

# [The seventeen-article constitution](https://assignbuster.com/the-seventeen-article-constitution/)

First Last Dr. TeacherFirst TeacherLast 7 September The Seventeen Article Constitution In the seventh century, the Seventeen Article Constitution was said to be authored by Prince Shotoku Taishi. This period in Japan was marked by the desire of the rulers to fashion their government away from a clan based structure to a monarchy in order to be more unified against the impending Chinese threat of expansionism. Shotoku borrowed concepts from Confucianism and Buddhism and adapted them to the Japanese culture in writing the constitution. Even though this constitution was not promulgated as a law as we understand today, it did set the direction for future reforms that were to be brought about in Japan.
The Seventeen Article Constitution was written in a period of Chinese expansionism. Previously insulated from Chinese cultural and political influence because of geographical separation by the sea, the Japanese rulers noticed the Chinese with more concern as they made forays into the Korean peninsula. With a desire to consolidate their own government in a more structured and unified form, Shotoku sent his missions into China to study the centralized structure of the Tang kingdom. The results of these missions had a great influence on the constitution Shotoku was going to write. Even though there is no evidence that the constitution was promulgated practically as a law, it remained a guideline for how the rulers expected the standards of statehood to be and set the direction for future reforms, such as the Taika reforms (Lu 23).
Two of the key precepts of the constitution were the rights of the sovereign and the establishment of a bureaucracy. These were both designed to change the then current structure from being clan-based to that governed by a central monarchy. In espousing the powers and rights of the monarchy, the constitution made undiluted references to the monarch being “ likened Heaven” and if not obeyed “ ruin will be automatically result” (Lu 24). The reference to the monarch being like heaven itself was borrowed from the Confucian descriptions of imperial government in China which emphasized the monarch’s status as being the link that creates “ harmony” between “ what is above” and “ what is below” resulting in prosperity if obeyed (Kasulis 86). Supplementing the monarch based central government was the idea of a bureaucracy which was selected on merit rather than heredity. It may be pointed out that the entire Confucian theory was not used in the constitution and in the adaptation some elements were skipped. For example, in Confucianism, if the monarch did not rule as he was meant to, “ disorder” would follow (Kasulis 86). This element is absent in the Seventeen Article Constitution.
Another key feature of the constitution was the concept of “ harmony” in the officialdom as well as the population. It became obvious that in order to move away from competing clan based units of government a simple edict to obey the monarch could not be enough. Harmony takes central importance when seen in light of the Confucian thought on the two major principles of a state’s success, namely the linkage between creation of harmony and the singular acceptance of imperial authority (Kasulis 86). Harmony was therefore given a high importance and is mentioned in the very first article in the constitution. It also takes central importance in several other articles such as articles 4, 10, 14, and 15 which seek to promote good behavior, avoid envy, shun resentment, and encourage selflessness. An important dimension of promoting harmony in the Shotoku constitution was that it was not ordered per se, but the articles suggested discussion, reflection, and understanding would lead to a concord in the society (Nakamura 108-109). This is particularly evident in the tenth article where he exhorts the Japanese to respect viewpoints and seek harmony through reflection and understanding rather than forcing it.
The constitution also took away the power to raise taxes from local clans and transferred it to the central government. Specifically articulated in article 12, Shotoku reasoned that there could not be two masters at the same time and that taxes were to be raised only by the sovereign and not local nobility. This was a key component and necessary to establish the monarch based central structure envisioned by Shotoku “ reflecting” the Confucian thought of promoting harmony and submitting to an imperial rule (De Bary, Keene, and Tanabe 51).
Shotoku’s Seventeen Article Constitution embodied his vision of a unified Japan. Known more for his civil and intellectual achievements than military, he studied the Chinese kingdom and intelligently adapted their Confucian principles and applied them to the Japanese society. Shotoku’s constitution in a way became the magna carta of Japanese political development laying down the outline for government functions, official behavior, and even the way the society was expected to function (Moore 149).
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