

**EXCERPTS FROM THE KEMMU SHIKIMOKU [KEMMU CODE], 1336**

**Introduction**

When Ashikaga Takauji (1305-1358) was named shogun in 1336, he faced a divided polity: Although the “Northern Court” supported his rule, the rival “Southern Court” (under the Emperor Go-Daigo, who had led the short-lived Kenmu Restoration of 1333) insistently claimed the throne. In this time of widespread social disorder and political transition (Takauji ordered the shogun’s capital moved from Kamakura to Kyoto), the Kemmu *shikimoku* (Kemmu code) was issued as a foundational document in the creation of laws for the new Muromachi shogunate. The Code was drafted by a group of legal scholars headed by the monk Nikaidō Ze’en.

**Document Excerpts with Questions**

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The way of government, ... according to the classics, is that virtue resides in good government. And the art of governing is to make the people content. We must therefore set the people’s hearts at rest as expeditiously as possible. These are to be decreed immediately, but its rough outline is given below:

1. Frugality must be universally practiced.
2. Drinking and wild frolicking in groups must be suppressed.
3. Crimes of violence and outrage must be stopped.
4. Private houses which are owned by former enemies of the Ashikaga are no longer subject to confiscation.
5. The vacant lots existing in the capital city must be returned to their original owners.
6. Pawnshops and other financial institutions may be re-opened for business with protection from the government.
7. In selecting *shugo* (protectors) for different provinces, men with special talents in administrative matters shall be chosen.
8. The government must put an end to interference by men of power and by nobility, as well as by women, Zen monks, and monks holding no official ranks.
9. Men in public offices must be told not to be derelict in their duties. Furthermore they must be carefully selected.
10. Under no circumstances can bribery be tolerated.

11. Presents received from different quarters while in or out of office must be returned.
12. Retainers who serve closely must be carefully selected.
13. Strive to attain decorum.
14. When men of integrity, righteousness and honor are found, reward them accordingly.

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**Questions:**

1. What can you infer about existing conditions in society and the effectiveness of the government in 1336 from the Kemmu Code?
2. How do you think these injunctions were enforced? Do you think they were successful?
3. How would you compare this document to the Constitution of Prince Shōtoku (604 CE), both of which had seventeen articles?