work in addition to the regular exactions from them. But of course, the regular annual tax must be paid strictly. If it comes even a little short, shōya and land owners of the lord's own domain will receive prompt and severe punishment.

63. With regard to a magistrate or shōya anywhere in the realm who shows favoritism or partiality or indulges in any other unjust practices whatever, it makes no difference whether complaints come from someone in the offender's area [of jurisdiction] or not. Details should be forwarded to the authorities, and they will be rewarded. After an investigation, punishment will be meted out.

82. With regard to family succession: It is necessary to notify the lord and receive his permission, even if the heir is the head's real child. It is strictly forbidden to decide succession matters privately. Furthermore: One must also request permission to become a guardian for a minor.

83. Anyone who succeeds to two houses without getting the approval of higher authority will be punished as soon as it becomes known.

84. As regards family name and succession designation for loyal retainers: If a vassal commits a crime and has to be punished, his family name will not be affected if the offense was a minor one. But if he commits a major crime, his punishment should include the loss of his family name.

85. With regard to the marriage of samurai: It is strictly prohibited for samurai who receive over 100 koku to arrange a marriage without the lord's approval. Supplement: Whether one's status be high or low, matters of marriage must not be broached at any time if the understanding of both families has not been arranged.

86. Private contract is prohibited in all matters.

92. As to false accusations: Punishment will depend on whether the offense is minor or serious. If it is a minor matter, the fine will be three kan of coins.

93. Regardless of rank, the practice of dismounting [in deference to a superior] should be stopped. However, when an envoy or deputy from above (i.e., Hideyoshi) passes, he should receive this courtesy.

Military Conscription

The following document was issued in 1587 by a minor deputy of Hōjō Ujimasa (1538–1590), who was an ally of Oda Nobunaga and Tokugawa Ieyasu in 1582 against the forces of Takeda Katsuyori, heir to Shingen (see Document 5). His victory in this encounter confirmed him as one of the major powers in the Kantō region. After the murder of Oda Nobunaga in the same year, he found himself aligned against the ascending power of Toyotomi Hideyoshi, and had to prepare