

A Comparative Study of the Legal Systems of Imperial Japan: The Local Systems in Japan, Korea and Taiwan

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ABSTRACT

This paper compares and analyzes the crux of national integration in Imperial Japan, with specific attention addressed to the reforms of the local system carried out in Japan proper (1929) and its two major colonies, Korea (1930) and Taiwan (1935).

Essentially, I argue that it was the reform of the local government carried out by the government of Japan that shaped the empire-wide national integration during the war; and that the main contributing factor for the empire integration in Korea and Taiwan was the local reforms carried out in 1930 and 1935 respectively. The local systems in the two colonies were by and large an extension of that in Japan proper, and national integration was based on a discriminatory assimilation policy. In this sense, I contend that the Japanese Empire reorganized the government comprehensively into a fascist regime, and that the key to this process lays in the reform of the three local systems.

Of critical importance, in my opinion, is that the two Japanese colonial governments, Korea and Taiwan, had geared up for the war far earlier than Japan proper. In a comparative approach I come to a conclusion that the autonomy of the two colonial governments had come to be severely restricted even prior to 1937, the outbreak of the Sino-Japanese War: in Korea since 1930; and in Taiwan, after 1935. By contrast, it was not until in 1943 that Japan began to change the local system for war.

Keywords: Imperial Japan, colonial legal system, national integration, wartime regime, colonial Korea, colonial Taiwan