

This work concerns itself with one of the aspects of the modernization of Japan during the Meiji Era (1868-1912), the establishment of a Civil Code based on western legal principles, in a broad context of the historical and socio-political situation of the said period. First, it explores the state of legal knowledge in Japan at the end of the previous historical period, the Tokugawa Era. As a result of the development during the centuries prior to that, it may be said that the Japanese view of law became to be such that the law was overshadowed by the traditional pattern of a rigid social structure, preferring over law the mutual relations among the people living in such a system. Being forced to cancel her isolation policy by an extensive outside pressure from the world's powers, Japan starts to strive for a general modernization. The so called Unequal treaties established in the last years of the rule of the Tokugawa shogunate between Japan and several countries set it to an inferior position, and this situation continued unchanged in the following Meiji period. One of the prerequisites for the revision of these treaties was the establishment of a western-like legal system with the Civil Code as one of the important Codes of Law. However, the principles on which the Japanese and the western legal systems were based were extremely different and their import to Japan proved to be a difficult and time consuming task.

The next section of this thesis describes the activities of the Japanese government focused on the reception of western legal knowledge in Japan, namely the sending of Japanese students abroad and the employment of foreign experts in Japan. Concerning the field of law, the objective of this was, among others, the selection of the most appropriate model for the Japanese legal standards.