

## BOOK REVIEW SYMPOSIUM

# RELIGION AS CULTURE IN A SECULAR AGE

*A Secular Age beyond the West: Religion, Law and the State in Asia, the Middle East and North Africa.*  
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*A Secular Age beyond the West* is an important and impressively conceptualized volume. Too often non-Western experience is excluded from broad theoretical discussions of the nature of, and relationship between, religion, secularism, and culture. Charles Taylor's *A Secular Age* is not an exception to this, but Taylor opens the door for consideration and application of his ideas outside the West. Thankfully, in this rich volume editors Mirjam Künkler, John Madeley, and Shylashri Shankar assemble an excellent group of scholars to explore the implications of Taylor's concepts in an array of countries beyond the West.

This review essay focuses specifically on Helen Hardacre's excellent chapter on Japan, "The Formation of Secularism in Japan" (86–106). I agree with the vast majority of Hardacre's thoughtful depiction and analysis of the path of secularity in Japan during the Meiji Era. Moreover, her chapter explains beautifully the impact of the uneven treaties imposed by the West on Japan in the nineteenth century and the response of Japanese elites. In this essay, I pick up on some of the themes in Hardacre's chapter, but as applied to the postwar era in Japan (1945–present).

The Meiji Era policies Hardacre discusses, combined with the US occupation government's quest to end any support for State Shinto, may have ironically led to something akin to Taylor's Secularity III concept. In modern Japan, nonreligion can be seen as an acceptable and sometimes preferred way of life, while religion and nonreligion are able to coexist as viable choices. Yet in postwar Japan, there is rarely a clear line between secularism and religious practice or between religion and culture as I explain in what follows. In fact, the Meiji era imposition of State Shinto, along with other Meiji Era policies toward traditional Shinto and Buddhism that Hardacre addresses in her chapter, produced a legacy that oddly diluted both religion and secularity in Japan through a concept I call religion as culture or *shuukyō no bunka* (宗教の文化).

A few important caveats for this essay. I am not a sociologist of religion, nor am I a historian. I am a law professor, and as such my relationship with the issues raised in Taylor's book and in Hardacre's chapter tends more toward the interaction between government and peoples' lived religion and lived secularism. Thus, any misunderstandings or errors in this essay are mine and should not be attributed to Hardacre, Taylor, or the editors of *A Secular Age in the West*.

Hardacre's chapter is a remarkably detailed yet concise discussion of the relationship between religion and secularity in Meiji Era Japan. Hardacre correctly explains why Japan does not neatly fit into some aspects of Taylor's Westernized analysis. She does so, however, while elucidating how and why Western imperialism had an impact on the relationship between religion and secularity in Japan during and after the Meiji Era. In fact, as Hardacre explains, the concepts of religion and secularity themselves were molded in Meiji Era Japan by Western ideals as the Meiji Era

government and elites worked to undo the imposition of one-sided treaties imposed by the West and in light of the vast impositions by Western powers on China after the opium wars.

Hardacre shows how the Meiji Era experience profoundly changed the ways in which traditional Buddhism and Shinto were understood in Japan. In order to avoid becoming a colony of Western powers and in order to be perceived by the West as a “civilized nation” worthy of better trading agreements and treaties, Meiji Era government and elites decided to invoke, and in some cases reify, Western political, legal, philosophical, and social concepts. Yet, as Hardacre explains, this all occurred in a society that did not share the philosophical history or history of religious conflict that occurred in the West.

Ultimately, the Meiji Era Japanese government sought to regulate and control traditional Shinto and Buddhism, and famously persecuted traditional Buddhists (and traditional Shinto practitioners who did not fall in line).<sup>1</sup> As Hardacre explains, Meiji Era leaders used the public education system to demean traditional Buddhism and Shinto as harmful “superstition.” This was a forceful attempt to move from what Taylor would describe as the “enchanted” world to a “disenchanted” world.<sup>2</sup> Interestingly, however, the Meiji Era government created its own religion—while asserting it was not religion—and imposed it on all Japanese people (and other people outside of Japan during the years of Japanese imperialism).

State Shinto, as Hardacre explains, was an attempt to fill what might be perceived by Taylor as a void between religion and humanism in order to enforce a government promoted national morality and ethos.<sup>3</sup> As Hardacre explains, some Meiji Era elites believed that average people needed something greater than themselves and philosophical humanism in which to believe, and State Shinto was meant to fill this void. The myth that it was not “religion” was, in part, legally necessary given the Meiji constitution’s granting of religious freedom; albeit quite limited religious freedom.<sup>4</sup>

Importantly, Hardacre calls attention to the Meiroku Society, which (among many other things) supported humanism and a variety of concepts of separation of politics and religion, and several of whose members opposed imposing ideas like State Shinto. When reading Hardacre’s excellent chapter, I was struck by how she astutely references the writings of Nishi Amane on the relationship between religion and the state.<sup>5</sup> Amane’s writings are rarely referenced in English texts,<sup>6</sup> but they are of value to anyone seeking to understand the postwar socio-legal perspective on religion in Japan.

Amane’s relationship with concepts of religious freedom was a bit inconsistent. He was a strong advocate for a system of separation of religion and politics that ironically only truly came into being in the postwar era. He was heavily influenced by European concepts of humanism and secularism,

1 Often referred to as *haibutsu kishaku* (廃仏毀釈) or abolition of Buddhism, and described well in Hardacre’s chapter, it was supported in part by a series of anti-Buddhist edicts and laws. James Edward Ketelaar, *Of Heretics and Martyrs in Meiji Japan: Buddhism and Its Persecution* (Princeton: Princeton University Press, 1993).

2 Hardacre’s chapter effectively lays out both the role of Meiji era elites and the government in trying to meet this goal.

3 Frank S. Ravitch, “The Shinto Cases: Religion, Culture, or Both—The Japanese Supreme Court and Establishment of Religion Jurisprudence,” *Brigham Young University Law Review* 2013, no. 3 (2013): 505–20, at 505, 506–08. For an interesting discussion of this from a Meiji era perspective see, Nobushige Hozumi, *Ancestor Worship and Japanese Law* (Tokyo: Maruzen Kabushiki-Kaisha, 1913).

4 Ravitch, “The Shinto Cases,” 506.

5 See, for example, Nishi Amane, “Kyoumonron,” *Meiroku Zasshi* 4, no. 12 (1874).

6 An exception cited by Hardacre is William Reynold Braisted, *Meiroku Zasshi, Journal of the Japanese Enlightenment* (Cambridge, MA: Harvard University Press, 1976); see also Thomas R. H. Havens, *Nishi Amane and Modern Japanese Thought* (Princeton: Princeton University Press, 1970).

while understanding that at that time most people believed in something (even if he sometimes belittled local religious customs in Japan).<sup>7</sup> Interestingly, Amane's writings on this topic provide both a microcosm of some of the main strains of thought on religion and secularity during the Meiji Era and serve as a perhaps prophetic—albeit unintentionally so—description of the Japanese relationship with religion and secularity in postwar Japan.<sup>8</sup> Japan in the twenty-first century is both enchanted and disenchanted to use Taylor's terminology. There is a high level of secularity and acceptance of scientific and humanistic ideals, but if one scratches the surface, there are aspects of animist and ancestor kami (spirits) in both custom and sometimes in belief. As with most Western dualities—religious/secular, enchanted/disenchanted, and so on—Japan presents a broad grey area that fits neatly on neither side of the dualisms.

Most Japanese are not strongly affiliated with organized religion as a belief system, although many Japanese people follow customs from both Shinto and Buddhism. It is often said in Japan that you are born Shinto, marry Christian,<sup>9</sup> and die Buddhist.<sup>10</sup> Although today, this is no longer the case for many people.<sup>11</sup>

In daily life, people are heavily focused on the here and now and on their relationships with those with whom they work, their friends, and family. Science is accepted and inculcated into daily understanding. Yet, at the same time, many Japanese people feel a strong connection with ancestors that for some still holds a strong spiritual and supernatural component. Moreover, concepts of luck and even animism hold a place for many people.

It is not uncommon to read in Western blogs or even to hear from Japanese friends and colleagues that Japan is not a highly religious society, and there is certainly some truth to this sentiment. But this raises the question of what counts as religious, and therefore the problem of defining religion in a manner that is not bound by one, or a group of, cultural preconceptions, a task that may never be met.<sup>12</sup> Is someone who holds to secular and humanist values, but who at some level believes that a dragonfly arriving in August may represent an ancestor or who carries and at some level perhaps believes in the efficacy of one or more *omamori* (lucky talismans that can be bought at Shinto Shrines and elsewhere) secular? Religious? Neither? Both?

Under Taylor's Western-influenced conceptual framework, this all might seem odd. On the one hand, you have a society that in many ways professes secularism and is also secularized. State

7 Havens, *Nishi Amane*, 180–85.

8 Havens, *Nishi Amane*, 180–85; see also Amane, “Kyoumonron.”

9 “Christian” weddings in Japan rarely involve an actual Christian ceremony. They are often referred to as “church weddings,” and the person dressed as priest or minister is rarely either. In Japan, marriage is legally a civil matter, Colin P. A. Jones and Frank S. Ravitch, *The Japanese Legal System* (St. Paul: West Academic Publishing, 2018), 301–03, 307, and the *kekkon-shiki*, or wedding ceremony is separate from the legal marriage. Many people want to have a wedding ceremony like they have seen in the mostly Western movies, and those often take the form of Christian ceremonies. There is an entire wedding hall industry where chapels with crosses and actors playing ministers or priests are common. As I have personally experienced, this can lead to some interesting situations when a non-Christian Westerner does not want to be married in front of a cross or by someone dressed as a Christian minister, and has to explain to a Japanese partner, catering hall staff, and others that to many the cross is a powerful sectarian religious symbol and not just a decoration for a marriage. It should be noted, however, that many Japanese wedding ceremonies still follow the tradition Shinto customs.

10 Robert Kisala, “Japanese Religions,” in *Nanzan Guide to Japanese Religions*, ed. Paul L. Swanson and Clark Chilson (Honolulu: University of Hawaii Press, 2006), 3–13, at 3.

11 In recent years there have been numerous stories in the Japanese news about people moving away from traditional Buddhist funerals due to the expense, and even attempts to automate or virtually perform aspects of funeral rights.

12 For an interesting discussion of these definition problems in a finite context see, Winnifred Fallers Sullivan, *The Impossibility of Religious Freedom* (Princeton: Princeton University Press, 2005).

protection of religious freedom is reasonably strong,<sup>13</sup> and this includes the freedom not to hold religion. Both religion and irreligion are viable and acceptable choices, and yet there is still a sense of enchantment. Most people do not focus on it, and for many—as reflected in some decisions by the Japanese Supreme Court—common cultural mores may include the supernatural and spiritual without focusing on their nature.<sup>14</sup>

I am not an expert on Taylor's work, but I suspect he would not be troubled by this, and that he could powerfully argue that Japan is close to, or is, a Secularity III society because his concepts were based on Western religious and social history, and may play out differently beyond the West, as *A Secular Age Beyond the West* powerfully demonstrates. Taylor teaches us that Secularity III societies have features in common with twenty-first century Japan: an openness toward both secularity and religion as viable choices, the embracing of science and higher values that are not based in religion, a sense that religion is personal and perhaps familial, and of course the Secularity I factor of reasonable separation of politics and religion that is considered useful to be in place for Secularity III to emerge. I think, although I cannot say with any certainty, that Japanese animism and belief in *kami* (spirits) does not change this analysis because Japanese religious history and culture, while influenced by Western imperialism, evolved very differently from the West.

In fact, given Japanese religious ideas prior to the Meiji Era and how those ideas were manipulated by the government and elites during the Meiji and US Occupation eras, the current situation in Japan vis-à-vis religion and secularity makes a lot of sense.<sup>15</sup> As Hardacre explains, prior to the Meiji Era there was no word used in common parlance for *religion* as understood in the West. This seems plausible given the strong influence of often localized Shinto animism and ancestor spirits among peasants, merchants, and others, and the inculcation of Buddhism and especially Confucianism among elites.<sup>16</sup> As Nishi Amane's writings show, even during the Meiji restoration, enchantment (Amane used the term *superstition*, as was often used during that time period) was still prominent among average Japanese people who held on to the animism and related beliefs of earlier eras.<sup>17</sup>

The Meiji Era government's (and elites') attempts to move from "superstition" to science and reason, as Hardacre explains, were partially successful to the extent they moved science and reason further into the consciousness of everyday Japanese people. But they took a significant toll on traditional Shinto and Buddhism. The imposition of State Shinto, along with the Shrine Act and attacks on traditional Buddhism, denied many people access to their religious heritage, and the mandated anti-superstition curriculum in schools divorced many young people from the bases for the practices of their parents and grandparents.

As Hardacre explains much of the religious foundation of State Shinto was a dressing up of European concepts of religiously ordained monarchy with the trappings of traditional Shinto, disengaged from the animism, local spirits, and family spirits that were the core of most traditional Shinto as practiced at local shrines by many Japanese people throughout history.<sup>18</sup> Moreover, State Shinto itself, with its focus on fealty to the emperor and imperial ancestors may have helped

13 Frank S. Ravitch, "The Unbearable Lightness of Free Exercise under *Smith*: Exemptions, Dasein, and the More Nuanced Approach of the Japanese Supreme Court," *Texas Tech Law Review* 44, no. 1 (2011): 259–79, at 259.

14 Ravitch, "The Unbearable Lightness," 260.

15 Ravitch, 260.

16 Joseph M. Kitagawa, *Religion in Japanese History* (New York: Columbia University Press, 1990).

17 See Amane, "Kyoumonron."

18 Helen Hardacre, *Shinto and the State 1868–1988* (Princeton: Princeton University Press, 1989); Ravitch, "The Shinto Cases," 507–08.

support Japan's genocide throughout Asia in the early to mid-twentieth century, and its entrance into World War II.<sup>19</sup>

After the war, the US occupation forces wanted to remove all public support for State Shinto. It was removed from the school curriculum. The new constitution included the separation of politics and religion in Article 20 and a prohibition on government support for religion in Article 89.<sup>20</sup> The emperor was made to publicly approve the new Japanese constitution as an amendment of the Meiji constitution.<sup>21</sup> The new constitution moved the Meiji constitution's derivation of rights and duties from the Emperor to a derivation of rights and duties from the will of the people.<sup>22</sup> The new constitution granted much stronger religious freedom than was ever available under the Meiji constitution as a practical matter,<sup>23</sup> but the occupation government did not actively seek to promote or support traditional religions. Religion was left on its own to flourish or perish.

Importantly, it is precisely Meiji Era attempts to eliminate or minimize traditional Shinto and Buddhism in favor of State Shinto combined with the "anti-superstition" campaigns, and the postwar destruction of State Shinto without an alternative, that denied most people in postwar Japan access to the religious and spiritual traditions and theology that underlie many of the practices seen today. People were left with spiritually tinged social practices yet denied a deep understanding of why those practices exist. In the postwar era, ancient religious beliefs and practices—Buddhist, Shinto, and other—have often become just things that one does because that is what is done. Yet many people have held on to notions of ancestors and spirits without inheriting a deep understanding of where those beliefs come from.

The concept I have used to explain this in the legal context, religion as culture or *shuukyō no bunka* (宗教の文化), reflects a melding of religion, pre-Meiji Era "superstition," and culture in a scientific and outwardly disenchanting modern world. It is a blend between the modern, scientifically educated society Meiji Era leaders hoped for and pre-Meiji Era customs that Meiji Era laws and indoctrination tried to eliminate unsuccessfully. Thus, in an ironic way modern Japan may be a Secularity III society that still has some enchantment in everyday life.

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19 Helen Hardacre, *Shinto and the State*; Ravitch, "The Shinto Cases," 507–08.

20 Nihonkoku Kenpo [The Constitution of Japan] art. IIX, VIIIIX.

21 This was also necessary as a matter of law, because the Meiji constitution could be amended or replaced only with the approval of the emperor, and the occupation government did not want the legality of the new constitution to be in question. Jones and Ravitch, *The Japanese Legal System*, 162.

22 Jones and Ravitch, *The Japanese Legal System*, 160–64.

23 See Ravitch, "The Shinto Cases"; Ravitch, "The Unbearable Lightness."