

Translation

THE EXECUTION OF TEN'ICHIBŌ

by Hamao Shirō

Translated with an introduction

by Jeffrey Angles

Translator's introduction: The story "The Execution of Ten'ichibō" (Korosareta Ten'ichibō), written by the lawyer, politician, and mystery writer Hamao Shirō (1896-1935), is sometimes remembered as a small masterpiece of the so-called "Golden Age" of Taishō- and early Shōwa-period mystery fiction. The story first appeared in October 1929 in the monthly magazine *Kaizō* (Reconstruction), one of the major forums of literature and intellectual opinion in Japan at the time. Although the story is based upon a popular historical tale set nearly two hundred years ago during the Edo period, the story represents a critical investigation into the relationship between truth, justice, and social control — issues of key importance in 1929, a year in which the Japanese government rounded up and aggressively prosecuted countless advocates of what it considered "dangerous thought" (*kiken shisō*).

History tells us that in 1717, a government official named Ōoka Tadasuke took up a post as a local magistrate (*machi bugyō*) in Edo. For the next nineteen years, he played an important role in various aspects of the city government, helping to carry out the Kyōhō Reforms, to establish fire wards throughout the city, and to ensure the peaceful working of the law. In this capacity, he presided over a number of court cases in which he demonstrated a perspicuity and wit that made him the talk of Edo. As his fame grew, the magistrate became the stuff of legend. Professional raconteurs began telling stories about his wisdom and, as they did so, they embellished the stories by incorporating elements from stories about other wise judges from Japan, China, and even the West. In some

cases, these professional storytellers developed entirely new stories about the magistrate that had little or no basis in historical fact. Over time, these stories congealed into a series of tales often collectively identified as *Ōoka seidan* (The cases of magistrate Ōoka). Throughout the Edo and Meiji periods, these tales occupied a key position in the repertoires of professional storytellers, and because of their popularity they were recorded and republished many times. Some of the earliest editions of these stories appear in the genre of *jitsuroku* (accounts of true events), the Edo-period equivalent of the modern true-crime novel; however, even these early editions demonstrate a high degree of fictionalization.¹

One of the most famous stories has to do with the case of a young man named Ten'ichibō. Although this tale developed at a relatively late date during the Edo period, it soon became one of the best known stories of the magistrate Ōoka. In most versions of the story, the adolescent Ten'ichibō travels from his home in the Kii Peninsula with a *rōnin* (masterless samurai) named Yamanouchi Iganosuke, and presents himself before the authorities, claiming to be the illegitimate son of the eighth shōgun of the Tokugawa line, Tokugawa Yoshimune (1684-1751). With him, Ten'ichibō brings a letter from the shōgun and a short sword; however, magistrate Ōoka dispatches investigators to the Kii peninsula to look into Ten'ichibō's past; in the process he discovers Ten'ichibō to be an impostor. He concludes that Ten'ichibō has conspired with Iganosuke to pass himself off as the shōgun's son in order to assume a high political position and perhaps even take over the highest office in the land. As punishment, the magistrate sentences Ten'ichibō to death.

This story appears to have been loosely based on historical events. In 1729, the authorities arrested a priest-swordsman by the name of Kaigyō for impersonating a member of the Tokugawa clan. As in the story, Kaigyō had been born in the Kii peninsula, but soon afterward, he came to Edo with only his mother. At age four, his mother died, and the boy spent his youth in a temple. After reaching adolescence, he started calling himself Genji Bōten'ichi or Ten'ichibō Yoshitane and claiming to be the shōgun's illegitimate son, apparently to cheat local *rōnin* out of money. The magistrate in his case was not Ōoka, but a magistrate in another branch of the judicial system (*kanjō bugyō*), and the parts of the story about the letter, sword, and delegation to the Kii Peninsula appear to have been later embellishments.²

Perhaps because the tale involved a commoner conspiring to gain access to one of the highest positions in the land, the story of Ten'ichibō has, over the last two centuries, circulated through multiple genres and given birth to kabuki plays, historical novels, films, and even TV dramas.³ Needless to say, each retelling of the story presents a slightly different take on the tale. Many Edo- and early Meiji-period versions, such as the play *Ten'ichibō Ōoka seidan* (Magistrate Ōoka and the case of Ten'ichibō) by the kabuki playwright Kawatake Mokuami (1816-1893) and the story (*kōdan*) of the same name by Onoe Kikugorō V (1844-1903), present Ten'ichibō and his compatriots as opportunistic impostors; however, more recent versions, such as the film *Surōnin makaritōru* (Some damnable rōnin passes through, 1947) directed by Itō Daisuke (1898-

1981), depict Ten'ichibō in quite a different light — as an honest young man who comes to Edo merely to establish a relationship with the man whom he believes to be his father. In 1929, Hamao Shirō published his story, which likewise depicts Ten'ichibō as a naïve young man who comes to meet his father but ends up in a game of high political stakes. Hamao's story, however, is not merely a simple reworking of the Ten'ichibō legend. What distinguishes it from other versions is that it also represents an investigation into the application of justice, and its relationship to social control, collective memory, and the nature of truth. Hamao's interest in these themes no doubt stems from the fact that before starting to publish fiction in 1929, he worked as a criminal lawyer and therefore knew firsthand the difficulty of determining the truth in legal proceedings.

Hamao had been born into a powerful political family.⁴ His grandfather was Katō Hiroyuki (1836-1916), a highly influential Meiji-period political thinker who served as instructor to the Meiji emperor, member of the Meirokusha and the House of Peers. In 1918, Hamao was adopted from the home of his biological father, the prominent pediatrician Katō Terumaro (who had served as a doctor to the Emperor Meiji during the emperor's youth), into the home of Hamao Arata (1849-1925), an administrator who served as president of Tokyo Imperial University and the head of a body of advisors to the emperor and government. Given the strong relationship between his family and the government, it is perhaps natural that Hamao decided to study law. He graduated with a law degree from Tokyo Imperial University in 1923. Soon afterward, he was appointed deputy prosecutor to a local Tokyo court and in no time was promoted to the prosecutorial bureau of the greater Tokyo court system. In 1925, he was given the rank of *shishaku*, the fourth in a system of five grades of peerage established by the Meiji constitution. Soon afterward, however, he began to doubt he had the wherewithal to earn a rank that would reflect well on his powerful family. Deciding to make a clean start, he quit his job in 1928 and opened his own legal practice. In 1933, however, he became a member of the House of Peers in the Diet, a lofty position that he occupied until his premature death from a cerebral hemorrhage two years later at the age of thirty-nine.

During the four years between his literary debut in 1929 and his death in 1932, Hamao published numerous short mysteries and three full-length detective novels. These works sold well and quickly went through multiple editions. One reason for his sudden success had to do with the impressive legal credentials and knowledge Hamao brought to the genre. Although a number of authors and critics such as Hirabayashi Hatsunosuke (1892-1931) and Kozakai Fuboku (1890-1929) had argued for the intellectual and artistic value of mystery fiction, many contemporaries still considered mystery writing less serious than "pure literature" (*jun bungaku*). Meanwhile, many leftist thinkers criticized the dominant mode of mystery writing, which often featured bizarre villains, outlandish plot twists, and titillating references to sexuality, as mere escapism that did not criticize the inequities of the socioeconomic and political systems. Given this situation, editors saw Hamao's status in the legal and political worlds as contributing to the prestige of the genre.

Thanks to Hamao's experience with the legal system, he had a great knowledge of loopholes and possible errors in the workings of the law, and he used these to his advantage in his fiction. Many of his stories are about situations that seem like crimes but are not, that involve crimes that are not prosecutable or that involve false convictions. For this reason, Hamao's friend and fellow mystery writer Edogawa Ranpo (1894-1965) described Hamao as a pioneer of "legal detective fiction" (*bōritsu-teki tantei shōsetsu*) — fiction that depicts situations the present system of law cannot sufficiently handle.⁵ Implicit within many of these works is a critique of the problems within the law that can cause it to fail to deliver justice.

Hamao began his career by publishing in the popular magazine *Shin seinen* (New Youth) in 1929. During its run between 1920 to 1950, *Shin seinen* featured many of the authors who now have canonical status in the world of Japanese crime fiction, including Edogawa Ranpo, Yokomizo Seishi (1902-1981), Hisao Juran (1902-1957), and Yumeno Kyūsaku (1889-1936). Already in his first novella, *Kare ga koroshita ka* (Did he kill them?), published in the January and February issues of *Shin seinen*, Hamao begins his interrogation of the legal system. In this novella, a young man is sentenced for two deaths that take place when a couple's sadomasochistic games get out of hand. The married couple had engaged in elaborate sexual games featuring interrogation and persecution, but before the police can ascertain the true cause of death, a depressed young friend of the couple confesses to the crime. The police take the young man at his word, sentence him, and execute him, but after his death, they discover a long testament in which he describes his lifelong hatred of the legal system, which had hounded his innocent father during his youth. This hatred had led the young man to a determination to smear the good name of the police and court system. To accomplish this goal, the young man confessed, knowing full well the authorities would execute him. This indirect form of suicide not only fulfills his own deep-seated desire to die, but it also leaves innocent blood on the hands of the police and courts. In short, the story rebukes the police and legal establishment's excessive eagerness to prosecute, even when they have the wrong man. Several more of Hamao's best-known works, including the short stories "Akuma no deshi" (The devil's disciple, 1929), "Shisha no kenri" (The rights of the dead, 1929), and "Madamu no satsujin" (Murders for madam, 1931) also describe complicated cases in which the legal system goes wrong and convicts innocent people with lethal consequences.⁶

"The Execution of Ten'ichibō" also deals with a false conviction, but in this story, Hamao goes one step further and points out that official accounts of facts, when delivered by figures of authority, are what the public generally remembers as the "truth" of history. The story suggests people have a natural tendency to believe what they hear from respected members of society, but figures of authority do not necessarily recount facts as they occur. They are in positions that give them the power to shape knowledge, and they sometimes manipulate facts to serve their own wishes. Historical truth, Hamao suggests, is not absolute but highly subject to the machinations of authority. In other words, the story of Ten'ichibō serves as the starting point for an exploration of the relationship be-

tween governmental power, public knowledge, and history. Even more important is the suggestion that power has a tendency to sacrifice individuals to what it sees as its own best interests. The unnamed narrator — someone within the household of the magistrate trying Ten'ichibō's case — does not criticize the government directly but does question whether or not it is right for governmental authority, which claims to represent truth and justice, to sacrifice innocent life for political stability. The fact that power manipulates popular recollections of events to hide its own wrongdoing makes the situation all the more egregious. As innocuous as it might first seem to casual readers, "The Execution of Ten'ichibō" contains an implicit critique of governmental manipulation of knowledge, especially when individuals are quietly sacrificed in the background.

These themes had a great deal of contemporary relevance in 1929 when the story first appeared in print. Two years earlier, Japan had entered a period of economic troubles and uncertainty. When it became public knowledge that the Bank of Taiwan was teetering on the edge of collapse, many Japanese rushed to the bank to drain their accounts, thus forcing many banks close their doors. Many companies and individuals experienced dramatic loss during the panic and subsequent period of economic "corrections," and these troubles led to a dramatic rise in public and social protest. Sensing danger, the government, headed by Prime Minister Tanaka Giichi (1863-1929) began a crackdown on advocates of Marxism, socialism, and anarchism. The legal framework for these crackdowns was found in the Peace Preservation Law of 1925. This broadly phrased law targeted all members of any organization that had the goal of altering the national polity or the form of government, and for anyone convicted, it promised imprisonment, including the possibility of hard labor, for up to ten years.⁷ In 1928, Tanaka's cabinet sought to revise the law by adding the death penalty as a possible sentence for convictions, but when the Diet blocked this change, the cabinet issued an ordinance to circumvent the Diet's decision. In March 1928, the police made large sweeps resulting in sixteen hundred arrests. A handful of academics, such as the economist and Marxist thinker Kawakami Hajime (1879-1946), were dismissed from their positions, but others were not so lucky. Of these, perhaps the best known is the socialist leader Yamamoto Senji (1889-1929), who was murdered by a former police officer. These sweeps, which continued well into the following year, represented the use of governmental authority to sacrifice the well-being — and even the lives — of political agitators in an attempt to maintain social stability. Meanwhile, the government provided its own versions of what was happening to help mitigate public opinion and encourage hostility to liberal and leftist thought.

Given that Hamao came from a political family closely connected to the highest levels of government, he may well have felt he was not free to express his own thoughts about the crackdown on radical dissent. Many of his essays from the time period deal with far different subjects. Common themes include the use of crime within literature and drama, the relationship between "perverse sexual desire" (*bentai seiyoku*) and crime, and the pressing need to liberate same-sex desire from the stigma of illness. Overtly political matters never take center stage, and so Hamao's position regarding the events unfolding in 1928

and 1929 is unclear. Nonetheless, because he was a prominent lawyer concerned with fair and just application of the law, it seems likely he opposed the government's strong-arm tactics, even if he did not agree with leftist or anarchist thought personally.

The timing of the appearance of "The Execution of Ten'ichibō" in print suggests the work might be Hamao's small act of protest. If it is an act of protest, it is, of course, an indirect one, but such works were more likely to escape the eyes of censors. The increasing strictures of censorship during the period meant that an overtly critical work would almost certainly not have made it much past publication; however, because Hamao's story deals with a well-known story set nearly two hundred years previously, it could easily slide by the eyes of censors. It is impossible to know with certainty if events of the time inspired Hamao to write "The Execution of Ten'ichibō," but even if they did not, the story contains powerful themes of significant social import at the time.

The story's lucid examination of the relationship between truth, knowledge, and power has turned it into Hamao's most frequently anthologized work and a well-known work of early twentieth-century crime fiction. Soon before his death, Hamao commented that of all his short stories, "The Execution of Ten'ichibō" was the one he liked best.⁸ The presence of such important themes — themes critical in Hamao's own day as well as today — almost certainly provide the reason why.

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AFTER SENDING SOCIETY INTO SUCH AN UPROAR, Ten'ichibō was sentenced to death and thrown into prison. He has already been executed, but his reputation will no doubt outlive him well into the future. People will remember him as an extraordinary criminal and a con man who tried to pull the wool over everyone's eyes. These nasty names will surely tarnish his memory for generations to come.

I'm not really a writer, but after thinking about all that has happened, I've decided to pick up my brush and write. Let me be frank: Ten'ichibō was a foolish young man, but he certainly wasn't the evil mastermind everyone made him out to be.

Given his sad situation, he should have settled in some corner of society and quietly whiled away the rest of the shōgun's rule. That would've been best for everyone. Ten'ichibō, however, had no idea how terrible people can be. He had no clue what awful things can happen when people tell the truth or — to be more specific — tell what they believe the truth to be. That's what made him such a fool. Few people are so naïve.

His main problem was he thought that he could go ahead and say whatever he wanted, even though there might not have been anything wrong with those wishes themselves. Society is not governed only by the rule of law. No, sometimes even the law promotes its own falsehoods, but he didn't understand that. He was an attractive young man, but even so, he was foolish and deserves our pity.

If a different magistrate had been assigned to the case, perhaps Ten'ichibō would've met a different end. It is sad that fate sent him to that particular magistrate, but I suppose nothing can be done about that. Please understand, I don't want to place all the blame on the magistrate's shoulders. His role in the case brought him anguish I can't begin to describe. I've known him for many years so I can say with certainty that it was only when Ten'ichibō went on trial that the magistrate grasped the incredible importance of his position. He suffered terrible pangs of conscience. No, he certainly doesn't deserve any blame.

When he was investigating the case, I caught my first clear glimpse of exactly how important magistrates really are. At the same time, I also realized what sadness they have to withstand for the sake of their work. One can hardly express how much fatigue and strain the case inflicted upon the magistrate presiding over Ten'ichibō's case. I suppose, however, that in the end, it was all for the good of society. Thinking about it now, I suppose we all should be extremely grateful such people exist.

The magistrate is a wise and decisive man. He has a strong belief in himself. Ever since I first met him, neither the clarity of his intellect nor the greatness of his achievements has diminished, but I do know, however, that in recent years, he has been involved in several incidents that have significantly changed his view of himself.

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As I just mentioned, when I first met him, he struck me as a clever man with a keen intellect and a great deal of self-confidence. In those days, the only cases he ever dealt with were the kind he could decide briskly and decisively. Once done, he would move on without looking back. His rank and reputation rose as quickly as the morning sun. Because he thought he never made mistakes and everything he did was right, he ended up handling a great number of high-profile cases.

As you are probably aware, he presided over a famous case in which two women claimed to be the mother of a single child. His judgment in the case impressed everyone. First he forced the two women to stand on opposite ends of the child then he ordered them to play tug-of-war with the child's limbs. When they started pulling, the boy screamed. The magistrate then proclaimed, "A real mother would remove her hands when her child screams. Any woman who ignores her child's cries can't possibly be the real mother!" He suddenly stood and pointed to the woman who had been pulling hardest. "She's the impostor!" He looked so awe-inspiring that I and several other members of the audience were moved to tears. Others let out gasps of admiration. A moment later, they began jeering at the woman the magistrate had identified as the impostor. Yet, the only thing I felt when I looked at the woman was pity.

As you may know, there was also another case about the same time in which a pawnshop near Nihonbashi built a large storehouse, cutting off all light to the small houses beside it. The neighbors took the pawnshop before the magistrate, who delivered a superb decision that became known far and wide. Another time, a man stole fifty gold pieces from a barrel of pickling *miso* located in the home of Hachirōbei, a scrap metal dealer from Otamagaike in Kanda. The magistrate's handling of the matter quickly became news throughout the city, and all of Edo lauded his decision.

I can't presume to know for sure, but I suspect that those were the happiest days of his whole career. They were even better than later, when he was promoted and grew more famous. He never got upset, no matter what came his way. He always rendered good decisions, and he always seemed pleased when he reflected on them afterward.

Because he dealt with high-profile cases on a regular basis, his decisions became the subject of daily conversation among the citizens of Edo. It was impossible for him to remain oblivious to what everyone was saying, but the word on the street never gave him any reason to feel bad. He always wore a bright and cheerful expression. That is how I remember him.

Before long, however, things changed and those contented days gave way to a whole new era of self-doubt. I'm not implying that something happened to harm his reputation. As I said before, his fame continued to rise like the morning sun.

3

It was one spring evening toward twilight when I first saw a shadow clouding his ordinarily cheerful face. He had returned from work with an unusually gloomy

expression, and he seemed to be in a foul humor. I figured it was due to overwork, but that night he stayed up late, sitting alone deep in thought. The next day, he left for work as always, but when he returned home, he continued to act strangely.

I heard a curious story that night. Someone told me that a few days earlier, a woman had drowned herself near Fukagawa, and her body was found downstream caught on a bridge. When the authorities examined her clothing, they found a suicide note wrapped up inside so it wouldn't get wet. The contents of the note went something like this:

My name is Hashimoto Saki. How wretched I am, alone in this world with nowhere to turn! All this started when I appeared before the magistrate last spring. I was the one who tried to get back my darling little boy — the fruit of my loins — who was taken from me. As I stood before the magistrate and tried to wrench him from the other woman's arms, the magistrate derided me as an impostor and a fraud. That day, he sent me home alone. I tried to explain why I wanted him back, but I won't repeat myself here. I'm the boy's mother, but still, I lost the case. I won't dwell on how stupid the magistrate's decision was. What I want the world to know is what has befallen me since then, and perhaps people will understand why I was driven to suicide.

When I lost the case, I should have lost my son and that should have been the end of it. I am sure the magistrate had not anticipated any other consequences, but in addition to losing all hope of regaining my child, I also became an object of derision for the entire population of Edo. The world is a cruel place. People stopped believing I was the boy's mother, and they began treating me horribly. Now everyone derides me as a liar who tried to deceive the authorities. My relatives once were my allies, but now they refuse to have anything to do with me. My landlord evicted me. I am alone now. The only thing left for me to do is to wander through the world bearing the burden of my ruined name. No matter where I go, no one will give me work. Needless to say, no one will ever hire me. I live the disgraceful existence of a beggar, and for the last year, I have been wandering around Edo like a stray dog.

In court, the magistrate called me an "impostor" and a "fraud." Even now, I hear the whole city echoing his words. I can't keep this up any longer. This miserable life of wandering and begging has become too much to bear. I can't even take shelter from the rain under the eaves of a building. When I try, people chase me away. That's how desperate I am! How can I keep living this way? That is why I'm going to kill myself. Death will spare me this misery. But before I die, I want to tell the world, *I am not a fraud! That boy really was my son! It was the magistrate who called me a fraud!* I'm through grumbling about how stupid the case was, but I do want to register a final complaint against the magistrate. What was it he said? "The only way to determine the true identity of the mother is to have the two women stand on either side of the child. One will pull him by the head and the other by the feet. The child will go to the one who wins." I believed

him. I wasn't trying to cheat the authorities. The last time I ever held my boy was then, and now, I'll never touch him again. I believed what the magistrate said, and so I pulled with all my might. When he began to scream, I also wanted to cry out, but what is pain that lasts for only a moment? If I had let go, I would have lost him forever! The magistrate's orders were what fixed my resolve. He didn't understand. I am not the one who is the fraud. No, he is! The law is!

Those are, more or less, the contents of the suicide note. After I heard what it said, I understood for the first time why the magistrate had looked so pale.

It wasn't when those events transpired, however, that the magistrate fell into his unshakable melancholy. That was later, in the winter of the same year. As you know, that was when that horrible fellow Murai Kansaku was executed. Murai had perpetrated a variety of awful crimes, but when the magistrate was interrogating him, Murai confessed to something that shocked everyone.

I don't remember exactly when, but some time ago, a widow had been murdered near Yotsuya. When the authorities investigated, they determined the death to have been a crime of passion, and so they began looking for men who had been intimate with her. In the process, the magistrate did something that impressed everyone. Several suspects, including Murai, were present in court when the magistrate ordered the widow's cat brought in. When the cat was let go, it immediately ran up to a fellow named Hikobei who ran a tobacco store. The cat jumped right onto his lap. Because it had lived with the murder victim, it made sense that it would have only recognized people who were on good terms with her. Without knowing what it was doing, the cat had implicated the killer.

The magistrate had been watching intently. He immediately ordered Hikobei to be taken into custody. Hikobei was questioned thoroughly, but he claimed he had never even set foot inside the widow's house. He refused to confess. Instead, he explained he was an animal lover, and he too had a cat. One of the cats in the neighborhood — the widow's — frequently came to play with his, but he had no idea who its owner was. He said he petted it a lot and gave it things to eat. When the magistrate ordered Hikobei's story be corroborated by having his cat brought to court, Hikobei answered it had gone missing over ten days ago. The suspect was a bachelor, and so there were no witnesses who could testify that Hikobei indeed had a cat. He was tortured, and unable to withstand the torment, he caved in. Under duress, he gave a full confession and explained how he had murdered the widow. As you know, he was promptly sentenced to death.

When the magistrate questioned Murai Kansuke, however, Murai suddenly confessed to the Yotsuya widow's murder. I hear that at first, the magistrate didn't believe him and merely responded, "What rubbish!" However, as Murai responded to more and more questions, it became clear that the details of his story matched the particulars of the crime. Murai naturally hated cats, and when he went to the widow's home, he would usually kick or hit the poor cat. Not surprisingly, it would run away every time it saw him. Now, I do not know if he really hated cats or if he was just trying to chase it away because he was afraid it would reveal his secret affair to outside eyes. In any case, Murai confessed to the mur-

der. One of the officials present told me that when the magistrate heard Murai's story, all of the color drained from his face, leaving him as pale as a corpse. The magistrate stood up and blurted out, "Nonsense!" With this word still hanging in the air, he stormed out of the room.

That was when the magistrate's usually bright countenance began growing dark and melancholic. That night, he was completely silent after he came home. By all appearances, he never went to bed. The next day, he sent word to his office that he was ill, and he spent the entire day at home. He stayed cooped up in one room all day, never exchanging a single word with anyone. I know little when it comes to such matters, and so the only thing I could think of was that he was holding memorial rites for Hikobei, the tobacconist who had been executed, but now it's clear to me that what had happened was far more serious.

I don't know if it's proper for me to say this or not, but the magistrate had started to doubt his own wisdom and his ability to pass judgment. In other words, he had lost confidence in himself. Until then, he had always believed that his way of thinking was just and that his intellect had guided him properly, but now, the basis for his self-confidence had started to crumble.

That's how he fell into his perpetual state of melancholy. It's not really my place to say, but about that time, his decisions stopped showing the witty intelligence of his earlier cases. I suspect that when he was deliberating, he was mentally retracing his previous cases step by step.

I wondered how long his depression might last. Meanwhile, the world was oblivious to what was going on inside his mind. (I suppose it is only right the world did not know.) Society continued to praise the magistrate, and his reputation continued to rise to ever more dizzying heights.

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The magistrate's dark and gloomy expression did grow bright again for a short time. When was that again? I don't remember exactly, but I think it was the following spring, one day after he spoke with a close friend. I remember eavesdropping on a conversation in which I made out the names Hashimoto Saki, the woman who had killed herself, and Hikobei, the tobacconist who had been executed for the widow's murder. Even after his friend departed, the magistrate repeated these two names over and over to himself. Suddenly, his expression grew cheerful. He summoned the servants and surprised them by asking, "Does the world really think of me as a great magistrate?" When the servants responded that it did, his expression grew even brighter. With a smile, he asked, "Do people get the death penalty because they're bad or are people bad because they get the death penalty? What do you think?"

That day, the magistrate regained some of his cheer and good humor. (Even so, his moods never reached the brightness and gaiety of earlier days, and his face would still occasionally cloud over.) Thinking back on it now, it seems clear that when he started to doubt his own judgment and lose confidence in himself, he felt lost in a sea of despair and anxiety. Previously, he had always trusted himself, but the unexpected events I have recounted above had undermined that confidence. If something hadn't happened to snap him out of his melancholy, I am

sure he would've eventually resigned from his position. So why didn't he? How did he regain his good cheer and start pouring his energy into work once again?

I know little about such matters, but this is my best guess. After losing the confidence of those earlier days when he believed in himself, he seized upon something to take the place of those feelings. That thing was power. I'm not talking about the power of simply occupying the high office of the magistrate. He had realized for the first time that the whole world believed the judgments he delivered, and because of that blind belief, he wielded a unique form of power. Although the worrisome events of the recent past had undermined his belief in his own wisdom, they had also showed him the singular power his position gave him.

Why did Hashimoto Saki feel she had no option but to commit suicide? Because the magistrate had declared her the loser in court. Because he had leveled one word at her: "impostor." The question of whether or not she was the child's real mother didn't matter. The magistrate had stated she wasn't, and the whole world believed him. Wasn't the same thing also true for Hikobei, the owner of the tobacco shop? People didn't say Hikobei had received the death penalty because he was a criminal. No, they thought he was a criminal because the magistrate sentenced him to death.

Not just any magistrate wields this kind of power. He could shape people's beliefs because of who he was. Everyone worshipped him almost like a god. His great reputation as an administrator and judge allowed him to do these things.

It frightens me to think that other cases may have had unexpected complications like those of Hashimoto Saki and Hikobei. After all, the magistrate presided over so many cases! Still, for good or worse, no other complications came to light. As a result, who is there to deny that the events in the cases did not transpire exactly as people believed?

Ultimately, one cannot guarantee mistakes will not be made, even if one is a great magistrate. This will always be true as long as the judge is not a god and as long as people sit in judgment over others. Is it really the function of the law to strive for this impossible goal? No, its primary function vis-à-vis society is to show people the rule of law and to convince them of how grateful they should be to have it. People's belief in the magistrate was merely a tool, albeit a particularly powerful one, in the administration of society.

If he had starting reexamining his old cases, the magistrate might have shaken everyone's faith in him. Instead, he appeared to have decided to encourage people to believe in him and to use their trust to help govern society. I hesitate to think this was how the magistrate finally emerged from his long tunnel of darkness into the light. The great confidence he once had in his own wisdom was gone. In its place, he had gained a new kind of confidence rooted in the realization of his own power. Whereas he had once just smiled and listened whenever people spoke of his great reputation, he was now quite concerned about public opinion.

After so many tribulations, the magistrate had finally learned how to be content once again, but before long, he would soon be confronted with even greater worries. An important case came before him, and although he sum-

moned up all his wisdom and power, they were of no use whatsoever. Needless to say, that was the case of Ten'ichibō.

5

I don't need to tell you what sort of man Ten'ichibō was nor what sorts of things he said in court, for I'm sure you know all about that. All I want to do is describe the magistrate and his behavior around the time of Ten'ichibō's trial.

The magistrate had heard about Ten'ichibō well before he ever came to Edo. Ten'ichibō was still in the Kansai region, far away in western Japan. There were rumors he was the illegitimate son of the shōgun and he would be traveling to Edo with a number of other important figures. When the magistrate heard about this, his face clouded over. After that, he went out to see a whole array of other high-ranking bureaucrats. Among them was the honorable Izu-no-kami, one of the other magistrates working in the administration of the city. The magistrate often went to his manor to see him. Although these meetings were held in secret, I am sure they were all about Ten'ichibō.

When Ten'ichibō finally came to Edo, the magistrate and Izu-no-kami were present to meet him, along with some other judges including Sanuki-no-kami and Yamashiro-no-kami. Izu-no-kami had already been investigating Ten'ichibō's claims, but this was the first time the magistrate had ever laid eyes on him. That evening, the magistrate returned home as pale as a ghost. I can still recall exactly how he looked. I have never seen him look as frightening and stern as he did that night. His expression was not at all like the dark and gloomy ones I'd seen before. He didn't look as though there was anguish in his heart. He had the grave expression of a man who had resolved to do something desperate. In all the time I'd known him, that was the first time I'd ever seen him like that. The strange thing was that he hadn't even started his investigation. He had only just met Ten'ichibō, but already he had come to some sort of conclusion. No, nothing like that had ever happened before.

There he was, the same fellow the world extolled as a great judge. He never jumped to premature conclusions based on a person's appearance. He would never even consider doing such a thing. He was the same man who always instructed to his underlings, "You shouldn't ever arrive at hasty conclusions beforehand. That isn't how proper judgments are rendered. You shouldn't be moved by how beautiful or ugly a person is. If you are, you can't render a proper decision."

From what I hear, Izu-no-kami was the one who did the most talking during the initial meeting. In order to prove the identity of his father, Ten'ichibō presented a paper bearing the shōgun's seal and a short sword that could have only come from the shōgun's family. Everyone inspected the evidence and determined that both were undoubtedly genuine. The magistrate was also present so he was able to examine the evidence for himself.

He and the other officials were perceptive enough that only a little while with a person would usually allow them to see right through any plan that might be afoot. Even so, they couldn't determine whether Ten'ichibō was the shōgun's son or not. A judgment based on character alone wouldn't do. They could very well have met with him and written him off as a person of bad character, but that

wouldn't have solved the question of whether he really was the shōgun's son or not. To complicate matters, the officials had already decreed that the items he brought as evidence were genuine.

So how was the magistrate able to reach a conclusion already? What was he thinking? Needless to say, I didn't know.

Soon, all of Edo was abuzz, saying the bastard son of the shōgun had arrived in town. As for his eminence, the shōgun, it appears he might have had some recollection of the boy, and before long, it seemed that a meeting might be in the works. Meanwhile, the magistrate was making almost daily visits to the shōgun's castle. Every time he came home, his expression was always dark and gloomy. High-ranking aristocrats often came to see him. All of this suggested to me that the magistrate had taken a strong stand on the issue.

It is probably unwise for me to say too much, but I happen to know a few things about the case. When the magistrate first met Ten'ichibō, he simply couldn't bring himself to believe the boy was the shōgun's son, illegitimate or otherwise. He said that being a magistrate carried heavy responsibilities, and one had to give utmost care to such important matters. With this, he dispatched some of his young underlings to the distant province of Kishū in the west. It seemed to me he wasn't really trying to prove Ten'ichibō's story but to locate proof that would contradict it. He was apparently hoping to uncover some evidence that the boy was an impostor and not the long-lost son he claimed to be. I say this because I remember how disappointed the magistrate looked when his men returned. They hadn't uncovered any evidence that Ten'ichibō was an impostor. Instead, their findings backed up his story. In the past, the magistrate had always looked pleased when he found black-and-white proof about a case, but for some reason, this time was different. He didn't act the least bit pleased. Why? He could no longer say he disbelieved Ten'ichibō's story. It was too late for that. Even though he didn't want to put any stock in the story, the time had come to face the truth. At the beginning of my narrative, I mentioned that the magistrate's work brought him a great deal of suffering. When I wrote that, I was thinking of those days in particular.

So why was he so anxious to label Ten'ichibō a fraud? Any number of answers are possible, but my guess is that he probably would have said his concern was "for the good of society." Let me explain. He had misgivings about Ten'ichibō's character. Although I don't know much about such things, it's clear that if Ten'ichibō was recognized as the shōgun's son, he would have been given a high-ranking post. The country is now at peace, but the magistrate surely knew what dreadful conflicts can arise when people are given positions of power incommensurate to their rank. What would have happened if a person who had little power in the past were suddenly promoted to a position of great authority? The situation could be quite dangerous if the person didn't have a good character. No doubt that was what he was thinking.

Besides, people sometimes say the way one is raised does more to determine personality than breeding. Ten'ichibō was born in Kishū and raised in the overgrown fields and low-lying mountains of Kyūshū. He had spent his whole life in the wild backwaters of the country. Even if he was the shōgun's son, it was hard

to imagine him rising to a position where he might one day succeed his father. Putting him in a high-ranking position could start a disturbing chain of events that would disrupt society altogether.

Even though everyone thought of the magistrate as a fair and righteous judge, he seems to have decided it was acceptable to bend the truth in this case and punish Ten'ichibō. You might think, all right, it's acceptable to take the life of someone if their death will benefit society, but is it acceptable to execute someone if you aren't acting in accordance with the laws of the land or the shōgun's wishes? What's more, the facts of the case didn't warrant the taking of a life. Far from it. The facts suggested Ten'ichibō ought to occupy a position of comfort and prestige. This conundrum seems to have been the source of the magistrate's anxiety. I hate to think what went through his mind!

6

Although the magistrate seemed greatly disappointed to learn the truth about Ten'ichibō's past, he went to work again the next day with a grim expression on his face. At the same time he went to meet the ordinary functionaries in his office, he also went out frequently to see Izu-no-kami and other important, high-ranking dignitaries. One day, he returned home unusually late. I learned that during the afternoon he had gone to the manor of the famous scholar Ogyū Sorai, and the two of them spent the entire day together lost in conversation. Back at home that evening, the magistrate pulled out a large number of books in both Chinese and Japanese. All of them were about difficult subjects such as justice and righteousness.

At long last, it was the day when the magistrate was scheduled to interrogate Ten'ichibō. After questioning him, he was to deliver a judgment that would determine the young man's fate. The evening before, Ogyū Sorai came to the magistrate's house with the prominent scholar Itō Jinsai, and the three talked until late at night.

I am sure you know what happened when Ten'ichibō was questioned. In a voice far quieter than usual, the magistrate asked him a series of questions, but they were all about trivial matters. He asked about Ten'ichibō's palanquin and family crest, but none of the questions really got to the heart of the matter. When it came to the crucial question of whether he was the shōgun's illegitimate son or not, the issue boiled down to just this: why did Ten'ichibō think he could prove the shōgun was his father only by presenting a single letter and a sword? The magistrate grew more and more passionate as he spoke. As he pressed Ten'ichibō for an answer, the attractive young man dressed in priestly attire grew unusually sad. This is what he said.

Is there anyone in the world who really knows the identity of his parents? No one remembers being born. All we can do is believe those who claim to be our parents. Unfortunately though, some people like me are born without anyone to say, "I'm your father" or "I'm your mother." People like me have no recourse but to believe what others tell us. Ever since I've been old enough to remember, I've never had anyone to tell me they're my mother or father. The first time I ever heard my parents' names was when

my grandmother died. She was the one who raised me. My mother was already dead. She had died in childbirth. I was stunned when I heard who my father was. At the same time, I felt a burning desire to do whatever I could to meet him at least once. Do you have any idea how lonely it is to spend your entire youth without knowing who your parents are? I don't know how you'd react, but when I heard the news, the only thing on my mind was to go meet my father. I didn't want anything else. How could I?

Life had been hard for me up to that point, but it only got worse when I found out who my father is. Fate was only making things worse. I wished he wasn't powerful or famous. If he hadn't been, he probably would've been glad to see me. We could've met, and no magistrate would've ever been involved. No one would've questioned me about my birth or treated me like some sort of criminal. When I think about it, I realize how unhappy my father must be too. After all, he can't even meet his own son of his own free will. If he does remember me, I'm sure he'll want to see me.

Ten'ichibō's response was straightforward but, at the same time, it revealed how naïve he was. The moment he delivered this speech, he ultimately sealed his fate. Even though he had known hardship, he was still too young and innocent to realize these words would produce a final twist of fate worse than any that had come before. He simply wanted to meet his father. That was all. I suppose there is nothing wrong with that. In the eyes of the magistrate, however, there were other important implications to consider. What might happen next? What would it mean for society if he did meet the shōgun? There was no way the magistrate could allow this poor, miserable boy to meet his father. He could not let them meet for fear of disrupting the neat order of society.

There were no words to describe how miserable everyone was when they reached the end of the interrogation. The magistrate exercised his own discretion and declared Ten'ichibō a complete impostor. He called him "a fraud trying to deceive the whole world." I wasn't there, but people say his voice betrayed a hint of fear as he pronounced these words. Such trepidation would not have been visible under ordinary circumstances. When he returned home, he stepped into the autumn garden, which was strewn with fallen leaves. He looked as pale as a corpse.

When word reached him that Ten'ichibō had been put to death, all he said was, "Oh, I see..." With sadness in his eyes, he looked at the underling who brought the news. As the magistrate stared at him, the young man felt a sudden chill pass through his entire being, as if someone had poured cold water over him. The magistrate's expression has been dark and gloomy ever since, but I suspect that somewhere far down the line, his face may regain the brightness and good cheer it once had so long ago.

I cannot say whether the magistrate's decision was just or not. To tell the truth, I'm not even sure why he felt it necessary to put Ten'ichibō to death. I have merely put to paper what I know and nothing more. I am not much of a writer, so I have simply recorded, without attention to order or consequence, the reflections and events that flit through my mind as I think of the magistrate's troubles and Ten'ichibō's terribly wretched fate.

Notes

1. See for instance, “Ten’ichibō jikki” [The true account of Ten’ichibō], *Kinsei jitsuroku zensho* [Complete collection of true accounts from the early modern period], vol. 2 (Tokyo: Waseda Daigaku Shuppanbu, 1919).
2. On the evolution of the Ten’ichibō story, see Konita Seiji, “Jitsurokutai shōsetsu no seisei: Ten’ichibō ikken o daizai toshite” [The formation of novels in the form of true accounts: Using the Ten’ichibō incident as a case study], *Kinsei bungei* [Arts and letters of the early modern period] 48 (July 1988): 24-39 and Konita Seiji, “Jitsurokutai shōsetsu no jibutsu zō: ‘Ten’ichibō jikki’ o chūshin ni” [The characterization of novels in the form of true accounts: On *The true account of Ten’ichibō*], *Nihon bungaku* [Japanese literature] 37, no. 8 (August 1988): 30-39.
3. Among the many novelists who have written stories about the Ten’ichibō affair are Emi Suiin (1869-1934), Kikuchi Kan (1888-1948), Fukada Roppuku (1890-1948), Naoki Sanjūgo (1891-1934), Shimosawa Kan (1892-1968), Takigawa Shun (1906-), Shibata Renzaburō (1917-1978), and Takigawa Kyō (1920-1994). Several short stories about the affair, including several by the authors listed above, are available in Shimura Kunihiro (ed.), *Torimono jidai shōsetsu senshū* [A selection of historical novels about arrests], vol. 6 (Tokyo: Shun’yō bunko, 2000). By the late 1920s, there had already been dozens of film adaptations of the story, including the well-known *Ōoka Echizen to Ten’ichibō* [Magistrate Ōoka and Iganosuke] directed by Makino Shōzō (1878-1929) and Kinugasa Teinosuke (1896-1982). For an English retelling of the legend, see W.J.S. Shand, *The Case of Ten-ichi-bō: A Cause Célèbre in Japanese History, A Decision of Ōoka* (Tokyo: Methodist Publishing House, 1908).
4. On the life and works of Hamao, see Ōuchi Shigeo, “Hamao Shirō no hito to sakuhin” [The person and works of Hamao Shirō], in *Hamao Shirō zenshū* [Complete works of Hamao Shirō], by Hamao Shirō (Tokyo: Tōgensha, 1971), vol. 1, pp. 525-38 and vol. 2, pp. 607-20; Itō Hideo, *Kindai no tantei shōsetsu* [Modern detective fiction] (Tokyo: San’ichi Shobō, 1994), 277-96; and Nakajima Kawatarō, *Nihon suiri shōsetsu shi* [The history of the Japanese mystery novel], vol. 3 (Tokyo: Tōkyō Sōgensha, 1996), 11-17 and 42-47.
5. Edogawa Ranpo, “Nihon no tantei shōsetsu” [Detective fiction of Japan], *Edogawa Ranpo zenshū* [Complete works of Edogawa Ranpo], vol. 16 (Tokyo: Kōdansha, 1979), 215.
6. The most thorough collection of Hamao Shirō’s novels is *Hamao Shirō zenshū* [Complete works of Hamao Shirō], 2 vols (Tokyo: Tōgensha, 1971), but currently the most widely available edition is *Hamao Shirō shū* [Selection of the work of Hamao Shirō], ed. Kitamura Kaoru, vol. 5 of *Nihon tantei shōsetsu zenshū* [Complete works of Japanese detective fiction] (Tokyo: Sōgen Suiiri Bunko, 1995).
7. See Richard H. Mitchell, *Censorship in Imperial Japan* (Princeton: Princeton University Press, 1983), 196-97.
8. Ōuchi, “Hamao Shirō no hito to sakuhin,” vol. 1, 534.

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