

## **Translated Institutions, Transformative Experiences, and the Agency of Local Courts: Legal Reforms in 19<sup>th</sup> Century Japan**

The legal reforms of Meiji Japan offer an instructive example for studying processes of cultural translation in the legal field. After the forced opening of the ports for the trade with the Western powers, Japan set out for re-ordering its legal system in the last third of the 19<sup>th</sup> century. Based on translated knowledge from the Western countries, all dimensions of law were re-considered in these reforms: the institutional framework, the norms, the professions, the methods and the philosophy.

While research often concentrates on the new legislative framework that was created, my presentation offers a different perspective: that of legal practice. I will show how Japanese reformers sought to gain insights into the legal practice in Western countries during their visits in Europe and the United States and how they transmitted this knowledge back to the local level in Japan. I will argue that even though the government provided guidance, top-down policies had their limitations when it came to introducing a new judicial culture. Judges at the local court level had to make sense of the new legal ideals. Besides, they had to fill the gaps left by the legislation. These gaps were concomitants of a rapid reform process that included not only substantive law and procedural law, but also the methods of decision-making and the forms in which judgments were delivered.

In my presentation, I will examine the complex interplay between the central government and the local actors. In my analysis, it becomes visible that it was only the institutional framework that was translated; it had to be filled with the experiences of the actors, who thereby actively shaped the newly emerging judgment culture.