PAPERS COMMUNICATED

**99. *The "Constitution" Proclaimed by Prince Shōtoku
in the Light of His Commentaries on the Three
Buddhist Scriptures.***

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The "Constitution" 憲法¹⁾ proclaimed by the Prince-regent Shōtoku in 604 is often branded as "a mere jumble of moral maxims and political wisdom," implying that it was not a constitutional law. This is done not only by Western critics but by some Japanese historians, who, moreover, adduce passages from Chinese classics as the source of the most of the seventeen articles and thereby would ignore the meaning of the document in history. Putting aside the question whether or not the "Constitution" has a legal significance,²⁾ one striking point is that most of these scholars, being too eager to trace the clauses to Chinese sources, entirely fail to refer them to the Prince's own other writings, the commentaries on the three Buddhist scriptures, where he expresses his ideas and ideals in lucid ways.³⁾

Now, in considering the connections between the clauses of the "Constitution" and the three commentaries, the first point to be noticed is the dates of all these writings. The "Constitution" was proclaimed in 604, or one year later according to another version. On the other side, even putting aside a tradition that the Prince gave lectures on the scripture *Shōman-gyō* as early as 598, the same were given in the court in 606, being followed by the lectures on the *Hokke-kyō* in the same year. Further, all traditions agree in putting the finish of the written commentary on the *Shōman* in 610, that on the *Yuima* in 613, and that on the *Hokke* in 615. Thus all this happened in the thirties of the Prince's age, and we can safely assume that his earnest studies on these Buddhist scriptures were proceeding side by side with his quest in formulating his ideas stated in the Constitution as the guiding principles of his government. Then why should we not refer the ideas expressed in the Constitution to those written down in the commentaries and see the clauses of the former in the light of the latter, instead of merely looking for Chinese sources?

To start with, the opening words of the Constitution, "Harmony

1) Cf. W. G. Aston, *Nihongi* (London, 1896), ii. pp. 128-133; F. Brinkley, *A History of the Japanese People* (London, 1912), pp. 140-142; Léon Balet, *Mélanges Japonais*, no. 11 (Tokyo, 1906), pp. 276-299; Marquis de la Mazelière, *Le Japon*, i (Paris, 1907), pp. 211-216; K. A. Florenz, *Nihongi*, iii (Tokyo, 1892), pp. 16-20; etc.

2) This question is considered in the affirmative by Balet, but in the negative by Florenz and others. Among the Japanese jurists, Ono in the affirmative and Ariga contrary.

3) Cf. M. Anesaki, *History of Japanese Religion* (London, 1930), pp. 61-64; *Quelques pages de l'histoire religieuse du Japon* (Paris, 1921), pp. 19-22.

is to be highly esteemed” 以和爲貴, are referred to a passage in Lun-yü: In practising the rules of orderliness, a natural ease is to be prized (Legge's translation) 禮之用和爲貴. Evidently this saying of Confucius is aimed at the social rules of propriety, which the Prince emphasizes specifically in the fourth article, while his scope in this opening article covers the whole ideal of government, and even of human life at large, as shown in the concluding phrase of the article as well as repeated in the fifteenth article.

Seen in this light, the emphasis laid on “harmony” in social life is to be referred to the fundamental idea of life as expounded in the Hokke-kyō, which may be condensed in one word *eka-yāna* 一乘, the all-embracing sole way leading all beings into the full enlightenment of Buddhahood, in another word, the unity of all beings in the basic nature (*dharmatā*) and in the ideal aim or norm (*dharma*) of existence. In fact the larger part of the first of the four fasciculi of the commentary on Hokke is devoted to the elucidation of this idea of unity, which is variously expressed in the phrases such as “the sole vehicle of cause and effect” 一乘因果, “the united attainment of all good” 萬善同歸, “the consummation of concord” 會同歸一, “the attainment of Buddhahood through all kinds of good” 萬善成佛. The same ideal is again expounded in the Shōman-gyō as “the practice of all good on the basis of righteousness” 正法萬善, “embracing all through righteousness” 攝受正法. Can there be any ambiguity in the Prince's emphasis on harmony and concord being intrinsically connected with these ideals elucidated in his Buddhist writings?

The clause on the “Three Treasures” 三寶 in the second article is too evidently a Buddhist idea to be commented upon. But we note here that illuminating remarks on the “Three Treasures” are made in the Shōman-gyō (29), and these show how the Prince conceived the whole of human life and cosmic existence as an embodiment of this ideal.¹⁾

The monarchical principle enunciated in the third article has its foundation, or parallel, in the supreme dignity of Buddha in the cosmic life as is the central theme of the whole Hokke scripture. The Prince emphasizes this latter theme especially in the first half of his commentary, drawing analogy from the relation between the father and son, particularly in connection with the parables of the prodigal son (III Chapter) and of the insane children rescued by the father out of the burning house (IV Chapter). Similar reference can be made from Yuima-gyō (III. B. 16) where he quotes Shu-ching and Laotsu too.

The dictum “Chastize evil and promote good” 懲惡勸善 in the sixth article needs hardly any comment. But we have to note that this maxim is fully stated in Shōman-gyō and the Prince's comment shows

1) Cf. M. Anesaki, *History of Japanese Religion*, p. 61. The application of this ideal to the foundation of the state law and moral law will be stated somewhere else by the writer.

The references to the commentaries are made for Hokke in the Hanayama edition, and for other two in the Hōryū-ji edition.

his zeal in carrying out this both through religion and government, where he says in part (12):

Grave evils should be repressed by force, while slight evils could be converted by moral persuasion. 重惡則以勢力折伏, 輕惡則以道力攝受

The use of the double ways of repression (折伏 *nigraha*) and persuasion (攝受 *parigraha*) has always played an important rôle in Buddhist ethics, and the Prince refers to this repeatedly in several passages.¹⁾

The sixth article further warns against the evil of hypocrisy, flattery, sycophancy. The contrary, the "upright soul" 直心, is emphasized as the foundation of the ideal state in Yuima-gyō, and the Prince makes a lengthy remark upon this point, to which we shall return below. Therefrom we cite just one passage stating the import of this article from the opposite side and it says: The unfeigned people are born in that land (of Bodhisattva, being attracted by his inspiration) 不諂衆生來生其國 (I. 25).

The tenth article amounts to a warning against self-righteousness, as expressed in the sentence: We are not indisputably sages, nor are they indisputably fools 我必非聖, 彼必非愚. The Yuima-gyō (III B. 8), in enumerating the eight qualifications of the Bodhisattva 菩薩八法 in his spiritual leadership, says: He is constantly in watch of his own fault, and does not complain others' shortcomings. To this the Prince comments: By practising these (eight items) the Bodhisattva can free himself from faults. Right or wrong, sage or fool, everyone is never purely this or that; but a higher standard should be set up above the level of common mortals. This the Prince finds in the Tathāgata's wisdom, as stated in the Hokke-kyō²⁾: For the Tathāgata sees the triple world as it is; he sees the triple world, not as the common mortal sees it, 如來如實知見三界之相, 不如三界見於三界. Of this is a restatement the following sentence in the same article: Both of us (me and him) are after all ordinary mortals 共是凡夫耳.

The warnings against wrath and anger 絕忿棄瞋 (the tenth article) and against envy and jealousy 嫉妬 (the fourteenth) are perhaps common to all moral teachings. But we have to notice that in the vows taken by the Queen Shōman, insolence, arrogance, jealousy, harshness 犯心慢心恚心嫉心慳心 are solemnly condemned (10). The Prince's lengthy remarks on this point need not be cited here, but it should be remarked that all this is a part of "embracing all through righteousness" 攝受正法 as referred to above.

Refraining from the other details, we have finally to consider the final aim in all these injunctions which amounts to "establishing the Buddha-realm" or "Purity-land" 佛國淨土 through the leadership of the Bodhisattva, which is identical with the ideal scheme of the Prince's govern-

1) It is out of our point here how the Prince carried out his policies of government in accordance with this dictum, but it is here to be noticed that the same principle was further developed in religious fight by Dengyō and Nichiren, the two successors of the Prince in Japanese Buddhism, who made this point the central theme of Buddhist teaching based on the Lotus scripture.

2) See S. B. E. xxi, p. 302.

ment. This is the theme of the chapter on the "Buddha-realm" 佛國品 in *Yuima-gyō* (I. 25-30). In elucidating this foundation of the ideal state the Prince says:—

"The *Upright Soul*, thereupon is founded the Purity-land of the Bodhisattva. 直心是菩薩淨土.

This means: A Bodhisattva, in training himself through refining his Upright Soul which transcends all distinctive marks, leads other beings to the same attainment. His Upright Soul transcending distinctive marks enters into communion with the Buddha's soul and tends to realize its fruits, and under his edifying influence the beings are induced into the communion of the Buddha-realm through their Upright Soul, though still associated with the respective marks (of good or bad according to their preceding heritage)."

菩薩在因之日, 自修無相直心 etc.

The Upright Soul is the foundation upon which the Realm is established, while the works and deeds working conjointly lead to its consummation. Since all deeds emanate from the Upright Soul, it is the source of all good. As the deeds accumulate themselves the soul is more and more profoundly directed towards the Way. As the soul is tamed and trained, the deeds tend to be in accord with the instructions (given by the leader). As the deeds are done in this way, they are directed towards others' benefit and all are dedicated to the realization of Buddhahood. Dedicated for the sake of others, these deeds make up the ways and methods of the Broader Communion, which is the essential aim of the Bodhisattva. These ways and methods consummate the edification of all beings (to Buddhahood). When the beings are perfected in their purity, the Land of Purity is established, which is their proper destiny.

心直故, 能發衆行, 然則直心是万行之始, etc.

As the realm is pure and stainless, all what is promulgated therein is pure, whereby the beings under its influence attain pure wisdom. All this is the constituency of the Purity-land."

土淨無穢, 則有淨說, etc.

Further, the "Upright Soul" is followed by the "Profound Soul" 深心, the "Bodhi Soul" 菩提心, and other qualities and deeds amounting to seventeen items in all. In the introductory part of the comments on these the Prince says:—

Here are enunciated the foundations of the Purity-land to be realized through all good, wherein there are seventeen items.

萬善是淨土因, 中凡有十七事.

This is perhaps enough to tell the intention of the Prince's having formulated his "Constitution" in seventeen articles, and also to repudiate other theories proposed to interpret this peculiar number. In fact the number seventeen has become a standard in the later Japanese legislation,—17×3 in the Jōei Institutes and 17 in the Kemmu Institutes.