In the years immediately following the Meiji Restoration of 1868, the great wave of juridical emancipation that swept across the globe in the nineteenth century, granting ‘freedom’ to slaves in the Americas and serfs in Tsarist Russia, also reached the shores of Japan. The central event in Japan’s ‘emancipation moment’ was an incident involving a Peruvian ship, the *María Luz*, which was forced to seek refuge in the Japanese ‘treaty port’ of Yokohama in the summer of 1872 after sustaining damage in a storm on its return voyage across the Pacific from Macao. When it later became clear that the ship’s 231 Chinese ‘passengers’ were, in fact, ‘coolie’ laborers being transported to South America against their will, the Restoration government, prompted by local British diplomats, ordered an investigation. This, in turn, led to two trials in which the ship’s captain was found guilty of abusing the laborers and his right to continue holding them denied, in essence on the grounds that Japanese law would not tolerate any form of international slave trade. This ‘anti-slavery’ stance quickly won applause in Western capitals, but it also increased pressure on the Meiji government to address concerns about domestic labor exploitation, most notably of prostitutes, who were bound by contracts very similar to those judged void for the Chinese laborers in the *María Luz* trial. Even before the trial was over, the influential Meiji leader and then Minister of Finance, Inoue Kaoru (1835–1915), had already written a memo to his colleagues describing the situation of women sold into prostitution in Japan as “little different from that of slaves in America” and soon afterwards, in October 1872 the government issued a remarkable document titled “the Emancipation Edict for Prostitutes.”

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2 See, for example, “Progress in Japan,” *New York Times*, Nov. 11, 1872.
and Entertainers” (geishōgi kaihō rei). Drawing on the language of freedom and rights, and clearly drafted with the example of Abraham Lincoln’s 1863 Emancipation Proclamation in mind, it declared that contracts binding prostitutes and entertainers were now void, and ordered that all such persons were to be “liberated without exception” (issai kaihō itasu beshi 一切解放可致).

With this intriguing echo of the great global emancipations of the nineteenth century, the conceptual vocabulary of Western liberalism arguably left its first substantive mark on modern practices of governance in Japan. In spite of this, however, in Japan today “the Emancipation Edict for Prostitutes” has almost entirely faded from public consciousness. The obvious explanation for this is that, in practice, it did nothing to end the exploitation of prostitutes, which was, if anything, to grow in scale in the modern era. Yet, there is another early Meiji decree, similarly ineffectual as a tool of progressive social change, which has been continued to be remembered and referred to in public discourse as Japan’s ‘emancipation edict.’ What makes this particularly interesting,

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3 Inoue Kaoru, Submission to the Seiin, 7/30/M5 (1872) (Justice Ministry papers held at the Japanese National Archive [Kokuritsu Kōbunshokan], “Kōbunroku, Shihōsho no bu”). See also Abe Yasushi, “Meiji 5 nen Inoue Kaoru no yūjo ‘kaihō’ kengi no kōsatsu,” Shiryū, 36 (June 1996), p. 75. For full text of the Emancipation Edict for Prostitutes and Entertainers, issued on 10/2/M5 as Dajōkan fukoku 太政官布告 no. 295, see Maki Hidemasa, Jinshin baibai (Iwanami shoten, 1971), pp. 190–198. For the language of human rights (rendered here as jinshin no kenri 人身の権利), see also the clarification issued by the Justice Ministry on 10/7/M5 as Ministry Order no. 22.

4 Although Japanese intellectuals had begun discussing the concept of ‘liberty’ in the 1860s, Douglas Howland has argued that it was only after the 1871 publication of Nakamura Kei’s translation of John Stuart Mill’s On Liberty that the term “achieved a stable translation form” as the word jiyū, and began to find its way into the public sphere in the context of debates over freedom of religion and the press. See, Douglas R. Howland, Translating the West: Language and Political Reason in Nineteenth-Century Japan (Honolulu: University of Hawai’i Press, 2002), pp. 94–121; and Personal Liberty and Public Good: The Introduction of John Stuart Mill to Japan and China (University of Toronto Press, 2005).


6 The entry for ‘emancipation edict’ (kaihōrei) in the most recent edition of the standard Japanese reference dictionary, Kōjien (広辞苑), for example, refers only to the 1871 “Buraku kaihōrei” and makes no mention at all of the 1872 edict for prostitutes.