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* Prof. Peter Clark also gave a lecture on Migration and Apprenticeship and held another seminar at Tokyo Metropolitan University on November 7. In this seminar (also organized by Prof. Yoneyama and chaired by Prof. Yasumoto,) most of the contributors of this research paper, Prof. Tatsuyuki Karasawa (Takasaki City University of Economics), Prof. Tadashi Nakano (Waseda University) and Dr. Miyuki Takahashi (Rissho University) commented. Peter Clark also gave a lecture on Urban Wasteland and Urban Green Space at University of Kobe organized and chaired by Prof. Kimio Shigetomi on November 4.

Opening address

Kaoru Ugawa

Thank you for your kind introduction. My name is Ugawa.

I would like to say a few words of greeting on behalf of the Tokyo Study Group in Comparative Urban History. I'm very pleased to have the opportunity to attend the lecture and seminar of Prof. Peter Clark who comes to Japan to be with you today at the invitation of the Japan society for the promotion of science. I would like to express my sincere thanks to Prof. Yoneyama, Tokyo Metropolitan University, and Prof. Yasumoto, Komazawa University, and Prof. Nakano Waseda University for their preparation of this seminar. Our Study Group has now been in existence for more than forty four years, and, though on a small-scale, I think that our field of specialisation corresponds to that of Professor Clark.

On a personal level, I had started research of the British agrarian history, about 50 years ago, when I decided to begin a new subject of research in the field of Comparative Urban History. I consulted with Professor Hisao Otsuka who had been my supervisor. He said 'I always wondered who was going to be the first scholar in the field of Comparative Urban History, and now I find it is you.' He gave me an encouraging smile. Which I remember as if it were yesterday.

Today I return to my first resolution, and listen to Professor Clark's lecture with you, the researchers who have gathered here in the same spirit. I hope you will allow me to be a member of this seminar. Thank you very much.

L e c t u r e

Cities in East and West

Peter Clark

Thanks to the Japanese Society for funding my fellowship in Japan and making possible this lecture and seminar.

Lecture today draws on two of my works. My *European Cities and Towns* (Oxford, 2009) and *The Oxford Handbook of Cities in World History* (Oxford, 2013)

In 2007, for the first time, the majority of the world's inhabitants lived in cities rather than the countryside. The world has become, in some measure, truly urban. No less striking was the proliferation of large cities. Currently there are over 400 cities with over a million inhabitants and more than 100 exceeding 3 million, compared to only one city (Edo, modern Tokyo) with over a million people in the 18th century. How has this critical transition come about? How did global city systems evolve and interact in the past? What was the role of cities within societies and how did this compare between regions? Between cities of the East and West?

It is the fundamental contention of my work that the comparative study of the world's urban communities in the past is a precondition for understanding contemporary and future urban development on a global basis. In this lecture I want to talk first about the literature on comparative urban history; then secondly at the broad trends in global urban development; and finally focus on institutional differences and similarities between cities in the East and West.

Although the last few years has seen renewed and growing work on comparative urban history, already 50 or 60 years ago there was lively interest in comparative research. One early influence came from Robert Park and the Chicago School which tried to construct a general model of the city, though most of their detailed analysis was modelled on American cities. This had a major impact in the US and Britain after the 2nd World War. Another impetus came from the French *Annales* School which again after the Second World War under the influence of Braudel compared developments across Europe and the Mediterranean .

For the comparison of cities in East and West, perhaps the most important work was Max Weber's *The City*, first published in German 1921 but becoming widely known after its translation into English in 1958. A leading German sociologist Weber's study argued strongly for the distinctive civic and communal identity of the European city rooted in its medieval Christian heritage with important levels of urban autonomy and community consciousness, with strong municipal institutions, which made them centres of innovation. In contrast he saw the cities of the Middle East and Asia, as endowed with no municipal institutions and an undeveloped sense of identity and overshadowed and stultified by powerful despotic states.

Weber's argument provoked fierce debate and has been largely discredited, though it gave important momentum to comparative work on Islamic cities and Chinese cities and continues to be discussed.

One major criticism is that much of his analysis of the European city is centred around the flourishing German imperial cities and North Italian city states of the late Middle Ages and Renaissance. These cities did enjoy considerable autonomy and success at that time. But in many other parts of Europe cities often exercised only limited autonomy or none at all. In England for instance only just over 100 towns out of 700 or so had a borough charter and municipal autonomy of some kind. In Northern Europe an equally limited number of towns enjoyed a measure of autonomy. In England and Northern and Eastern Europe many towns were heavily dependent on the king or local landowners. A second major criticism of Weber is that from the 16th century the rise of nation states in Europe increasingly eroded much of the independence of cities. Even in Germany and Northern Italy municipal institutions were often undermined. Thirdly, work on Asian cities has shown that even where there were no formal urban institutions informal power groups or elites and informal institutions such as associations could play an important role in urban political and social life.

A fourth major criticism of Weber is that he assumes that the Western cities generally perform better, are more dynamic, than their Eastern counterparts. But as we will see, the global urbanisation process in the past was far from being consistent, predictable or sustained. It was characterised by a roller coaster of developments with waves of expansion followed by deceleration, even de-urbanisation. At certain times expansion (and sometimes contraction) was a general, near-global process- as in the great era of city growth from Asia to Europe during the 11th to 14th centuries. But not at other times, as in the 17th and 19th centuries when first Europe, and then later China and India stood outside the main urbanisation trends.

Let us look now at the broad urbanisation trends across the world. But first a word of background. Cities appear to have originated in Mesopotamia around 3200 BC and then spread to the Nile river valley and thence across the Mediterranean world. Cities also emerge on an important scale in the Indus valley (2600 BC-1900 BC) and in China by 1400 BC.

By the first century AD developed urban systems are found in a number of regions of the world : across the Mediterranean and into the Middle East, largely under Roman rule; but also extending its tentacles across the Sahara into northern Africa ; in northern and western India; and in China under the Han. There are also early Mayan developments in central America.

However for an extended period from the 3rd century AD there was growing instability in the existing urban systems and no indication of any new urban developments. The Greco-Roman network divided into the Eastern and Western Empires and then suffered major decline especially in the West. In the Middle East Arab Muslim conquests led to short term upheaval with ancient cities attacked but new ones established. Chinese cities during the age of the Six Dynasties suffered from instability and warfare. Political instability- tribal invasions into urban Europe; Muslim invasions of the Byzantine empire;

political upheavals in India and China - had an impact. But so did the spread of pandemics, especially bubonic plague from the 3rdnd century, decimating populations, disrupting agriculture, disturbing long-distance trade. All this contributed to urban stagnation or instability.

From the 9th century however the world seems to have enjoyed an extended period of urban expansion stretching from Europe to the Middle East and Asia. It was remarkable not only for apparently high urban rates but for the proliferation of mega cities in the Middle East and China- Baghdad with up to a million inhabitants in the 12th century, Cairo with perhaps half a million, Kaifeng with up to 1.4 m in the 12th century, Hangschou with around a million in the 13th- in comparison no European city probably had more than 250,000 people. A massive increase took place in the number of towns, with urban centres, often market towns, founded or growing up in new regions- for instance in Northern and central/Eastern Europe; in Japan; China; in southern India; in east Africa; and central- south America. There was an opening up of urban economies with the proliferation of luxury crafts and the major expansion of long-distance trade, both within global areas and across continents- thus the development of overland and maritime routes between China, India, the Middle and Europe. There was also probably a heightened sense of urban political importance, although levels of civic autonomy and institutions varied greatly between different areas of the world. More evidently there are signs of an enhanced cultural role for cities in many regions- manifested in architecture, religious and educational significance, and in representations. Why such developments? Helping to promote this second major wave of global urbanisation was the widespread growth of population, helped by a diminution of epidemics; increased agricultural output; greater political stability- most notably the creation of the Mongol empire from Europe to East Asia; and linked to this and other developments, the revival and efflorescence of inter-continental trade.

During the 14th and 15th centuries urban growth lost momentum again and in some areas of the world may have gone into reverse. This was arguably the case more in Europe and the Middle East, less so in China and Japan, or in Latin America. Nonetheless there are indications of demographic decline for some of the world's leading cities; and of a stabilisation in the number of towns. There is little evidence for a significant expansion in the aggregate number of new urban centres. Economically, the disruption of intercontinental trade between Asia, the Middle East and Europe may have led to the reduced importance of urban industries, though urban services seem to have expanded. Influential was the return of plague pandemics from the early 14th century, spreading from China via central Asia to the Middle East and Europe, having a disruptive impact on urban populations, agriculture, and long distance trade. Also significant was the break-up of the Mongol Empire and other forms of political instability in Europe, the Middle East, and India: also in Japan from the late 15th century caused by civil war.

The urban roller-coaster lurched forward again in the 16th to 18th centuries. The resurgence of urban growth was particularly sustained in China under the later Ming and Ch'ing; in India under the Mughal Empire from the 1520s; in Japan after the end of the 16th century civil wars; in Europe it only lasted into the early 17th century. A notable rise of very large cities occurred in Asia (Edo, Beijing), the Middle East (Istanbul), and Europe (London). There were many new towns established: in China, Japan, but also in Europe and Latin America (where new networks of colonial towns were created), with smaller

numbers in North America and Africa. There was also the development of a necklace of inter-connected international port cities from Havana to Manila, Guangzhou, Batavia, Calcutta, Madras, Bombay, Lisbon, Amsterdam, London and Hamburg .

During this period urban growth was propelled by renewed demographic expansion- despite the continuing high incidence of epidemics in major cities; thereby underlining the crucial importance the large scale of immigration from the countryside. Another factor was agricultural improvement and the increasing sophistication of agricultural trade, while the development of global maritime trade between the Americas, Asia, the Middle East and Europe, pivoting on SE Asia, provided impetus for industrial production and urban consumption. No less important was the new consolidation of state power in Asia, the Middle East (under the Ottomans), and in Europe (with the rise of more effective, often centralised states), and the extension of European rule to the Americas. Cities became the privileged hubs of expanded state power.

Thus up to the 18th century contrary to Weber's ideas Eastern cities seem to have been doing much better than Western cities. However, the late 18th century and early 19th century was a time of urban transition. Some writers have spoken of the Great Divergence. In the preceding period Asian cities had been among the biggest, most advanced, and most dynamic in the world, but by the early 19th century West European cities were increasingly innovative and expansive. Indicative of this, urbanisation began to accelerate in Europe, led by Britain and Belgium, whilst Chinese, Japanese and Indian rates probably stagnated. At the same European capital cities like London, Paris and Brussels grew strongly and there was the first upsurge of specialist towns, including new industrial centres, and the first leisure towns. In economic terms however European cities retained many traditional features and this was also true of their political governance: in consequence they were slow to adapt to the mounting social pressures of urbanisation. In 1850 the vast majority of human kind still lived outside cities and towns and, even those who were town dwellers, for the great part inhabited communities that were essentially pre-modern and traditional in their socio- economic, political structures and cultural and built environments.

The era from the late 19th century to the Second World War marked the onset of the third great age of urbanisation. In Europe the countries of Western Europe forged ahead both in the level of urban growth and the creation of new models of urban society and governance which were to have a powerful influence across the world. At the same time, within Europe less urbanised regions began to catch up, while across the Atlantic American cities began to multiply in number, leapfrogging from the East Coast to the Midwest to the West Coast, just as the number of great cities expanded, and as in Europe an upsurge occurred of specialist industrial and other towns. Meantime, the network of international port cities was reinforced and consolidated by the rise of global trade and steamships. Outside Europe and North America these global port cities were often the most dynamic urban centres. By comparison the traditional urban systems in Latin America, the Middle East, India and China were sluggish and slow to expand. The big exception in Asia was Japan, where after the Meiji Restoration there was an accelerating pace of urban and industrial development, with rising urbanisation rates matched by the revival of the country's biggest cities.

It was not just that a growing majority of the population of Europe and the United States lived in cities by 1939, but that those cities were powerful showcases for Western urbanity on a global scale. The growth of Western cities as industrial and service centres; the expansion of municipal provision and infrastructure, often with the support of central government; the efflorescence of cities as cultural centres; the increased planning of cities: all had an important influence on urban development outside the advanced West.

As we know the late 20th century was equally a time of dramatic change. Firstly, as we have noted, the period after the Second World War saw increasing urban convergence as urban growth rates rose sharply in Japan, China, India, the Middle East and Latin America, though Africa trailed behind; by comparison European and North American urbanisation rates broadly stagnated from the 1970s. Secondly, a high proportion of the new urban growth in the expanding countries was concentrated in mega cities from Tokyo to Cairo and Mexico City; by comparison there were relatively few new towns. Thirdly the earlier specialist cities- industrial towns and global port cities have suffered serious set backs, not only in Europe and North America but where they were established in Asia too. Lastly there has been a major expansion of urban services on the Western model, though with a significant shortfall in provision in many developing countries; even in North America and parts of Europe the large-scale expansion of the post-war decades was reversed from the 1970s and 1980s.

Influential factors behind these developments include relative declines in technology leadership and labour productivity in Western cities; major population growth in Asia, the Middle East and Latin America, leading to large-scale movement from the countryside; major advances in global trade, but now restructured and more evenly balanced towards non-Western countries; the growing problem of government-city relations in many parts of Europe and North America.

This picture is highly schematic. But without understanding urban global trends over time it is impossible to understand the development of the city not only in the past – but in the future. A global comparative approach seems to me to raise three fundamental questions about urban development Firstly, how far are developments autarkic- ie shaped by special local factors (for instance the geophysical, political etc). Secondly how far are developments which may show parallels between regions- influenced by the shared structural pressures of urbanisation- eg the impact of heavy migration? Thirdly how far is convergence the result of connectivity- interactions between urban systems through trade, epidemics, political or cultural links.

Here in the final part of this lecture I want to shed light on these questions by looking in more detail at one of the key components of Max Weber's model comparing the Western and Oriental city: According to Weber, one of the major dividing markers was the importance in Western cities of municipal institutions (including courts), along with a measure of urban autonomy. In the *Handbook* Jan Luiten van Zander and his co-authors in the chapter on the Premodern Economy argue that civic autonomy was an important reason for the long-term economic success of Western cities compared to their non-Western counterparts. But I want to ask a somewhat different question. How significant were municipal institutions for cities in the early modern period? To start with it is worth remembering that only a small proportion of

European cities (15% perhaps) had municipal privileges of any significance. Nor was urban autonomy unknown outside Europe and its colonies. Thus Kyoto and Sakai in 16th century Japan enjoyed some form of civic government. One Portuguese visitor at that time declared that “Sakai is governed by the consuls like Venice”. In the Middle East too civic elites sometimes seized power at time of political instability. But this was the exception and Weber’s dictum about municipal institutions in the West but not in the East generally holds true. But does it matter? What happens on the ground in cities? Let us try and answer this question by looking at the crucial issue of conflict resolution, here I mean local disputes, fights etc..

In Oriental cities as Weber notes justice was officially administered by imperial officials. In China, as in Europe, there seems to have been an institutionalisation of justice. However there is considerable evidence that much conflict management was actually handled by a wide variety of non-official bodies, possibly in association with the courts. Guilds seem to have been especially important. In Japan urban brotherhoods dealt with disputes between members and from the 17th century so-called stock societies policed themselves. In Qing China important arbitration was undertaken by controlling boards of guilds which often overlapped with native place societies. Native place societies- of migrants from the same area- also played a key role in settling disputes and conflicts, with formal signed agreements which could be shown in court if necessary. In the Middle East urban guilds multiplied under the Ottoman Empire with apparently a major concern to end conflict. Under Islam mediation and arbitration outside courts was widely recognized from early on. Neighbourhood organizations had similar mediating functions in Japan and Thailand as well as in Middle Eastern cities. Public drinking houses were other key sites for mediating conflict- thus Ottoman coffeehouses- 600 in late 16th century Istanbul. In Qing Chinese cities teahouses served as the focus of many clubs and societies and hosted rituals of dispute resolution with dozens of participants on either side, witnesses being called and adjudication sometimes by the proprietor.

So how different was the picture in municipal Europe? Probably not so different. There is evidence to suggest that even when courts were involved in disputes magistrates used official sanctions only when all else failed. In the German imperial city of Freiburg – an archetypal Weberian municipality- John Jordan has argued that “mediation rather than a desire to punish violence appears to have been a key objective” of the city magistrates. Here as in English towns suretors- “burgen”- often neighbours- played a key role guaranteeing that parties in brawls and fights would follow through on the terms of their dispute settlement. Jordan argues that a major part of the responsibility to maintain peace within the city was transferred from the formal institutional realm to the informal one of personal, neighbourly and professional relationships.

In Spain a law suit might be simply a way of confirming previous arbitration or as a formal prelude to it. At Burgos at the end of the Middle Ages three quarters of the lawsuits involving Spanish merchants were ultimately resolved by the use of arbiters. In Sweden though town courts increasingly carried out royal justice, in many cities arbitration and mediation outside the courts remained the norm. In England as Bob Shoemaker and others have shown arbitration was widespread for resolving a great variety of lesser urban conflicts and disputes. City leaders wherever possible sought to prevent inhabitants taking their disputes to court. At Leicester in 1575 the town ordered “that none of the inhabitants...shall sue one

another for any cause or matter” in the courts, but the aggrieved party should complain to the mayor or local alderman who was to send for the parties and “ then if they can to take order with them and agree with them without suit of law”; only if that fails to be allowed to sue in the town court.

As in the East, arbitration across Europe was in the hands of neighbours and local worthies. In the Low Countries city neighbourhood boards (200 in Ghent) arbitrated disputes. Guilds were also important in European towns (as outside Europe) for settling disputes, in particular trying to keep conflicts between brethren within the guild. In London guilds had regulations banning members going to court with each other and requiring them to submit disputes to arbitration by guild officials. From the Middle Ages merchant guilds across Europe were heavily engaged in arbitration as merchants sought to avoid legal proceedings in the interests of preserving their reputation even when it meant writing down or off commercial debts.

From the 17th century new channels of mediation were appearing. Georgian Britain may have had around 20,000 clubs and societies. London had most, with perhaps 3000 societies and 90 different types. Many clubs had rules to resolve disputes between members and a great deal of club business time was spent trying to control the conduct of members. One specialist type of association which proliferated in major port cities from the 1760s, the chamber of commerce had special procedures for arbitrating disputes between its mobile members, rather like the old merchant guilds. But this was not unique. The most successful 18th century association, the freemasons, established in London in 1717 with around 500 clubs in England by 1800, had as its one of its main principles the resolution of disputes between members. It was also famous for its help to migrant members. So it is possible that we are starting to see the extension of mediation on a more general scale, beyond the traditional role of conciliating co/residents or neighbours or members of the same trade to include respectable migrants, gentlemen, artisans and traders on the move, increasingly important in a commercializing society. But this is not to overstate the novelty of this new development. Given that virtually all British clubs assembled in drinking houses one can see the continuity with older traditions of local arbitration. In contrast to Britain, associational activity was somewhat more limited on the European continent, with significant differences (thus meeting in public houses was less common). Still it is possible too that German and French societies, particularly the many masonic lodges, played a similar significant role in arbitration processes for members.

So from this brief over-view it would seem that arbitration was widespread with often similar forms of dispute resolution in many European, Middle Eastern and East Asian cities. There is something similar to be said in regard to other areas of urban governance- for instance social welfare or urban improvement, but there is no space to discuss those topics here. Rather I want to concentrate on why the widespread use of arbitration in many contexts? A possible shortlist of reasons might include the following, though I am sure you will have further ideas.

1. the poor reputation of litigation in the courts. For the aggrieved, the lawsuit was seen as taking a long time. It was expensive. With litigants and their lawyers doing their best to defame the credibility of

the other parties it could have a long-term effect on a townsman's reputation. This in turn could damage his economic prospects when continuing business success or survival depended so much on trust.

2. If litigation had a bad image, the status of lawyers was infinitely worse.

All lawyers were tainted by popular allegations of voraciousness, of exploiting litigation for their own financial purposes. Rightly or wrongly, many of the problems of litigation were blamed on them. Their reputation in England and Europe was notorious: in the Low Countries they had a name from time immemorial as money-grubbers. In the early 17th century Jesuits held special services at Ghent to convert lawyers to moral paths- doubtless in vain. In China they were called "litigation tricksters" (*songgun*), "rascally fellows [who] entrap people for the sake of profit".

3. Elite dislike of litigation because it undermined harmony and good order. In China Confucianism explicitly commended arbitration as a way of maintaining social harmony. In Europe as we noted town leaders viewed litigation as a bad option, partly because of concern that respectable tradesmen would be ruined by the high cost of litigation, so reducing their ability to contribute to the urban community, both economically and through civic office-holding. No less important however was a concern that with the inevitable mudslinging associated with litigation, that conventional, idealized trope of civic harmony and order, constantly reiterated in civic regulations, would be undermined, with other townspeople being dragged into the legal melee as witnesses etc.

4. This was linked to the pressures that urbanization created for the social order of the community. Unresolved conflicts might seriously aggravate and feed on what we noted earlier were the often fractious social, religious and other relations in cities. It was not just civic paranoia. There is considerable evidence from a number of English towns that lawsuits between townsmen could precipitate long-term divisions and conflict that enveloped the community and called into question its civic government.

5. on the supply side, the availability of a plurality of mediators embedded in the city, including town worthies, and neighbours as well as neighbourly institutions and guilds and clubs, reflecting the extraordinary organizational pluralism of early modern cities both in Europe and beyond. For such actors mediation served to underline not only group solidarity and identity at the local level. It also helped prevent division and disintegration in what were essentially often fragile organizations or arrangements.

Last but not least, it was a way of showing how they contributed to wider community harmony and cohesion and so justified their own agency.

What can we understand in the context of the key questions I posed earlier affecting urban life- the role of local patterns, structural urban pressures and interconnectivity of cities? The precise forms of mediation undoubtedly exhibited **local patterns** shaped by local or regional factors- legal systems, political factors. Arguably there was also some **interconnectivity** of dispute arbitration at least among global merchants by the 18th century, and perhaps earlier. But above all it appears that, despite institutional differences, cities across the world sought to cope with **comparable structural challenges** to social order and cohesion by frequently adopting or hosting broadly similar processes of arbitration and

mediation to manage conflict. To answer my earlier question about do municipalities matter? In this context it seems only to a limited extent.

So let me conclude by making three basic points. Firstly comparative urban history, the comparison of cities in the West and East, is important not only to understand global urban trends but also to understand how cities in our own countries or regions of the world work. Secondly, that global urban history dates back to the origins of civilization and global urbanisation trends show both major periods of widespread urban growth across the world, as well as periods of regional differentiation. Thirdly detailed comparisons of how cities function, eg in dealing with disputes suggest we need a new approach to urban history. Historians understandably have been concerned up to now largely with looking at the impact of local and regional factors structuring and transforming urban society- at first level causation as it were. But there is considerable evidence as we have seen for the early modern period and not surprisingly much more for the modern era that global cities experienced strikingly similar developments, in common response to structural problems of high levels of urbanisation: second-level causation. And finally we need always to bear in mind the growing impact on our big cities and ports of third level causation- international interactions, interconnectivity across different regions of the world.

Thanks for your attention

D i s c u s s i o n

Introduction to the discussion

Masaru Yoneyama

My name is Masaru Yoneyama. I am responsible for organizing this seminar. *

First of all, I would like to express my thanks to Professor Clark who has accepted our invitation to Japan although he is at present very busy lecturing in Sweden and other countries) I also thank 'Japan Society for the Promotion of Science' for its financial support, as well as the many people who have cooperated to make this invitation possible) In addition, Last but not least, I would like to express my appreciation for the support provided by the 'Tokyo Study Group in a Comparative Urban History' in preparing this seminar and I am grateful to our four discussants and Professor Yasumoto who is chairing the seminar.

Today's theme, Comparison of Eastern and Western cities as considered with reference to Max Weber's views is very interesting to us. It seems to be particularly attractive for the historians working on the urban history in Japan. So we very much look forward to today's lecture. However, as we already know, there are differing opinions on Max Weber's views and according to the article for presented to this seminar they are we clearly understand the criticisms which seem to centre on the following four points.

1 The First point is that Weber's analysis of the European cities was mainly based on the flourishing German imperial cities and North Italian city-states of the late Middle Ages and Renaissance.

2 the second is that from the 16th century onwards the rise of the nation-states in Europe increasingly eroded much of the independence of cities.

These two criticisms concern Western history.

3 Thirdly, work on Asian cities has shown that even where there were no formal urban institutions, informal power groups or elites and informal institutions such as associations could have played an important role in urban political and social life.

4 A fourth major criticism of Weber's view is that he assumed that the Western cities generally performed better, and were more dynamic, than their Eastern counterparts.

Among these four criticisms, the last one could be called Euro-centrism. This is understandable even if we cannot always agree with it. In this lecture it has already been pointed out that we can see that many Eastern cities seem to have been doing better than their Western counterparts (on p.8 of the paper presented) if we look at pre-18th century towns

* I am profoundly indebted to Prof.Clark and discussants for contributing generously. Needless to say, I take sole responsibility for any errors in editing this research paper and in translating the included articles .

By contrast the first two criticisms are more difficult for us to understand unless we are specialists, as they are mainly concerned with western history. So I have asked Prof .Ogura and Dr. Furukawa both specialists in German history to discuss these points.

Finally the third point about Asian cities is interesting but slightly complicated. Because, as mentioned in the lecture, the informal institution was important in Western cities too. However, for the time being, we would like to concentrate on Asian cities.

Prof. Clark has recommended a list of further reading. In his list I have found an interesting article about this point, which is Friedrichs 'What made the Eurasian city work?' This list (was copied in the last page of seminar's hand -out and also) appears after this introduction. On page 49 of this article, Friedrichs has pointed out that 'some Japanese historians have argued that, during the early modern era, the smallest units of government in Japanese cities were in fact, entirely autonomous neighbourhoods which had their own police forces, financial organizations and meeting halls

This means that in some early modern Japanese towns, there were not only informal but also formal autonomous neighbourhoods and organizations. If this is the case, what was the difference between western towns and Japanese towns? I was wondering how was the actual the smallest units of governments, for example chous (町) and stock societies(株仲間) and relation between such units and feudal lords.

I would like to ask our two discussants, Dr. Kato, who is a specialist on the governing institutions in Edo period, and Dr. Takatani, who is an expert on the implications of 'autonomous' in the Japanese urban history to discuss these points)

These are reason why I ask these 4 Discussants.

(I would like to summarize this in Japanese in a few minutes. *)

A list of further reading

Max Weber, *The City* (ed. D. Martindale and G. Neuwirth, NY 1962),

Peter Clark, ed., *The Oxford Handbook of Cities* (Oxford, 2013), Chapter 1: Introduction and chapter 18: Japan, also chapter 17: China.

Peter Clark, *European Cities and Towns 400-2000* (Oxford 2009), chapter 17.

C. R. Friedrichs, "What Made the Eurasian City Work? Urban Political Cultures in Early Modern Europe and Asia", in *City Limits: Perspectives on the Historical European City*, edited by G. Clark, Owens, J., and Smith, G. T. (Montreal and Kingston: McGill-Queen's University Press, 2010), pp. 29-64.

*以上の日本語訳のほか、学術振興会への助成申請に関してご助力頂いた次の方々への謝辞をここで述べた。申請書の「主な研究協力者」にご署名頂いた10名の方々、および非署名者でご相談に乗って頂いた方々、クラーク先生の客員研究員としての招聘を受諾して頂いた首都大学東京社会科学部研究科およびその事務担当者の方々。Here in Japanese, I expressed my gratitude to my Japanese colleague who helped with the invitation of Prof. Clark by JSPS.

Feudal lords, neighbourhoods and cooperative organizations by trade in early modern Japan

Takashi Kato

Professor Clark's lecture brings up a number of points in comparing the east and the west with regards to cities. Here I would like to limit my comments to the issue of conflict resolution, focusing on cooperative organizations in early-modern Japan known as stock societies, brotherhoods of merchants and craftsmen. At the end of the 16th century in Japan, processes established by the central authority (the unified government) prohibited parties involved in intra-regional or inter-regional disputes (including samurai, farmers, and townspeople) from settling their own differences by force (determining their own fate). They were instead to raise charges against each other in the central authority's (including the regional authority of feudal lords) courts and let those judgments decide their matters. As the holders of public authority, feudal lords (in early-modern times these were stratified into shogunate and daimyo lords) intended fair and impartial judgements, that is to say, bringing about commonality and public benefit, to be one of the functions the courts would serve. Feudal lords in early-modern times didn't gain unilateral control with massive shows of force. It was because they pledged commonality and public benefit that the people accepted their rule. At the same time, to consummate their control feudal lords delegated some authority to neighbourhoods (villages, "chos") and cooperative organizations bound by trade (stock societies, companies), but this also served to safeguard independence and autonomy within those organizations. It is the confluence of these that formed early-modern society in Japan. Further, in exchange for allowing monopoly rights to stock societies of merchants and craftsmen, feudal lords required the payment of monetary offerings (similar to trade taxes).

In stock societies, members were elected in turns to board positions, where they handled union work. Members held meetings where they deliberated to come up with their stock society bylaws. These bylaws called for eliminating sales and purchasing competition between members, stabilizing supply levels, maintaining quality, making prices fair, making profit margins more even, and eliminating crooked dealings. Those who violated these bylaws were subject to penalties such as fines, suspension or closure of business operations, or expulsion from the stock society; relative to the severity of the violation. However, if bylaw violations by or between members could not be settled within the stock societies, they would be brought before the feudal lord's court. Moreover, legal action would be taken by the feudal lord's court to cease business activities by those who were not members of stock societies, in order to preserve monopoly rights. There were also several instances of disputes between stock societies in Edo and Osaka, or between societies in cities with different lords, that the societies themselves couldn't resolve. These would be brought before the shogunate court to be resolved.

It is true that stock societies had a level of independence and autonomy, and that this was officially recognized by feudal lords. However, the large number of judicial records that remain from

dispute resolution cases handled in the feudal courts, including that of the shogunate, indicates there were quite a few disputes that could not be handled within the stock societies. These were thus left to the courts to decide. This can be said not only for stock societies which are cooperative organizations bound by trade, but also for cooperative organizations bound by geography such as villages and towns. In other words, we cannot consider the issue of dispute resolution in early-modern Japan without also considering the feudal courts. To further consider the issue of the control of the lords and the autonomy of the citizens, it may also be necessary to clarify the differences between what specifically was dealt with within cooperative organizations and what was brought before feudal courts. Research on this has not progressed very far.

For civil matters in which the lord's concepts of social order or public morality had been violated, it was normal for an arbitrator to step in and negotiate a settlement rather than have the court pass a judgement. This was as long as the violation didn't do something such as, for example, infringe on the monopoly rights of the stock association recognized by the lord.

I thus make my comments by bringing up the case of early-modern Japan, though I am not certain I have provided enough information to make a good comparison. Suffice to say that while there are similarities between Europe and Japan in the settling of disputes by guilds and stock societies, my impression is that there may be large differences in how the cities and feudal lords interact, the nature of judicial power, and other such things.

The function of urban community in medieval and early modern Japan

Chika Takatani

I will introduce about the variety of forms of association in medieval Capital Kyoto, and compare with urban neighborhood that took the most important role of administration in early modern era. Especially, I consider what forms of association could take the responsibility for resolution of conflicts.

The essence of urbanity is various people get together and pursuit his or her various merits, so resolution of the conflicts is very important in cities.

Kyoto had been the Capital since 794, whose model was Chinese Capital. But since 10th century, Kyoto was enlarged by the structure of new small cities in the suburbs. The small cities are the junction of distribution and the base of royal families or important politicians. But we can't examine the lifestyle of dwellers from historical records. The government ordered dwellers to take responsibilities for cleaning roads, security at night, and so on, but we can't think the orders were effective. It is difficult to catch the real condition of dwellers.

We can see more detail of conditions of Kyoto dwellers in Muromachi Era, from 14C to 16C. Each urban dweller took part in various networks and connections; patron-client, guilds, or neighborhood. Patron or owner of guilds are nobles. When troubles happened, dwellers call for their help for litigation of Muromachi Shogunate.

But the end of Muromachi era, too many conflicts happened, the help of patron and owner didn't work enough. For example, I'd like to introduce one conflict. The merchants whose master was a relative of emperor insisted that they should exempted traffic taxation, but the master of traffic barrier insisted that all merchants were subject to taxation because he serve necessities of emperor. At Last, the merchants insist to judge by hot-water ordeal.

Such conflicts often happened at that time. Each side insisted on his privilege from legendary ancient emperors, religious authority, and so on.

So, urban dwellers relied on their communities of neighborhood mainly, because the other networks couldn't work enough for resolution of the conflicts. In Japanese cities in early modern era, community of neighborhood was very important, but it hadn't been so throughout history. It was the result of urban dwellers' decision at the end of Muromachi era.

During the early modern era, the smallest units of government in Japanese cities were, neighborhoods.

The urban population had grown, so the number of communities of neighborhood had also grown and their hierarchy of communities formed. The famous Japanese historian, Dr. Asao Naohiro, has argued that each community of neighborhood judged their own membership and demand obeying rituals to new member in early modern era. So, each community had rituals to membership

And according to legal history of early modern era, from Confucianism morality, people shouldn't bring lawsuit to authority, because people shouldn't bother authority by private conflicts. If authority accept private lawsuits, it is not people's light, but authority's favor. People must get community's approval before bringing lawsuit to authority. In fact, it was peculiar to Japan. Early modern China society also had Confucianism morality, but it was natural for the society that authority was willing to resolve conflicts.

The role of neighborhood of early modern era was important, but we should pay attention to the epoch of the end of Muromachi and the policy of authority in early modern Japan.

Two Risks with the Historical Approach Based on the Ideal Type: from the viewpoint of German medieval urban history

Masayuki Furukawa

I want to introduce some difficulties for the European urban history research, if we are going to use an analysis concept, "ideal type", used in urban theory of Max Weber (1864-1920). There are two risks, if we will use the ideal type which is an important key concept of Weber's sociology for organizing historical city phenomenon. First, is the risk of understanding unique results from a particular REGION if it were as an objective average image. Weber's urban typology have adopted the framework hypothetically, and especially on the subjectivity of Weber himself, from the city of southern Germany and north-middle Italy region. In other words, we may become over simplifying the variety of historical urban phenomenon that the case for a not-be-generalized region. Secondly, by assuming that a model expected from urban phenomenon in a particular ERA to be the embryo of Western capitalism of modern times, the risk of underestimating the importance of temporal change. With the construction of the sovereign state system since the 16th century especially, many of these medieval city have lost the independence of the political autonomy. Using a model based on a particular era, would it be possible to discuss the history of the "European City" leading up to the modern from ancient times? I want to know the positive way about Weber's possibility today, therefore we organize for the two difficulties as a prerequisite.

In Weber's book *The City* (eng. 1958), he evaluates occidental cities also an economical as well as the independent political entity, even while conflict with the power of lords, the Holy Roman Emperor and the Pope. As a result, the city in late medieval age has made politically and economically its own development as the roots of modern Western capitalist society.

So it should be noted is that many of the historical cities introduced in the book are distributed around southern Germany and north-middle Italy. Not only can their citizens the social layer engaged in economic activities, they govern themselves as those with aggressive behavior that maintain the community, and are positioned as presence that behave as political actors. That is to say, Weber's view of the history of cities, while focusing on the uniqueness of the power relations of a particular region, is something that seeks the origin of citizenship from below that is not given by the state. He shows the direction that tries to argue the uniqueness of the entire Europe by relying on a particular space. On the other hand, Weber seeks the roots of occidental public society in medieval urban society, that is to say, it is an era before the modern nation-state system appears.

Would it be possible for us historian to use the methodology that can be derived from *The City*? Will we be able to use his methodology as the methodology for studies of the European city history?

That might be difficult. The urban phenomenon in the respective areas of Europe is too diverse. Even now, even in the Middle Ages. The relationship of the power of lords such as kings and nobles, and the cities appear in a variety of forms. On the other hand, in historical research, in terms of urban phenomenon of Germany and Italy also having a close relationship with the feudal rural world, it has been revealed that they have both created a rather similar environment from recently historical research.

In addition, in *The City*, the modernization process is not discussed openly. This is also a weakness when incorporating the framework of the ideal type from Weber's city theory as the approach for historical research. Along with the establishment of a sovereign state after Middle Age, the previous strength of the medieval city community, which is considered to have been politically as an independent entity, is weakened (even disappeared). It is not possible to extend the appearance of medieval urban society as it is to the world of the modern nation straightly. And the relationship between the city and the nation continued to change diverse throughout the Europe.

Therefore, within the expansion of European city history that is heading towards modernization, historians must discuss IN WHAT WAY "things that are intended to be grasped through the ideal type" will be passed down. This challenge is the cause of difficulty that is face by those of us that have an interest in Weber's city theory.

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Macht die Stadtluft frei?

Kinichi Ogura

Das berühmte Rechtsprichwort ueber die mittelalterliche Stadt “ die Stadtluft macht frei” (the air of town makes free) ist fuer ein Produkt der deutschen Romantik von Bruedern Grimm und anderen im 19.Jahrhundert gehalten. Im Mittelalter hiess z.B. der betreffende Artikel im Stadtrecht von Goslar (1219) folgender:

“Si quis vero extraneus civitatem iam dictam ad inhabitandum intraverit et in ea sic per annum et diem perstiterit, quod de servili conditione nunquam fuerit accusatus, convictus vel confessus, communi aliorum burgensium gaudeat libertate.”

(Wenn ein Fremder in diese Stadt zum Wohnen hineinkame und hier fuer ein Jahr und einen Tag bliebe, daher ueber seine unfreie Zugehoerigkeit niemals angeklagt, bewiesen oder gestanden wuerde, freute er sich ueber die mit anderen Buergern gemeinsame Freiheit.) [1]

In Frankfurt am Main, meinem Forschungsgegenstand, habe ich solchen Artikel nicht gefunden, aber kann sagen, dass diese Reichsstadt sich dasselbe Prinzip durchzusetzen bemuehte und die Aufrechterhalten der “libertates et pax “ (Freiheiten und Frieden) die Grundaufgaben der Buergergemeinde war[2].

Die Definition Max Webers ueber die Stadt im Okzident als ein Idealtypus (Idealtyp) ist fuer mich immer noch der lehrreiche und nutzbare Begriffsapparat. Wir muessen aber bemerken, dass seine Schrift “Die Stadt “ ein unvollendeter Nachlass ist und seine Ansicht ueber die moderne Stadt leider ausser folgendem Hinweis fehlt :

“...Und doch ist weder der moderne Kapitalismus noch der moderne Staat auf dem Boden der antiken Staedte gewachsen, waehrend die mittelalterliche Stadtentwicklung fuer beide zwar keineswegs die allein ausschlaggebende Vorstufe und gar nicht ihr Traeger war, aber als sein hoechst entscheidender Faktor ihrer Entstehung allerdings nicht wegzudenken ist.” [3]

Weber untersuchte im Okzident die universalgeschichtlichen Kulturerscheinungen, richtete seinen Augenmerk auf die “Entzauberung”(Free from the spell) und die “Rationalisierung” (Rationalisation) und schrieb mehrere Schriften, wie “Die protestantische Ethik und der Geist des Kapitalismus”, “Die Soziologie der Herrschaft”, “Die Rechtssoziologie”, “Die Religionssoziologie” u.s.w. Sogar in seinem Lebensabend nahm er die Problematik des modernen Kapitalismus und der rationale Bureaukratie wahr und dachte ueber das Paradox der Rationalisierung tief nach[4]. Ich bedauere deshalb sehr, dass wir sein Geschichtsbild ueber die moderne Stadt nicht mehr erfassen koennen. Wuerden Sie mir etwas dazu sagen?

Im vorigem Jahr 2014, dem 150.Geburtsjahr Max Webers, fanden verschiedene Gedenkveranstaltungen in Europa und Japan statt. Deshalb danke ich Ihnen, Prof.Clark, sehr fuer Ihren heutigen Vortrag in der globalisierten Weltstadt Tokyo , in dem Sie die universale Stadtentwicklung von den Alten Zeiten bis zur Gegenwart ueberblickt und auf seinem Idealtypus die neuen anregenden Gedanken ueber die Stadtautonomie im Vergleich vom Westen und Osten gaeussert haben.

Ich habe mich vor allem fuer die Loesung der Streiten und Konflikten und Ihre Hinweise, dass trotz der Gerichtsverfassung eher das Schiedsverfahren (mit der gerichtlichen Schiedsentscheidung oder ohne dies) in beiden Weltteilen verbreitet war. Das Prozessverfahren dauerte lange und kostete viel und spaltete die Betreffenden und ihre Lokalgemeinschaft, aber die Ausgleichung stellte sie zusammen. Ich habe mich an den goldenen Spruch “pactum legem vincit et amor iudicum” (Die Uebereinkunft siegt das Gesetz,

die Ausgleichung des Urteils; aus dem Gesetzbuch Heinrichs I. von England im 12. Jahrhundert) erinnert[5].

Wenn es so wäre, stelle ich Ihnen zwei Fragen: (1) welcher Konflikt das Beispiel Freiburg in Deutschland konkreter war, und (2) warum in der Frühneuzeit Englands die Klubs und die Assoziationen die Ausgleichungen eifrig versuchten und den Unterschied zu Deutschland und Frankreich machten. Diese Fragen, glaube ich, weiterhin den interessanten Bezug mit den Diskussionen um die "Kommunikative Öffentlichkeit (communicative public sphere) zu nehmen, die Jürgen Habermas in neuerer Zeit erörterte[6].

Zum historischen Vergleich zwischen den Städten in Westen und Osten dürfte ich noch ein japanisches Beispiel zur Debatte stellen und zwar die Theorie Akira Hayamis von der "Arijigoku" (Ameisen-Hölle) für Edo, also Tokyo in der Frühneuzeit[7]. Unsere Metropolis war auch die große Stadtgräber, wo die Bevölkerungszunahme durch die Naturkatastrophen, wie das Erdbeben, den Vulkanausbruch, das Hochwasser, das Großfeuer oder die Hungernot, die Epidemie, und sogar den Kindesmord und die Abtreibung aus der Armut untergedrückt worden waren. Und zum Schluss möchte ich als ein Historiker, der von der Heimatvertriebenen Flüchtlingen und Emigranten in der globalisierten Welt der Gegenwart sehr beeindruckt und tief berührt ist, aufrichtig fragen: Macht die Stadtluft frei?

Anmerkungen

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Overview of Professor Peter Clark's Lecture and Discussions

Minoru Yasumoto

One of the crucial points Professor Clark has addressed in the lecture is how to make a comparative study of urban communities in historical perspective. It appears that urban entities should be investigated in a wide range of international contexts. For comparative study, urban history could be one of the most appropriate and promising research fields, as urban communities today as well as in historical perspective demonstrate unusual and individualistic characteristics. Professor Clark's lecture has thrown down a challenge to us of how we should proceed with the work on comparative urban history.

First of all, we should consider what is to be the aim of comparison. Is it only for seeking to explain differences and idiosyncrasies in terms of the patterns of growth, changing economic and social structure or the institutions overtime and between regions or countries? Or is it for finding out the common features or similarities between them? If the former is to be our ultimate aim, comparative urban study contributes to our understanding of the peculiarities of a certain urban communities. The latter would aim at comprehending what are the essential characteristics of urbanity over time and across regions. As well as one-way comparison to search representativeness and deviations and two-way, reciprocal comparison, we will have to scrutinize connections and interactions between the urban communities in East and West, as K. Pomeranz has pointed out in his comparative analysis of East and West in *The Great Divergence, Europe, China, and the Making of the Modern World Economy*, Princeton, 2000, pp.3-27).

It would seem to be easier for us to make any comparative urban study in medieval and early modern periods. Yet it should be difficult to do it in modern and contemporary framework, as we have an increasing 'connectivity' in time which would make it difficult for us to distinguish the indigenous features from the inter-continental or inter-regional transference of cultural, political and economic systems (See P. Clark, Introduction in *The Oxford Handbook of Cities in World History*, Oxford, 2013, p.5).

However there should be much prospect of comparative approaches, which we will have to develop. For example, a framework of analysis is possible in which we could discuss about the influences of religious creeds on various aspects of town life. Christianity, Islam, Hinduism, Buddhism, Shintoism or Confucianism should have exerted respective effects not only on the urban topography, layout or landscape, but also on the urban governance, communal identities or even consumption patterns. When it comes to Christianity since the middle ages, common good ideals prevailing among the European town inhabitants should have made the town governance and representativeness work better.

Another important point we have been discussing in the lecture is how the urban communities in East and West resolved the conflicts, which Dr. Kato and Dr. Takatani have addressed. Was there any difference in conflict resolution between Europe, Asia, Middle-East and other non-European cities? How to carry out conflict resolution must be a crucial issue when we consider the autonomy, political and juridical

independence of urban communities. The impression based on the discussions is that there wouldn't have been any basic difference in trouble-shooting between historical Western and Eastern urban communities. They could have managed to resolve the conflicts or disputes among the town dwellers mostly by arbitration or mediation in the form of procedures by the guilds (Nakama or Kumiai in early modern Japan), neighbourhood, brotherhood organizations, native place societies especially in China and so on rather than in the formal litigation at courts. Professor Clark has analyzed in detail why arbitration or mediation would have been preferred to litigation in both East and West (Professor Clark's lecture paper, pp.7-9).

In this regard, we will have to be more specific about what kind of conflicts or troubles could or could not have been resolved by arbitration or mediation among the members of urban organizations and associations. It is interesting to note that in Tokugawa Japan even the procedures in the local seigniorial courts which dealt with the conflicts beyond the control of communal organizations, were not usually practiced in the form of judgements given, but in the form of reconciliation by the arbitrators appointed by the lords, as Dr. Kato has suggested.

Last but not least, we have Max Weber's well-known model on the difference in terms of civic autonomy between East and West, about which Professor Ogura and Mr. Furukawa have raised questions. Besides Weber's emphasis on the difference in municipal autonomy between Europe and non-European areas, there remain other important problems for us to consider, for example, whether or not modernization, rise of capitalism, rationalization or freedom from the spell, originated from civic cultures, and whether or not his ideal-type concept of 'true urban communities' was developed mainly based on the examples of south German and north Italian cities. These are yet unsolved important subjects that we will have to tackle (See C. R. Friedrichs, 'What Made the Eurasian City Work? Urban Political Cultures in Early Modern Europe and Asia' in *City Limits, Perspectives on the Historical European City*, ed. by G. Clark, J. Owen, and G.T. Smith, Montreal & Kingston, 2010, pp.33-34).

Medieval and early-modern towns in Western Europe tend to have enjoyed stronger municipal autonomy in terms of governance, communal identities, action, representativeness or economic activities than those in Asia, Middle East, and other non-European countries. Admittedly in Japan we have an interesting example of urban society of Sakai. The town is said to have been more independent and freer from outside political interferences in which the wealthy merchant class provided leadership in various aspects of urban life (See James McClain, 'Japan's Pre-Modern Urbanism' in *The Oxford Handbook of Cities in World History*, Oxford, 2013, p.331).

However it seems to have been rather an exceptional case in that the municipal autonomy in most other towns in Japan would have been weaker as compared with some of the European counterparts. So that the Max Weber's thesis does not seem to be outdated or discredited. Nevertheless we will have to make a comparative study not only in terms of civic political independence or autonomy but also in terms of power structures of state or central governments themselves between the Occidental and Oriental worlds. The historical trajectory of the state system or the central power structures must have been different in East and West (See P. Clark, *European Cities and Towns 400-2000*, Oxford, 2009, p.362).

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