

The Japanese pontifex: A study on State-religion separation and its criticalities *

Claudio Lasperanza

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1. Introduction. The most recent developments on the issue

Negli In August 2016, the Japanese emperor publicly announced his willingness to retire or abdicate due to his declining health and difficulty performing his duties as a symbol of the State in the future¹. Since then, the Japanese government has taken some sensitive decisions to address the considerations contained in that imperial message. In fact, the current legal document that regulates the dynastic succession of the imperial family does not literally provide for abdication as a viable option for the proclamation of a new *Tenno* and this prompted Prime Minister Abe to create an *ad hoc* committee, made up of experts with different academic backgrounds who had to pronounce themselves on this issue. The majority of this panel, as reported by the *Mainichi Shinbun*², approved the abdication option, the first in over 200 years. The government, therefore, adopted a «one-off legislation (that) will specifically allow

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¹ Kunaicho website, 2016. *Message from His Majesty The Emperor*. Available online at: <https://www.kunaicho.go.jp/page/okotoba/detailEn/12>.

² *Mainichi Shinbun*, *Emperor's abdication issue a complicated matter for all involved*. Available online at: <https://mainichi.jp/english/articles/20170125/p2a/00m/0na/008000c>.

Emperor Akihito to retire and hand over his throne to his eldest son, Crown Prince Naruhito³. This question has received media attention both nationally and internationally. But it has certainly received the attention of a more specialized audience in terms of legal and political impact, as the next section will show.

Before going any further, however, it should be noted that the theme of the separation of State and religion has recently come back into fashion. In one case due to the tragic events that took place in Ukraine. On the Russian side, we have witnessed the strengthening of the alliance between the Orthodox Church, headed by Patriarch Kirill, and the Russian government. Giovanni Codevilla, as an expert in comparative law and comparative ecclesiastical law, has dedicated more than forty years of his studies to the context of Eastern Europe where the relations between the various religious authorities and the corresponding national political leaders represented a fundamental geopolitical factor. Indeed, the strengthening of the link between the two dimensions, the political and the religious, is considered a crucial asset of President Putin's doctrine implemented in the last decade⁴.

However, on another front, this topic has also come under discussion in Japan. In an assassination that shocked the country, as well as the world, former Prime Minister Shinzo Abe was shot dead during a campaign speech in the city of Nara. The main reason behind the killing was his ties to the so-called Unification Church, which was founded in 1954 by self-proclaimed Korean messiah Sun Myung Moon. The Unification Church was known for its anti-communist stance and conservative family-oriented values that favored its popularity in the Cold War era.

But it was only in the sixties that Nobusuke Kishi, Abe's grandfather, and Japan Prime Minister from 1957 to 1960, played a remarkable role in helping the organization spread in the archipelago and create its political Federation. From there on, the Church was able to settle and branch out throughout Japan so much so that nowadays almost half of the 379 national legislators of the Liberal Democratic Party have some connections with it both in terms of attending their events as well as receiving direct support in the electoral rounds by the Church's volunteers. Indeed, it was precisely for his closeness to the organization that Shinzo Abe was killed. The shooter has reportedly blamed the Unification Church for causing the financial ruin of his family: as a devotee, his mother has donated nearly 700,000 euros over the years. In the aftermath of the tragic murder, due to the strong ties discovered between politicians and the sect, the current Prime Minister, Fumio Kishida, reshuffled the government and dismissed some members who revealed ties to the Church. Second, despite a more cautious initial approach due to strict religious freedom laws, Kishida has ordered an

³ Mainichi Shinbun, *Japan passes bill allowing emperor to abdicate for 1st time in 200 years into law*. Available online at: <https://mainichi.jp/english/articles/20170609/p2a/00m/0na/013000c>.

⁴ G. Codevilla, *La nuova Russia (1990-2015)*, Milano, Jaca Book., 2016; A. Dell'Asta, *La «pace russa». La teologia politica di Putin*, Brescia, Scholè-Morcelliana, 2023.

investigation into the Unification Church that could result in its loss of legal status as a religious corporation⁵.

Accordingly, the main consequence we draw from these recent events is that the status of the State-religion separation is far from being simply encompassable and interpretable in the light of the constitutional provisions and, at the same time, that it is still a living issue that deserves further analyses, both nationally and internationally.

1.1. The Academic Significance

As just mentioned, this work should be placed within a certain area of interest that looks at the interactions between two spheres: the religious one and the political one. The two have also been framed under other terms such as church for the first, while for the second we can find references to State or secular. In this sense, since the 1970s, several rulings have been recorded about the separation of State and religion in Japan and academic interest has shown a significant increase in terms of scholars dedicating works or monographs on the subject of different provenance. If we stick to the legal or historic-juridical side of this question, the works of Japanese scholars such as Kobayashi⁶, Morimura⁷, Yamagishi⁸, Abe⁹, Shimojo¹⁰ as well as Western ones such

⁵ Mainichi Shinbun, *Japan's PM to probe Unification Church amid backlash, 1st such move*. Available online at: <https://mainichi.jp/english/articles/20221017/p2g/00m/0na/010000c>.

⁶ H. Kobayashi, *Appartenenza multireligiosa e libertà di religione in Giappone*, in *Rivista di Studi Politici Internazionali*, Vol. 69, 2002, pp. 287 – 296; Id., *Religion in the Public Sphere: Challenges and Opportunities in Japan*, in *Brigham Young University Law Review*, Vol. 3, 2005, pp. 683 – 710.

⁷ S. Morimura, *Freedom of Religion and the Separation of State and Religion: A Japanese Case Study*, in *Hitotsubashi Journal of Law and Politics*, Vol. 31, 2003, pp. 23 – 30.

⁸ K. Yamagishi, *Freedom of Religion, Religious Political Participation, and Separation of Religion and State: Legal Considerations from Japan*, in *Brigham Young University Law Review*, Vol. 3, pp. 919 – 941.

⁹ K. Abe, *Separation of Church and State in Japan: What Happened to the Conservative Supreme Court?*, in *St. John's Law Review*, Vol. 85, 2011, pp. 447 – 471.

¹⁰ Y. Shimojo, *A Study of the Origin, Acceptance, and International Spread of the 'Symbol' within the Constitution of Japan: Japan's Approach to Restoring the Separation of Authority and Power*, in *Japanese Society and Culture*, Vol. 4, 2022, pp. 141 – 153.

as Ravitch¹¹, Van Winkle¹², Baldetti¹³, Colombo¹⁴, Mannocci¹⁵, Larsson¹⁶, Guthmann¹⁷ and O'Brien and Ohkoshi¹⁸ are only a small fraction representing, however, this larger trend.

Among this series of rulings by Japanese courts, mention should be made of those relating to the 1989 succession ceremony of the then Crown Prince Akihito who succeeded his father, the Emperor Hiroito or *Showa Tenno*. Immediately following the scheduled ceremonies, two similar judicial proceedings were brought before the courts for a possible violation of the constitutional provisions on the separation of State and religion, namely Articles 20 and 89¹⁹. In both cases, the opposing parties' requests were rejected thanks to the explicit focus on the secular characterization of the ceremonies underlined by the trial judges. However, as reported by O'Brien and Ohkoshi, the Chief Justice of the Osaka High Court, Noriyuki Yamanaka, noted that «there is reason to suspect that the enthronement rituals violated the separation of religion and the

¹¹ F. Ravitch, *The Shinto Cases: Religion, Culture, or Both – The Japanese Supreme Court and Establishment of Religion Jurisprudence*, in *Brigham Young University Law Review*, Vol. 3, 2013, pp. 505 – 520.

¹² A. Van Winkle, *Separation of Religion and State in Japan: A Pragmatic Interpretation of Article 20 and 89 of the Japanese Constitution*, in *Pac. Rim L. E Pol'y J.*, Vol. 21, 2012, pp. 363 – 398.

¹³ S. Baldetti, *La religione nel sistema costituzionale giapponese*, in *Diritto e Religioni*, Vol. 1, 2016, pp. 301 – 310; Id., «*Shukyo*»: *il significato giuridico della religione nel diritto giapponese*, in *Quaderni di diritto e politica ecclesiastica*, Vol. 1, 2022, pp. 205 – 216.

¹⁴ G. Colombo, *Laicità dello stato e Shintoismo nella giurisprudenza giapponese*, in *Asiatica Ambrosiana*, Vol. 3, 2011, pp. 147 – 171; Id., *State, Law, and Religious Syncretism in Japan: a Jurist's Perspective*, in *Quaderni di diritto e politica ecclesiastica*, Vol. Special Edition December 2016, pp. 19 – 34.

¹⁵ G., Mannocci, *Abdicazione e Successione Femminile: Il Giappone si interroga a 70 anni dall'entrata in vigore della Costituzione Democratica*, in *Rivista Ianus*, Vol. 15-16, 2017, pp. 373 – 404; Id., *L'Imperatore. Radici, evoluzione e attualità della funzione imperiale nel Giappone contemporaneo*, Rimini, Il Cerchio Iniziative Editoriali, 2018.

¹⁶ E. Larsson, *Jinja Honcho and the Politics of Constitutional Reform in Japan*, in *Japan Review*, Vol. 30, 2017, pp. 227 – 252.

¹⁷ T. Guthmann, *Nationalist Circles in Japan Today: The Impossibility of Secularization*, in *Japan Review*, Vol. 30, 2017, pp. 207 – 225.

¹⁸ D. M. O'Brien, and Y. Okhoshi, *To Dream Of Dreams: Religious Freedom And Constitutional Politics In Postwar Japan*, Honolulu, University of Hawaii Press, 1996.

¹⁹ The relevant dispositions are mainly contained in the following articles of the Japanese Constitution:

Article 4: «The Emperor shall perform only such acts in matters of state as are provided for in this Constitution and he shall not have powers related to government. The Emperor may delegate the performance of his acts in matters of state as may be provided by law».

Article 20: «Freedom of religion is guaranteed to all. No religious organization shall receive any privileges from the State, nor exercise any political authority. No person shall be compelled to take part in any religious act, celebration, rite or practice. The State and its organs shall refrain from religious education or any other religious activity».

Article 89: «No public money or other property shall be expended or appropriated for the use, benefit or maintenance of any religious institution or association, or for any charitable, educational or benevolent enterprises not under the control of public authority».

state»²⁰ and concerning their alleged Shinto nature, in announcing the court's decision, he maintained that «it is obvious that they held the characteristics of a Shinto ceremony»²¹.

Starting from these last statements, therefore, and following the direction they suggest, this contribution will deepen the theme of how the provisions of the Japanese Constitution can be reconciled with the events captured and described by the two selected case studies that seem to be in conflict with them and thus demonstrate the status of this separation.

1.2. Objectives and perspective

This work stands with the statement made by Mukhopadhyaya, according to whom «the Japanese state has adopted the principles of a secular state and thus in its attempt to demarcate the spheres of religion and the state it had to reconcile between the 'adopted' western concept of 'religion' and Japan's own traditional concept which often fails to make a clear distinction between the 'religious' and the 'non-religious' spheres»²².

The struggle of Japanese institutions, including the courts, as we will see, and intellectuals, will be analyzed through the lens of the two case studies that revolve around the imperial succession ceremonies that took place in 2019 and the mass of movements, politicians and associations, such as the Association of Shinto Shrines or *Jinja Honcho*, who successfully contributed to the adoption of National Foundation Day (or *Kenkoku kinen no hi*) and the reign name system or (*genko*), as pointed out by Ruoff²³.

Furthermore, the case studies are interconnected as both are based on some understanding of the imperial institution and its role in Japanese history which, as argued here, may clash with a rigorous understanding of so-called separation theory enshrined in the Constitution. For the time being, it will be said that this theory, in broader terms, involves «some kind of separation between 'church' and 'state', or between 'religious' and 'political' authority» in order to «contain religion within its own differentiated 'religious' sphere» and to «maintain a secular public democratic sphere free from religion» as posed by Casanova²⁴.

²⁰ D. M. O'Brien, and Y. Okhoshi, *To Dream Of Dreams: Religious Freedom And Constitutional Politics In Postwar Japan*, op. cit., p. 208.

²¹ N. Berlin, *Constitutional Conflict with the Japanese Imperial Role: Accession, Yasukuni Shrine, and Obligatory Reformation*, in *1 U. Pa. J. Const. L.*, Vol. 1, 1998, pp. 383 – 414, p. 407.

²² R., Mukhopadhyaya, *Relationship between Religion and the State in Modern Japan*, in *China Report*, Vol. 33, XXXX, pp. 483 – 506, p. 484.

²³ K. Ruoff, *The People's Emperor. Democracy and the Japanese Monarchy, 1945-1995*, Cambridge, Harvard University Press, 2001.

²⁴ J. Casanova, *The Secular and Secularisms*, in *Social Research*, Vol. 76, 2009, pp. 1049 – 1066, p. 1057.

In this regard, this contribution follows Yanagawa and Reid's understanding of *seikyo bunri* or the idea of separation between State and religion, as the first introduction or transplant of an exogenous theorization of this relationship that departs from an endogenous one, i.e. that of *saisei-itchi* or the unity of religion and government (or unity theory)²⁵. It is worth mentioning that both theorizations, respectively, bring with them different perceptions of concepts such as religion and politics or State which may eventually conflict with each other. However, we will necessarily opt for a specific lens through which to analyze this issue. Indeed, the existence of the imperial institution and its roles in Japanese history may enhance our understanding of it and perhaps give us evidence as to why the Japanese State cannot be fully understood when framed as secular.

Furthermore, the two case studies and the link between them which is, as mentioned above, a specific interpretation of the imperial institution in the person of the *Tenno* and its relationship with the State, will support the assertion that the Japanese institutional and political landscape, when subjected to analysis, should lead Japanese and non-Japanese researchers and scholars to carefully (re)evaluate theoretical paradigms such as the theory of separation, before applying this model or taking for granted its applicability in non-western contexts

Finally, the theory of *seikyo bunri* supports a particular conception of religion, normally opposed to a non-religious or secular sphere, and this can be traced back to the European historical and cultural origins of this theory²⁶. However, here we will intentionally rely on this distorted conception of religion for two main reasons: indeed, the constitutional definition on the subject seems to indicate a similar conception of religion, as something that must be distinguished from a public or political dimension; secondly, the explicit purpose of this choice is to further underline how, if we continue to interpret the Japanese reality through the categories and theories originated and characterized by Western (or European) cultural models, some critical cases may emerge, which we will shortly report examples of, not falling within the theoretical framework of the theory of separation.

It is important to note, before moving on to the next paragraph, that unity theory, as presented in this work, will be the most relevant theoretical tool which will then be operationalized and specifically applied to the case studies to further confirm the main statement of this paper.

2. Avoiding the risks of Orientalism. Complexity and contingency

²⁵ K., Yanagawa and D., Reid, *Between Unity and Separation: Religion and Politics in Japan, 1965-1977*, in *Japanese Journal of Religious Studies*, Vol. 6, pp. 500 – 521.

²⁶ M., Horii, *Critical Reflections on the Religious-Secular Dichotomy in Japan*, in Wijssen, F., and Stuckrad, K., *Making Religion. Theory and Practice in the Discursive Study of Religion*, Boston, Brill, 2016, pp. 260 – 286.

In approaching the dynamics taking place between the two great categories of State and religion, authors, although presented here as a single group, have shared different perspectives on the subject, coming from different backgrounds and aiming to different conclusions. However, there are some commonalities which will now be briefly reported.

In particular, the perspective of Talal Asad, whose work is characterized by sharing a post-colonialist position, seems to suit the purposes of this article well. First, a significant feature of his works has been the emphasis on avoiding in every possible way any simplification that could rely on conventional wisdom and, on the contrary, to «complicate descriptive categories», for citing Asad²⁷. Consistent with this, the next paragraph will briefly present some differences between the category of religion, as theorized and conceptualized in a Western context, and the respective one in Japan, if it ever existed as such. This is intended to avoid any direct reference to concepts or theoretical categories in use by Western academics or any understanding of such concepts (i.e., religion) which may have become entrenched into forms of common knowledge, thus assuming their applicability in non-Western contexts. As reported by Larsson, Talal Asad, among others, is usually considered one of the key authors of critical religion theory. The most relevant contribution of this school of thought is summarized by Larsson in the fact that he argued that «the uncritical application of these concepts» such as that of religion and secularism «indicating a binary vision of society as easily divisible into two spheres – at one non-European context is highly problematic»²⁸ and this is another reason why Asad is considered a great inspiration here.

Secondly, it raises the question of understanding the impact and consequences of the imposition of cultural frameworks such as the so-called theory of separation or the paradigm of modern nation-states in non-Western countries. The effects, therefore, of what comparative jurists call juridical transplants, namely «the movement of a rule or of a legal order from one country to another, or from one people to another»²⁹. In this regard, Asad has shown that throughout history the impact of an unbalanced meeting in terms of power between a Western and a non-Western country has often had an imperialist outcome as in the «new landscape» of non-Western actors and after this encounter, «languages, behaviors and institutions» tend to «resemble those that obtain in the west European nation-states»³⁰. Therefore, for the purposes of this work, the fact that nowadays some theories or institutional arrangements seem to have spread all over the world could also have been induced by a colonialist dynamic

²⁷ As quoted in D., Scott and C., Hirschkind, *Powers of the Secular Modern: Talal Asad and His Interlocutors*, Stanford, Stanford University Press, 2006, p. 284.

²⁸ E., Larsson, *Jinja Honcho and the Politics of Constitutional Reform in Japan*, in *Japan Review*, Vol. 30, 2017, pp. 227 – 252, p. 230.

²⁹ A., Watson, *Legal transplants. An approach to comparative law*, Athens and London, The University of Georgia Press, 1993.

³⁰ T., Asad, *Genealogies of Religion*, Baltimore, Johns Hopkins University Press, 1993.

and could have caused the disappearance of other theoretical frameworks or, simply put, ways of organizing society, potentially different from Western ones.

Another influential author was Joseph Kitagawa and his long-standing studies of the history of religion. In what might seem consistent with Talal Asad's critical positioning, Kitagawa made a penetrating point in one of his articles and it is worth mentioning as it certainly influenced the writing of this work. He stated that it is a «Western convention» to divide and categorize the wide range of human experiences into rigid «pigeonholes»³¹ and subsequently this theoretical set is thought to be universalizable and applicable or even already present in other parts of the world. Kitagawa went on to say that «people everywhere live and breathe in their respective 'seamless whole' –what to us look like a synthesis of religion, culture, social and political orders, to use the Western convention of divide categories»³².

This opens up the possibility that the way the relationship between religion and State or politics has been debated and conceptualized in Japan could potentially differ from how the same intellectual operation has been carried out in Europe or the United States, for example. Moreover, since this writing is influenced by authors attributable to the postcolonial current of thought, it must be considered how the contact with an imperialist power may have shaped the previous (or endogenous) cultural models, if there were any, which used to regulate such matters. In this regard, as underlined by Costa, postcolonial studies have emphasized that colonialism is a key event during and after which the asymmetry of relations, both in economic and cultural terms, deteriorated³³. It seems that we are being suggested to put a mark on the global timeline, which notes that from that moment on a new variable has arisen, which scholars could hardly help but take into account. However, it should be emphasized that postcolonialism, as a very varied and articulated school of thought, can only be a reference here for giving an account of cultural frameworks and characteristics which, once again, may differ from those supposedly attributable to the West. The adoption of the current constitution in Japan can be said to be the result of the tragic events that have rocked the world since the early 1800s, during which Japan, at least until its final surrender to the United States, put analogous imperialist dynamics underway in relation to other countries of East and South-East Asia. As a matter of fact, then, the influence of authors such as Talal Asad and Joseph Kitagawa has aroused a high cultural awareness of the topics covered in this work.

We will now provide two brief examples with which this awareness has manifested itself and how it has influenced the progress and development of this work.

³¹ J. Kitagawa, *Some Reflections on Japanese Religion and Its Relationship to the Imperial System*, in *Japanese Journal of Religious Studies*, Vol. 17, 1990, p. 129 – 178, p. 131.

³² J. Kitagawa, *Religious visions of the unity of humankind*, in *Crossroads*, Vol. 27, 1988b, pp. 10 – 12, p. 11.

³³ P. Costa, *La città post-secolare. Il nuovo dibattito sulla secolarizzazione*, Brescia, Editrice Queriniana, 2009.

2.1. Religion, 'Shūkyō' and Japan

A clear example of what was stated in the previous paragraph can be found in the conception of religion as held by Western actors and as it was, if it ever was, in the Japanese context. We will now investigate this further as it fits well with the general purpose of this document. In fact, the term known as a translation of the English word religion into Japanese, *shūkyō*, was only adopted in Japan in the late 19th century during the Meiji era. Beyond that, this translation carries with it some understanding of religion as «the binary opposite of the secular»³⁴ in Horii's words, and has also been employed to facilitate the «construction of the Japanese nation-state»³⁵ as well as to strengthen the Japanese national identity of the time³⁶. This dichotomy, then, was appropriated and adapted by the Meiji elite for mere political purposes and this process, as much as in the case of the restructuring of the country's legal and institutional arrangements after the Second World War³⁷, seems to consider only the rigid pigeonholes developed by Western countries and not the way the Japanese might have related to these issues. Above all, the aforementioned theory of separation does support such a conception of religion, insofar as it underlines the need to «contain religion within its own differentiated 'religious' sphere and would like to maintain a secular public democratic sphere free from religion», for cite Casanova³⁸. And although the intensity and rigidity of the separation vary according to the settlement of specific countries on the matter, the question of who is responsible for drawing these borders is a fundamental one for Casanova himself. As for Japan, one might wonder whether these borders were ever drawn and, if so, to what extent these borders were rigid and defined.

Given the limited scope of this work, however, the best answer that can be given is that this category – interpreted as such – does not seem to adequately capture the Japanese reality. To begin with, the Japanese religious field seems to have been and still is characterized more by the coexistence of different forms of worship and beliefs, which often mixed together, as was the case with the amalgamation of Buddhism and Shinto known as Ryōbu-Shinto, rather than having a predominantly monotheistic faith with its own trained and official priesthood, sacred texts, prophets, and founders. But most importantly, for a long time there seems to have been no such boundaries, and

³⁴ M. Horii, *Critical Reflections on the Religious-Secular Dichotomy in Japan*, in Wijsen, F., and Stuckrad, K., *Making Religion. Theory and Practice in the Discursive Study of Religion*. Boston, Brill, 2016, pp. 260 – 286, p. 260.

³⁵ Ibid.

³⁶ S. Eisenstadt, *Japanese Civilization. A Comparative View*, Chicago, University of Chicago Press, 1996; C. Gluck, *Japan's Modern Myths. Ideology in the Late Meiji Period*, Princeton, Princeton University Press, 1985; H. Hardacre, *Shinto and the State, 1868-1988*, Princeton, Princeton University Press, 1989.

³⁷ M. Horii, *Critical Reflections on the Religious-Secular Dichotomy in Japan*, op. cit.; Ohnuki-Tierney, E., *The Emperor of Japan as Deity (Kami)*, in *Ethnology*, Vol. 30, 1991, pp. 199 – 215.

³⁸ J. Casanova, *The Secular and Secularisms*, op. cit., p. 1057.

«there was no word to designate a separate sphere of life which could be called religion» as pointed out by Hardacre³⁹. Kitagawa seems to share the same opinion and underlined that in early Japanese society «in principle, there was no dividing line between the sacred and profane dimension of life or between religious rituals (*matsuri*) and government administration (*matsuri-goto*)»⁴⁰. Consequently, some scholars⁴¹ propose that the notion of *kami* is of crucial importance here. The term «refers to all beings – both good and evil – that possess extraordinary qualities and that are awesome and worthy of reverence» as proposed by Kitagawa⁴². On the other hand, as a qualification, it can be attributed to animals, rocks, wind, and human beings (as is the case of the *Tenno* for Ohnuki-Tierney) and for this reason, although the *kami* were recognized as «separate beings», it was believed that «the common *kami* (sacred) nature shared by all beings»⁴³ makes the total cosmos permeated by this sacred aura. To the point that, as Kitagawa argues, «the natural world (Japan)... was essentially the religious universe, a world in which all facets of daily living were considered religious acts»⁴⁴. Within this framework, the imperial house should have emerged and asserted itself over other existing clans (or *uji*) based on its lineage with what was considered particularly important *kami*, or the solar deity, Amaterasu.

As briefly shown in this last paragraph, the act of drawing boundaries is a very arbitrary and delicate operation performed by human beings. At the same time, as stressed by Kitagawa⁴⁵, societies, communities, and nations may have opted for different solutions concerning these issues and these may not even include border drawing at all. In this regard, some scholars⁴⁶ have highlighted that even within the same constitution, although there is a separation between State and religion, and religion is implicitly recognized «as an entity that is somehow distinguishable from the state»⁴⁷, this «constitutional separation has not been clear-cut»⁴⁸ in the words of Horii. To a certain extent, therefore, it can be said that the idea of an absolute and rigid demarcation between State and religion is completely missing and assumes some characteristics of Japanese society and culture, of the approach that the Japanese might have to religiosity, in broader terms.

³⁹ H. Hardacre, *Shinto and the State, 1868-1988*, op. cit., p. 64.

⁴⁰ J. Kitagawa, *On Understanding Japanese Religion*, Princeton, Princeton University Press, 1987, pp. 117 – 119.

⁴¹ J. Kitagawa, *Some Remarks on Shinto*, in *History of Religions*, Vol. 27, 1988, pp. 227 – 245; Ohnuki-Tierney, E., *The Emperor of Japan as Deity (Kami)*, op. cit.; K. Kawai, *The Divinity of the Japanese Emperor*, in *The American Political Science Review*, Vol. 49, 1955, pp. 3 – 14.

⁴² J. Kitagawa, *Some Remarks on Shinto*, op. cit., p. 233.

⁴³ J. Kitagawa, *On Understanding Japanese Religion*, op. cit., pp. 69 – 71.

⁴⁴ Ibid.

⁴⁵ J. Kitagawa, *Some Reflections on Japanese Religion and Its Relationship to the Imperial System*, in *Japanese Journal of Religious Studies*, Vol. 17, 1990, p. 129 – 178.

⁴⁶ As E. Ohnuki-Tierney and M. Horii.

⁴⁷ M. Horii, *Critical Reflections on the Religious-Secular Dichotomy in Japan*, op. cit., p. 274.

⁴⁸ Ibid.

2.2. *A word about terms*

Throughout this work, terms such as emperor-empire, monarch-monarchy, and king-kingdom will be used in reference to the Japanese imperial institution. However, especially in the case of emperor, as some scholars have noted⁴⁹, it is not accurate to describe the Japanese context. This is because the Western terms emperor-empire indicate someone who commands, «who imposes his will»⁵⁰ on different peoples and nations according to Maraini. And as Ruoff points out, «for most of Japanese history, Japanese monarchs did not preside over empires»⁵¹. Therefore, Shillony and Maraini agree that only a few Japanese emperors can be titled in this way: namely the most recent, *Meiji* (1868-1912), *Taisho* (1912-1925) and *Showa* (albeit in part, 1925-1945). Maraini then proposed to replace the misleading emperor with the Japanese term *Tenno*. However, even this is not the first title ever used for Japanese rulers since antiquity and various works are available on the origin of the imperial title in Japan⁵². Having underlined these terminological issues, however, for the limited purposes of this article, we will primarily use the English version of emperor along with the better-known Japanese *Tenno*.

If instead we have to make a proposal on how to refer to the Japanese emperor, then we will follow the ambitious thought of Maraini when he compared the *Tenno* to two other figures such as the Pope and the Dalai Lama and defined the three «ambassadors of the absolute»⁵³. Compared to the other two, Maraini believed that the *Tenno* could boast this qualification thanks to his lineage and consanguinity. In this regard, the title that this paper claims to be accurate, in relation to the prominent function and therefore to the foundational basis of his authority⁵⁴, is that of *pontifex*. Among the various etymologies, that of the Roman author Varrone suggests that this word derives from the combination of the Latin words *pontem* and *facere*. Consistent with this, the primary task of a pontifex should be the creation (“*facere*”) of this bridge

⁴⁹ F. Maraini, *L'Agape celeste. I riti di consacrazione del sovrano giapponese*, Milano, Luni Editrice, 2014; K. Ruoff, *The People's Emperor. Democracy and the Japanese Monarchy, 1945-1995*, op. cit.; J. R. Piggott, *The Emergence of Japanese Kingship*, Stanford, Stanford University Press, 1997; B. A. Shillony, B. A., 1990. *Restoration, Emperor, Diet, Prefecture or How Japanese Concepts were mistranslated into Western Languages*, in A. Boscaro, F. Gatti, F., M., Raveri, *Rethinking Japan*, Vol. II, 1990, London, Routledge, pp. 297 – 304.

⁵⁰ F. Maraini, *L'Agape celeste*, op. cit., p. 10.

⁵¹ K. Ruoff, *The People's Emperor. Democracy and the Japanese Monarchy, 1945-1995*, op. cit., p. 263.

⁵² D. De Palma, *Note sull'Origine del Titolo Imperiale Giapponese Tennō*, in *Rivista degli studi orientali*, Vol. 66, 1992, pp. 171 – 183; A. Tamburello, *Note e materiali sulla titolatura della sovranità in Giappone*, in *Orientalia romana*, Vol. 4, 1970, pp. 29 – 31.

⁵³ F. Maraini, *L'Agape celeste*, op. cit., p. 18.

⁵⁴ It could be said that throughout its history the Japanese emperor has incarnated the concept of *auctoritas* rather than exercising any form of *potestas*. Look at G. Preterossi, *Autorità*, Bologna, Il Mulino, 2002; H. Arendt, *Between past and future*, New York, The Viking Press, 1961, pp. 91 – 142.

(“*pontem*”) between the world and the cosmos, the earthly and celestial dimensions, the human and divine spheres⁵⁵. According to Maraini, this is something that different peoples have done throughout history, but the three ambassadors capture our attention as they are still present and embedded in the constitutional architecture of our times.

It is a first step in the direction that this essay intends to pursue, the recognition that several other authors have found it problematic to compare the Japanese *Tenno* to other monarchs and rather more appropriate the comparison with religious figures such as the Pope or the Eastern Patriarchs⁵⁶.

On this note, we will now move on to further investigate the different features of separation theory that ultimately underlie the problem raised in the previous paragraph.

3. Religion, ‘Shūkyō’ and State–religion separation: the case of Japan

3.1. Two underlying purposes

The objective of this section is twofold: first, it will emphasize the cultural debt of separation theory to European history. On the same note, it will briefly present José Casanova’s point of view on the issue of State-religion separation and his notion of political secularism as a «statecraft doctrine»⁵⁷, which can work, combined with expert Hiroaki Kobayashi’s reflections on the same subject, as a theoretical reference that could perhaps give the reader a clear and relatively fixed representation of separation theory in the present. On the other hand, it will present the endogenous framework, that of the *saisei-itchi* or the unity of religion and government (or theory of unity), which, unlike the first, envisages a lasting bond between the imperial house and the State, since its formative process. Moreover, the latter theory should represent another obstacle to the rigid fulfillment of the separative one. In addition to that, even if one accepts the dichotomy at the basis of the theory of separation, that of a religious sphere as opposed to a secular one, in the Japanese context and in relation to the imperial institution, it is difficult to think of the relationship between the two spheres as opposing, rather than interactive. Although the religious side in general, and with it the imperial institution, has almost never enjoyed complete freedom from the political-secular one, it has been used several times as the ultimate source of legitimacy for

⁵⁵ As expressed in R. Guénon, *Il re del mondo*, Milano, Adelphi, 2017.

⁵⁶ As affirmed by S. Calzolari, *Religione e secolarizzazione nel mondo moderno: il caso giapponese*, 2015, available online at: <https://freedomofbelief.net/it/articoli/religione-e-secolarizzazione-nel-mondo-moderno-il-caso-giapponese>; G. Mannocci, *L’Imperatore. Radici, evoluzione e attualità della funzione imperiale nel Giappone contemporaneo*, Rimini, Il Cerchio Iniziative Editoriali, 2018; T. McNelly, *The Role of Monarchy in the Political Modernization of Japan*, in *Comparative Politics*, Vol. 1, 1969, pp. 366 – 381.

⁵⁷ J. Casanova, *The Secular and Secularisms*, op. cit., p. 1057.

political rulers and as a «means to the achievement of political ends»⁵⁸ as pointed out by Ikegami. This argument, then, will be further substantiated in the third section, which will demonstrate, through the two case studies, how difficult it is to claim the complete achievement of the separation between the two parties.

3.2. The European (biased) origins of the “separation theory”

As pointed out, this essay avoids assuming the universal validity of any form of knowledge that may have specific and peculiar cultural origins. In the case of the theory of separation, as will be demonstrated, the origins refer directly to the history of the European continent.

According to Charles Taylor, on matters of State-religion separation, given the degree of spirituality present – in different forms – in today’s modern secular societies around the world, a reasonable approach might be to allow for debate within these different souls of society to find a shared solution⁵⁹. In this regard, however, he considers the intransigent defense of the principle of secularism as a factor blocking this dialogue. Furthermore, he will argue that this derives from the interpretation of the question of the separation between religion and State as a technical-juridical problem which provides only one possible way out: the relaunching of an institutional arrangement that has developed throughout the 16th and 17th century Europe in the process of birth and consolidation of modern nation-states, or «separatist states» as framed by Cardia⁶⁰, as institutionalized forms of political power separate and autonomous from the Catholic Church and theology. In this sense, Reinhard will describe the modern State, in severing all links with any form of religious or theological influence, as a form of institutional power that does not need any external legitimization of its power⁶¹, is «self-referential» or «autocephalous» according to Cardia⁶². On the contrary, Charles Taylor invokes the raising of a sense of “historical contingency” which, in the specific case, is completely missing as long as one opts for the simple re-enactment of a paradigm inevitably linked to, for example, the specific conceptions of religious and secular as well as the peculiar cultural and political dynamics of the time – that is, the religious wars that bloodied Europe in the 16th and 17th centuries. Taylor⁶³, as well as many other authors⁶⁴, have demonstrated that the

⁵⁸ E. Ikegami, as cited in F. Fukase-Indergaard and M. Indergaard, *Religious nationalism and the making of the modern Japanese state*, in *Theory and Society*, Vol. 37, pp. 343 – 374, 2008, p. 352.

⁵⁹ P. Costa, *La città post-secolare. Il nuovo dibattito sulla secolarizzazione*, op. cit., pp. 71 – 78.

⁶⁰ C. Cardia, *Principi di diritto ecclesiastico. Tradizione europea legislazione italiana*, Torino, Giappichelli, 2015, p. 75.

⁶¹ W. Reinhard, *Storia dello stato moderno*, Bologna, Il Mulino, 2010.

⁶² C. Cardia, *Principi di diritto ecclesiastico*, op. cit., pp. 74, 75, 76.

⁶³ C. Taylor, *A Secular Age*, Cambridge, Belknap, 2007.

⁶⁴ J. Casanova, *Public religions in the modern world*, Chicago, The University of Chicago Press, 1994; Id., *Locating Religion and Secularity in East Asia Through Global Processes: Early Modern Jesuit Religion*

conceptual dyad at the basis of this theory, that between secular and religious, is the product of an invention within Western Christian theological discourse. It is Ernst-Wolfgang Böckenförde who has insisted on the fact that we need to look at an even earlier dynamic around the 11th and 12th centuries in Europe as the root cause of this matter: the Investiture Controversy. A conflict between the papal institution and the imperial one regarding the legitimacy of power, over the ultimate source that could legitimize the holders of any temporal power. The first and main consequence of these contrasts was the introduction of an unprecedented division between the secular and the religious. Indeed, the previous political-religious order, as such, had no distinction in this sense, simply because Christianity was recognized as the ultimate foundation of the political order⁶⁵. The Emperor and the Pope were not the embodiment of two different forms of power, they derived their positions and their offices from the same (divine) source. The distinction just described was then an invention or an elaboration made by some theologians to legitimize, given the existing controversies, the papal part to the detriment of the imperial one which was placed out of the religious sphere in an operation of desacralization, or simply the secularization of its role⁶⁶.

In conclusion, this paragraph should have demonstrated that the theory of separation has deep cultural and ideological ties with European history, as much as it could be contained in the broader discourse on secularization and decline of religious influence in modern societies. The importance of highlighting this bias is related to the possibility of broadening our understanding of a delicate issue such as that of the relationship between States and religious beliefs. In this regard, the contribution that such an awareness can make is that of not considering Western solutions to this question as the only viable way forward.

3.3. The saisei-itchi or the unity of religion and government

In presenting the core elements of the so-called unity theory, Yanagawa and Reid distinguish it from any theocratic form of government which can be thought of as the embodiment of unity between religion and government insofar in the Japanese case there was no priesthood or purely religious figure to govern the country directly. On the contrary, for the authors, it was a question of venerating the emperor as the «Deity who established the State» to use the words of Anesaki⁶⁷. Here is the first important

Encounters, in *Religions*, Vol. 9, 2018, pp. 1 – 12; T. Asad, *Genealogies of Religion*, Baltimore, Johns Hopkins University Press, 1993; Id., *Formations of the Secular: Christianity, Islam, Modernity*, Stanford, Stanford University Press, 2003; E-W. Böckenförde, *La formazione dello Stato come processo di secolarizzazione*, Brescia, Editrice Morcelliana, 2006.

⁶⁵ E-W. Böckenförde, *La formazione dello Stato come processo di secolarizzazione*, op. cit., pp. 34 – 37.

⁶⁶ Ivi, pp. 38 – 44.

⁶⁷ M. Anesaki, *History of Japanese Religion. With Special Reference to the Social and Moral Life of the Nation*, Tokyo, Charles E. Tuttle Company, 1963, p. 20, as cited in K. Yanagawa, K., and D. Reid, *Between*

point, which requires further investigation. The idea of a divine figure who found the Japanese State is probably one of the central elements of the theory of unity and is, as argued here, one of the most obvious reasons for contrast with the theory of separation. Indeed, if one is willing to trace the origins of the Japanese State or any earlier form of institutionalized power, such as royalty in ancient times, there is evidence that one must go through: the connection between this formation process and the role played in it by the *Tenno* specifically as the descendant of divine beings. As already noted, the discriminating factor for the Japanese emperor is precisely his lineage, the fact that, according to the mythological account provided by the two texts compiled at the beginning of the eighth century, the *Kojiki* (712) and the *Nihongi* (720), from Amaterasu, the Sun Goddess, who is «genealogically so connected with *Izanagi*, the generator of Japanese islands, that she comes into being when he washes his left eye» as Waida⁶⁸ points out, to Ninigi, grandson of the Goddess of the Sun, to end (or begin) with Jimmu, great-grandson of Ninigi and first human emperor according to Japanese tradition. If anything, an eminent scholar such as Tsuda Sokichi (1873-1961), after the war argued that the origins of the Yamato State are to be found in a first settlement «by the imperial ancestors ... in the Kyushu area around the 2nd century A. D.» whose «authority was solidified»⁶⁹ after a process of incorporation of other neighboring communities or clans until the sixth or fifth century. Along the same lines, in the aftermath of Japan's defeat in World War II, Paul Linebarger «identified the survival of the dynasty with the survival of the state»⁷⁰ as reported by McNelly, who in turn took a clear stand on the issue by stating that «in the Japanese tradition, the imperial dynasty preceded and established the state, and there is no hard historical evidence to disprove this theory»⁷¹.

In this sense, taking into consideration the focal point of linear descent which in ancient times was the founding element of Japan so-called «sacred kingship ideology», which to some extent resonates with the Meiji era concept of *kokutai*, or the eternal essence of Japanese politics, Waida referred to this framework that developed in the past, more precisely from the end of the 4th to the beginning of the 8th century, as an archetypal pattern which guaranteed Japan a model which can be modified, adapted to different times and then restored, especially in times of national crisis, as in the Meiji era. The same author will therefore speak of a certain «structural continuity that has never been lost... from archaic times down to the present»⁷².

Unity and Separation: Religion and Politics in Japan, 1965-1977, in *Japanese Journal of Religious Studies*, Vol. 6, 1979, pp. 500 – 521, p. 502.

⁶⁸ M. Waida, *Conceptions of State and Kingship in Early Japan*, in *Zeitschrift für Religions- Und Geistesgeschichte*, Vol. 28, 1976b, pp. 97 – 112, p. 104.

⁶⁹ K. Ruoff, *The People's Emperor. Democracy and the Japanese Monarchy, 1945-1995*, op. cit., p. 46.

⁷⁰ T. McNelly, *The Role of Monarchy in the Political Modernization of Japan*, in *Comparative Politics*, Vol. 1, pp. 366 – 381, p. 368.

⁷¹ Ibid.

⁷² M. Waida, *Sacred Kingship in Early Japan: A Historical Introduction*, in *History of Religions*, Vol. 15, 1976, pp. 319 – 342, p. 342.

At the conclusion of this brief classification of the theory of unity or at least of some of its traits, the evidence of this continuity as represented by Waida will be shown in the case study section. It goes without saying that these cases, as they tend to enforce the framework described above, pose problems with respect to the idea of a rigid and clear-cut separation between State and religion.

3.4. A tentative definition of the “separation theory” in and outside Japan

To provide the reader with a workable definition of separation theory, we will now examine the writings of two authors: José Casanova and Hiroaki Kobayashi. This paragraph should also raise awareness of the fact that the free exercise of religious beliefs or freedom of religion could assume a more prominent place in the establishment of a democratic system, rather than the achievement of what appears to be a rigid separation between the spheres of religion and the State.

On the one hand, therefore, it seemed correct to consider Casanova’s notion of secularism as «a whole range of modern secular worldviews and ideologies that may be consciously held and explicitly elaborated into philosophies of history and normative-ideological state projects, into projects of modernity and cultural programs»⁷³, but above all, within this broader category, to the narrower concept of secularism as the «state doctrine» which he identified. As already reported, this trend revolves around the idea of a necessary separation between the two spheres that we have identified here as that of the State and that of religion. In detail, according to Casanova, in almost every form of this doctrine, we witness the presence of two guiding principles: that, again, of separation or «no establishment»⁷⁴ and that of «state regulation of religion in society»⁷⁵, which the author portrays as the equivalent of the right of free exercise as provided in many constitutions today. What is it then that differentiates the specific form in one country rather than one in another? It is the «relationship between the two principles that determines the particular form of secularism and its affinity with democracy»⁷⁶ to use the words of Casanova. The variety of possible solutions usually depends on the hostile/friendly separation and «free/unfree state regulation of religion»⁷⁷ in societies. In this sense, however, Casanova poses a very pressing question: should we look at the idea of secularism as having an «end in itself»⁷⁸, as an «ultimate value»⁷⁹ or, conversely, as a «means to some other end, be it democracy and equal

⁷³ J. Casanova, *The Secular and Secularisms*, op. cit., p. 1051.

⁷⁴ *Ivi*, p. 1061.

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

⁷⁷ *Ivi*, p. 1062.

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

citizenship or religious pluralism»⁸⁰? If one agrees with this second option, then Casanova argues that the idea of a separation is therefore not «an end in itself» and therefore should be involved in the «maximization» of the «equal participation of all citizens in democratic politics and the free exercise of religion in society»⁸¹. Consistent with this, Casanova puts forward a proposition, which is followed up here, when he affirms that, in the end, «one cannot have democracy without freedom of religion», in the sense that the clause of free exercise rather than that of the «no establishment», appears to be a «necessary condition for democracy»⁸². In addition to this, he further corroborates his thesis by citing the cases of «Soviet-type regimes, Kemalist Turkey or post-Revolutionary Mexico»⁸³ as examples of «secular states that were nondemocratic»⁸⁴ so that a «strict secular separation of church and state is neither a sufficient nor a necessary condition for democracy»⁸⁵.

The second author, Hiroaki Kobayashi, can be considered an expert on relations between State and religion in Japan. From a legal point of view, he has dedicated several articles to the subject and, especially in one of these, he has made very relevant comments which, to a certain extent, are in line with the reported proposal of José Casanova. An example of this is his statement, incredibly similar to that of Casanova, on the need for a separation between State and religion «as a means to achieving true religious freedom»⁸⁶. On the contrary, Kobayashi argues, in Japan separation «has often been seen not as a means of securing religious freedom but as an end in itself»⁸⁷. The author derives this understanding by analyzing some court decisions in which he points out the courts' use of expressions such as «absolute separation» or «religion and the state should be mutually independent with no connecting ties» or «total separation of state and religion»⁸⁸ as the ideal solution the State should aim for, again, according to the Japanese courts. However, as reported by Kobayashi himself, the position of the courts is far from unequivocal and appears completely contradictory in some cases where in the same sentence the judges refer to «total separation» and then affirm that «the state unavoidably connects with religion» whenever it implements policies to regulate the various aspects of social life, including religious life. On the other hand, Kobayashi believes that, given the «various forms of religious faith and philosophies of life» that have characterized modern Japanese society, the only possible and

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Ibid.

⁸³ Ivi, p. 1063.

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ H. Kobayashi, *Religion in the Public Sphere: Challenges and Opportunities in Japan*, in *Brigham Young University Law Review*, Vol. 3, 2005, pp. 683 – 710, p. 693.

⁸⁷ Ibid.

⁸⁸ Ivi, p. 695.

reasonable approach to religion, in broader terms, by the State is that of neutrality, which means «a generous and tolerant attitude towards»⁸⁹ religious cults.

Moving on to the next part, the whole idea behind the separation theory is reconsidered here in the light of two possible interpretations of it. The one supported by this paper is that of openness towards religious cults, as also expressed by Casanova and Kobayashi, which can probably lead to reconsidering the question of the State-religion separation in completely different, more appropriate, more precise terms given the high degree of religious pluralism in modern societies. As for the Japanese case, Kobayashi rightly suggested that the idea of too narrow a division should probably be dismissed not only because of its practical impossibility, as also underlined by a ruling of the Supreme Court of Japan, but also because, in general terms, by adhering to an extremely rigid interpretation of the theory of separation, one could lose the idea of religious freedom as a central feature of democracies in favor of an unspecified view of this separation as an end in self.

4. Case studies

4.1. Presentation

To narrow the focus of this work, two main case studies of contemporary Japanese society have been selected. On the one hand, we will deal with the adoption of two legislations by the Japanese Diet, respectively in 1966 for National Foundation Day, and in 1979, as is the case of the Reign-Name Bill, which together constitute the first case study. In this sense, among all the variety of movements and individual political figures who have supported the enactment of these legislations, there will be a specific focus on the Association of Shinto Shrines or *Jinja Honcho*, recognized as a religious administrative organization since 1946. On the other hand, the second case study concerns the recently occurred succession ceremonies that led to the beginning of a new era, *Reiwa-jidai*, based on the calendar of the kingdom name, and the enthronement of a new emperor, *Reiwa Tenno*, formerly known as Crown Prince Naruhito. In this regard, the focus here will be on the nature of these ceremonies and again on the representation of the emperor as a descendant of the Sun Goddess, as occurs in the performance of these rituals.

In addition to that, the next section will conclude and summarize the various points in terms of determining the status of separation theory in Japan with respect to the case studies analyzed.

4.2. National Foundation Day or Kenkoku kinen no hi and the “Reign-Name Bill”

⁸⁹ Ivi, p. 694.

As proof of the paradigmatic value of the pattern presented by Waida, in contemporary times we can mention the February 11 National Foundation Day (*Kenkoku kinen no hi*). Before going into the details, it is appropriate to quickly assess the nature, role and origins of the Association of Shinto Shrines or *Jinja Honcho*, which played a significant role in both case studies discussed in this paragraph. As already noted, since 1946 this association has been officially recognized as a private religious organization under Japanese law and oversees approximately 80,000 shrines located throughout the country⁹⁰, plus it can count on several «prefectural offices (*Jinjacho*) ... open to the public» and its primary purpose, since its foundation after the war, can be summed up as preserving the «Japanese religious tradition», as indicated on its website. According to Breen, this association deserves attention as it «trains, appoints, promotes and dismisses Shinto priests; it determines the rites that these priests perform, and through its theological research institute (*Kyogaku Kenkyujo*), shapes Shinto's modern meanings»⁹¹. Among that vast amount of shrines, particular attention is paid to the Ise Grand Shrine in which, in a specific pavilion, «the supreme deity Amaterasu-Omikami has been worshiped for 2000 years, as the predecessor of the Imperial Household and the supreme deity of Shinto»⁹². That being said, for the purpose of this article, over the years this association has «developed as a politically oriented organisation having the state and the Emperor as its main preoccupations rather than as a force for uniting folk beliefs in shrines at a national level» to quote Shimazono⁹³. Shimazono, will go even further in suggesting that the main «religious principle» of the *Jinja Honcho* is a form of «State Shinto», in a broad sense of the term, of which the central element is the «reverence for the Emperor, the Imperial House and the Grand Shrine of Ise»⁹⁴ in an attempt to officially (and legally) restore and regain a sort of direct connection with the State, as it was, in different ways, in the 19th century⁹⁵. In this effort, the two cases that we will now examine represent, according to Shimazono, two positive outcomes of this precise will.

⁹⁰ Look at M. Teeuwen, *Jinja Honcho and Shrine Shinto policy*, in *Japan Forum*, Vol. 8, 1996, pp. 177 – 188; J. Breen, *Resurrecting the Sacred Land of Japan. The State of Shinto in the Twenty-First Century*, in *Japanese Journal of Religious Studies*, Vol. 37, pp. 295 – 315.

⁹¹ J. Breen, *Resurrecting the Sacred Land of Japan. The State of Shinto in the Twenty-First Century*, op. cit., p. 296.

⁹² As posed by the Association itself in its official website: <https://www.jinjahoncho.or.jp/en/ise/index.html>.

⁹³ As quoted in M. Okuyama, *Religious Dimensions of the Japanese Imperial System in the Contemporary Social Situations*, in *Journal of the Nanzan Academic Society Humanities and Natural Sciences*, Vol. 13, 2017, pp. 1 – 21, p. 9.

⁹⁴ *Ibid.*

⁹⁵ H. Hardacre, *Shintō and the State, 1868-1988*, Princeton, Princeton University Press, 1989; D. M. O' Brien and Y. Ohkoshi, *To Dream Of Dreams: Religious Freedom And Constitutional Politics In Postwar Japan*, Honolulu, University of Hawaii Press, 1996.

To begin with, National Foundation Day (February 11), a national holiday in Japan, celebrates the founding «in 660 B.C. of the Empire of Japan by Emperor Jimmu»⁹⁶ and clearly refers to the mythological tale mentioned above. Furthermore, the celebration was initially fixed during the Meiji era in 1872 and after being abolished under post-war pressure from the occupation authorities, it was finally re-established as a national holiday in 1966. This achievement, as extensively explained by Ruoff, was the result of a long and controversial political campaign in which a different number of social actors respectively played a significant role. We found political exponents of the Liberal Democratic Party, as well as structured organizations such as the aforementioned Association of Shinto Shrines, which was «the most prominent agent in the re-establishment coalition»⁹⁷, but also scholars, representatives from the business world or by the prefectural and municipal councils. More interestingly, from its inception after World War I to its formal re-establishment in 1966 through public polls, rallies and petitions, this campaign can be said to have enjoyed considerable popular support (Ruoff, 2001). In some periods, local mayors and individual associations expressed their dissatisfaction and even disapproval of the way the Liberal Democratic Party was dealing with the issue, even portraying the party as the «biggest barrier to the movement to legalize Foundation Day»⁹⁸.

In line with this, another campaign should also be mentioned which saw the participation of almost the same actors on both sides of the first debate around Foundation Day. We are talking about the diverse acts, figures and movements that they supported the Reign-Name Bill in 1979. This is the legislation passed by the Japanese Diet with which the country has (re)adopted a dating system based on the duration of the imperial reigns. The question of the era name or *genko* is worth highlighting for two reasons. First, this case too was a case of very active and militant participation and campaigning, «one of the most extensive social movements in post-war Japan»⁹⁹. To cite just one example, before the Diet formally approved the bill «forty-six of the forty-seven regional assemblies (*todofuken gikai*) and more than half – nearly 1'600 – of all village, town, and city assemblies in Japan had passed resolutions (*ketsugi*) urging the Diet to take action on this matter»¹⁰⁰. Even more convincing is the fact that, at the time Japan was debating this bill, there were few other instances of countries adopting a system other than the Christian calendar. Indeed, a fascinating aspect common to these other countries, such as Israel and various Islamic nations, is that the alternative systems they adopted all referred to a religious tradition: the Jewish tradition in Israel and that of the Islamic tradition, which begins in the year of the *Hijra* when the Prophet Mohammed moved from Mecca to Medina. Again, therefore, we find a more direct comparison between the *Tenno* and religious figures from other

⁹⁶ K. Ruoff, *The People's Emperor. Democracy and the Japanese Monarchy*, op. cit., p. 13.

⁹⁷ Ivi, p. 161.

⁹⁸ Ivi, p. 171.

⁹⁹ Ivi, p. 183.

¹⁰⁰ Ivi, pp. 183, 184.

traditions, rather than with modern monarchs. In addition to this, these first two examples have given us a first design cue of how much the figure of the emperor in Japan was and, in more recent times, has been connected to the State from various points of view. Indeed, the two bills approved by the Japanese Diet not only show a certain tendency to rely on some features of the model described by Waida, and therefore to bring out that sense of structural continuity suggested by Waida himself, but it can be said that the effects they produce have also had consequences in the daily life of the Japanese for which, especially in the case of the Reign-Name bill, even today many administrative documents are drawn up in accordance with this system.

In summary, this first case shed light on how the democratic and public arena in Japan is populated by a very articulated number of actors, some of whom have a fundamental religious orientation and, as is the case of the Association, a structure organization with offices and several branches. Furthermore, representatives of Japanese society, as partially confirmed by polls and local assembly resolutions, have shown at least a positive attitude to reinforce some features related to the mythological tale that presents the eternal lineage of the emperors as the founders of the country and, as some authors quoted here have argued, of the Japanese State. Moreover, with particular regard to the *Jinja Honcho* and the subject of this paper, one of its long-standing goals has been the redefinition of the religion-state separation enshrined in the Constitution, either in the sense of abolishing or providing a different interpretation that provides the «legitimacy» for a «renewed link with the state»¹⁰¹, argues Ruoff. Consistent with this, in a recent work Ernils Larsson insisted on the involvement of *Jinja Honcho*, through some of its top representatives (such as its President), in the «Citizens' Association for the Creation of a Constitution for Beautiful Japan»¹⁰², a working group established within the *Nippon Kaigi* association in 2014. *Nippon Kaigi* itself, described by Guthmann as a «confederation of political and religious movements»¹⁰³ and usually depicted as part of a nationalist perspective, «to establish popular support for constitutional reform»¹⁰⁴, expressed his dissatisfaction with a «separation of state and religion that has gone too far»¹⁰⁵. Not being able for the moment to access any concrete proposal for constitutional reform by this college, we just have to formulate a few last observations before moving on to the next case study.

As this second paragraph hopefully demonstrates, the orientation and activities of the *Jinja Honcho* represent a sort of blocking factor to the complete completion of a separation between the State sphere and the religious one, in broader terms. Guthmann will go even further by stating that this association, together with some

¹⁰¹ Ivi, p. 288.

¹⁰² E. Larsson, *Jinja Honcho and the Politics of Constitutional Reform in Japan*, in *Japan Review*, Vol. 30, 2017, pp. 227 – 252. p. 247.

¹⁰³ T. Guthmann, *Nationalist Circles in Japan Today: The Impossibility of Secularization*, in *Japan Review*, Vol. 30, 2017, pp. 207 – 225, p. 207.

¹⁰⁴ E. Larsson, *Jinja Honcho and the Politics of Constitutional Reform in Japan*, op. cit., p. 227.

¹⁰⁵ Ivi, p. 247.

others that he frames as «nationalist circles», are the main cause of the «impossibility of secularization» in Japan. In this regard, this essay does not entirely share Guthmann's hard line insofar the separation of State and religion is not here considered as «an end in itself» to use the words of Kobayashi. On the other hand, however, the presence of such an active actor within Japanese society is still notable, an actor which supports the divine lineage of the *Tenno* based on the mythological account we have reported above, an actor which successfully ran some political campaigns true to that narrative and against the backdrop of the anticipated constitutional separation.

4.3. Imperial Succession Ceremonies

This section is dedicated to the second case study, which concerns the recently occurred succession ceremonies that marked the accession to the throne of the new emperor in 2019. The leitmotiv of this section will be the link, the existence of which this contribution claims, between the representation of the *Tenno* as provided by these ceremonies, in the sense that it should, even today, be regarded as part of that unbroken imperial line, entrusted with the task of ruling the Japanese land by the Sun Goddess herself. The basis of this, therefore, is that since the origins of the imperial institution, its duties and above all its positions within society were ultimately legitimized, justified due to certain ritual functions that the emperor must perform as a descendant of divine beings. In this context, the ceremonies were a key part of this picture, as we shall see.

Precisely dating the origins of this process and grasping the inner meaning of the ceremonies that compose it, is something that seems to be beyond human possibilities for several reasons. On the one hand, these ceremonies seem to have existed «from remote past» and the only documentary source at our disposal are those texts such as the *Kojiki*, the *Nihongi* or the *Kogoshui* (806-7 AD), which are based on earlier documents that have been lost and which were, in turn, based on a «much older oral tradition»¹⁰⁶. And so, even if a first testimony of the performance of the ceremonies can be dated «in the reign of Emperor Tenmu (r. 672 - 687)», as stated by Blacker¹⁰⁷, some characteristics of the rites, such as «the absence of any metal»¹⁰⁸ in the construction of ritual structures, suggest that «origin may take us back to a prehistoric age»¹⁰⁹. Additionally, an aura of mystery surrounds the crucial parts of these

¹⁰⁶ D. C. Holtom, *The Japanese Enthronement Ceremonies with An Account of the Imperial Regalia*, Tokyo, Sophia University Press, p. 2.

¹⁰⁷ C. Blacker, *The Shinza or God-seat in the Daijōsai. Throne, Bed, or Incubation Couch?*, in *Japanese Journal of Religious Studies*, Vol. 17, 1990, pp. 179 – 197, p. 179.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

ceremonies and even today we can only formulate hypotheses and follow the interpretations of eminent scholars.

Having said that, let us now go through a brief outline of the ceremonies that precede the *daijō-sai*, which are the *senso*, or the «ascent» as it is supposed that the throne as the throne is supposed to «not be vacant for even a single day», the *sokui-rei* or usually rendered as the “ascension to the throne”, the «enthronement»¹¹⁰. Noteworthy, for the purposes of this work, the most relevant ceremonies are those which constituted the accession and the Great Thanksgiving or *daijō-sai* for their symbolic value in relation to the emperor and his status within the constitutional settlement of the State-religion separation. Ultimately, it should be emphasized that since the adoption of the new constitution, in the aftermath of the end of the Second World War, on the rituals *senso* and *daijō-sai* we find no reference in the Manual for the Imperial Household issued in 1957, which only mentions *sokui-rei* as the «accession ritual»¹¹¹ for the succession. So, as far as we are concerned, these are performed based on the tradition of the imperial family but have no legal basis whatsoever.

4.4. Senso or Accession, the Three Imperial Regalia and the “Enthronement”

The central aspect of the *senso* ceremony is the inheritance of the so-called Imperial Regalia by the future emperor. The three sacred objects or regalia are the «Yata Mirror, the Yasakani Curved Jewels and the Kusanagi Sword»¹¹². The sacred nature of these three emblems is underscored by how they are collectively described in Japanese translated as The Three Kinds of Divine Treasures. Given the scope of this article, we should consider the origin of these three objects which, as will be further explained, support the idea that the emperor has divine parentage. Before this, it should be noted that although throughout history the overall rite of succession has been subject to change (such as the time between different ceremonies) and in some periods (notably from 1466 to 1687) it was not at all estates, if we look at the most recent ones¹¹³, which took place respectively in 1989 with the then Crown Prince Akihito and in 2019 with Crown Prince Naruhito, there is certainly a kind of continuity in their execution, which will be used here as the main area of interest in this analysis. In relation to the three regalia, the most important is the Yata Mirror as it is thought to be a material representation of the Sun Goddess herself, Amaterasu-Omikami. The

¹¹⁰ Jinja Honcho, The Imperial Succession -MIYOGAWARI-, 2018, available online at: <https://www.jinjahoncho.or.jp/en/miyogawari/>.

¹¹¹ E. Ohnuki-Tierney, *The Emperor of Japan as Deity (Kami)*, in *Ethnology*, Vol. 30, 1991, pp. 199 – 215, p. 206.

¹¹² D. C. Holtom, *The Japanese Enthronement Ceremonies with An Account of the Imperial Regalia*, op. cit., p. 2.

¹¹³ A. C., Mayer, *Recent Succession Ceremonies of the Emperor of Japan*, in *Japan Review*, Vol. 2, 1991, pp. 35 – 61.

sacred aura of this object is so intense that during the entire ceremony itself this mirror, unlike the other two objects, is not moved from the Ise temple where it is kept and venerated. For the purposes of this ceremony, therefore, a specific copy of it is used, kept in the central shrine of the Imperial Palace in Tokyo, the *Kashiko-dokoro*. However, even this replica has not moved from its place, and it is the becoming-emperor who on two occasions, once when the dates of *sokui-rei* and *daijo-sai* are formally fixed, and a second time during the Enthronement ceremony or *sokui-rei*, himself goes to *Kashiko-dokoro* and personally announces to Amaterasu-Omikami the successful succession. Even if this practice of referring events to the ancestors is a particular cultural characteristic of the Japanese people in general and not exclusively a matter of the imperial house, once again, here we find another testimony of how much, even today, the bond between the emperor and divine beings is objectified.

The other sacred object, closely linked to the mirror, given the common mythological episode from which the two originated, is the jewel or *magatama*. Indeed, both the jewel and the mirror referred to the event narrated by the *Kojiki* in which the Goddess of the Sun, offended by the divine brother Susanoo-no-Mikoto, withdrew to a cave causing the arrival of darkness in worldwide. Only thanks to the mirror and the jewel the other celestial creatures managed to attract the Goddess, bringing light back into the world. The jewel, as well as the sword¹¹⁴, are brought from the becoming-emperor in the process (mentioned above) of reporting the status of the succession to Amaterasu-Omikami. Once the three insignias have been inherited and the new era-name has been chosen, the *senso* can be said to be complete. The later *sokui-rei* involves a more private or religious ceremony and another one, which is described by Fosco Maraini as a more pompous civil celebration. The first has already been briefly outlined, when it was mentioned that on a specific occasion it is announced – both to the replica of the sacred mirror in the *Kashiko-dokoro* as well as to other Imperial Ancestors and to the *kami* of heaven and earth in two different buildings – the successful enthronement of what (only) after this rite, according to some scholars, can be officially called the new *Tenno*. In the latter event, however, the newly installed emperor is presented in front of a very prestigious audience made up of representatives of over 150 countries. A minor detail is reported by Maraini on the ceremonies that took place in 1990 concerning the height of the *takamikura* or throne for the emperor and the respective *michodai* for the empress with respect to the position of the Prime Minister who should greet the *Tenno* with the triple pronunciation of *banzai*. The question of the difference in height between the two positions is merely a question of reinforcing the idea of one figure, the emperor, as symbolically superior to the Prime Minister and possibly, according to some more conservative interpretations, the throne

¹¹⁴ As far as we are concerned, the original sword was lost in the naval battle of *Danno-Ura* in 1185 and the one which has been used from 1210 until now is an ancient piece of the Ise-Jingu collection. Its symbolical value is thought to be, according to Holtom (1972), its reference to the militaristic features of the history of Japan. To quote his words, it was inevitable that such a populace «who lived by the sword should revere and deify the emblem of their power» (1972).

is a representation of Mount Takachiho, the place where Ninigi no Mikoto would have landed in his descent from heaven¹¹⁵. As a matter of fact, then, although the difference between the two has reduced (from 530cm to 130cm) it has nevertheless been kept minimal.

Before moving on to the last ceremony, it should be noted that the three sacred objects at the center of this first part and their transmission in the hands of the new emperor once again repeat or recall, as suggested by Waida, some act performed by the divine ancestors in mythical-sacred times. In this regard, the corresponding episode is the bestowal, the endowment of Three Sacred Treasures by the Goddess of the Sun to her nephew Ninigi so that he fulfills his task of «pacifying the terrestrial world»¹¹⁶ and is for this reason that Holtom considers them «absolutely essential to the assertion of legitimate claim to the throne»¹¹⁷.

4.5. *Daijo-Sai or Onamesai or the “Great New Food Festival/Great Thanksgiving Festival”*

Finally comes the third and most complex succession ceremony. In an older pronunciation, the *onamesai*, originates from an ancient «imperial harvest ritual» and the role of rice seems to be central here. In fact, in a very rice-based society like Japan, fertility has become one of the central elements of «all Shinto beliefs», the «chief celestial blessings demanded are those most desirable to farmers and fishermen»¹¹⁸. In this context, then, the early emperors «were magico-religious leaders ... whose political power rested upon an ability to solicit supernatural powers to ensure good crops»¹¹⁹. As Ohnuki-Tierney has shown, there is broad scholarly agreement that the most important role of the emperor was to secure these divine blessings «in behalf of the people»¹²⁰. In this sense, the digression made in this article, which aimed to highlight this intermediation function between the two spheres, seems significant. The specific «annual harvest ritual» was called *niinamesai* and on a particular occasion, and precisely in the case of an imperial succession, it was transformed into *onamesai* which today is known as the third ceremony of the accession rituals, the *daijo-sai*¹²¹. In fact, as

¹¹⁵ In F. Maraini, *L'Agape celeste*, op. cit., p. 31.

¹¹⁶ Jinja Honcho, *Soul of Japan: An Introduction to Shinto and Ise Jingū*. Public Affairs Headquarters for Shikinen-Sengū, 2013, available online at: <http://www.jinjahoncho.or.jp/en/>.

¹¹⁷ D. C. Holtom, *The Japanese Enthronement Ceremonies with An Account of the Imperial Regalia*, op. cit., p. 5.

¹¹⁸ G. B. Sansom, *Japan. A Short Cultural History*, Stanford, Stanford University Press, 2018, pp. 13 – 17.

¹¹⁹ E. Ohnuki-Tierney, *The Emperor of Japan as Deity (Kami)*, op. cit., p. 200.

¹²⁰ Ibid.

¹²¹ As a matter of fact, the ceremonies do not completely coincide and the simple terminological shift from one ceremony to the other might deceive the reader in this respect. As pointed out by Holtom, Maraini as well as Blacker there are some similarities as much as some differences. For the

underlined by Holtom, basically in this ritual are «merged a primitive harvest festival and survivals of the original Japanese Enthronement rites»¹²². This connection between the emperor and rice cultivation is still alive today, although some of the rites connected to it have been transformed into ceremonies that the *Tenno* performed as private rites within the imperial estates. After having briefly evaluated a historical chronicle, we must now move on to the performance of this rite as it has been characterized in more recent times.

As far as we are concerned, the preparation of this peculiar rite begins in spring – between February and April – with the identification of two rice fields, based on a turtle shell divination, called respectively *yuki* and *suki* in which the rice that will then be offered during a specific part of the rite is grown with the «utmost care to prevent contamination by impurities»¹²³. The two fields are indicatively located in the south-east and north-west areas of Kyoto, so much so that, due to their specific locations, they «symbolize the entire nation». Subsequently, the preparatory phase ends with the construction of a «sacred complex» known as *daijo-gu* and of two halls, the *yukiden* and the *sukiden* by specific carpenters (*miya-daiku*) in which «the main rituals will take place»¹²⁴. As a further factor apparently confirming the Shinto nature of this rite, the emperor, members of the imperial family and «all others who participate directly» are subjected to a rite of purification before the initiation of *daijo-sai* as noted by Holtom¹²⁵.

The whole ceremony is therefore divisible into three parts and it takes nearly three days to perform all of them. In order, the first ritual is called *chinkonsai* or *mitama shizume* usually translated as pacification of souls. This begins when the emperor's

purpose of this paper, though, there is no need to stress both of them, for which we refer to the cited works here.

¹²² D. C. Holtom, *The Japanese Enthronement Ceremonies with An Account of the Imperial Regalia*, op. cit., pp. 55 – 67.

¹²³ E. Ohnuki-Tierney, *The Emperor of Japan as Deity (Kami)*, op. cit., p. 200. On a brief note, the notion of purity and hence of impurity is a central one in Shinto beliefs. And indeed, as stressed by the Shinto master Motohisa Yamakage (2012) «the very source of Shinto, is a form of purification that has four aspects ('*seimei seichoku*')». *Seimei* has the meaning of having «a clean and happy attitude of inner mind ... without impurity», whereas *seichoku* stands for «right action or behavior as well as the social aspect of being right (that is, not committing any sin, crime or offense) and behaving with honesty, openness, and frankness toward others». The custom of «purification with water» that any visitors to Japan might have witnessed to is then expressed by the term *misogi* and is a matter of made clean our bodies but also «our heart and mind are purified at the same time». At the opposite side we found the notion of *kegare* which, by contrast, is comprised of those elements that interferes with this process of purification. In this sense, most of what is naturally expelled by our bodies is considered to be impure (Raveri, 2006). In relation to the ceremonies here analyzed and on remarking the importance of the concept of purification or *oharai* for Shinto, even the imperial couple, in the preparatory phase of the *daijo-sai* undergone certain rituals meant to purify them: it is the case of the *gyokei* rite for the emperor and the empress.

¹²⁴ C. A. Mayer, *Recent Succession Ceremonies of the Emperor of Japan*, in *Japan Review*, Vol. 2, 1991, pp. 35 – 61, p. 44.

¹²⁵ Look at J. Holtom, *The Japanese Enthronement Ceremonies with An Account of the Imperial Regalia*, op. cit., pp. 95 – 112.

clothes and a sacred cord («life cord» or «great life master» according to Holtom) are taken to a special building called a *saiden* and the «clothes are shaken ten times»¹²⁶ plus «ten knots are tied in the white chord»¹²⁷. In this phase, a female ritualist will perform a special dance which has its «mythological prototype» in the same episode quoted above «at the time of the withdrawal of the Sun Goddess» and a special dance was one of the tricks of the other divine beings adopted to lure her out, as reported by Holtom¹²⁸. It is Maraini who gives us a convincing explanation of this part: he argued that it refers to the ancient belief in basis on which it is thought that human beings are endowed with a multitude of souls and the scope of the *chinkonsai* is precisely that of pacifying and reuniting the different souls of the emperor thanks to the delicate and intense ceremonies and which will take place shortly thereafter.

However, getting into the heart of *daijo-sai*, we should talk about the second phase of it, which is of paramount importance for the purposes of this article. The two buildings of the *yukiden* and the *sukiden* are the places where this sequence of the ritual takes place. Before entering the *yukiden*, however, the emperor should undergo a series of “purificatory baths” and subsequently, followed by the Sword and Jewel, will enter the building accompanied by ancient ballads or «magic music» (*furugoto*) «chanted by the *kataribe* 語部 minstrels»¹²⁹. The furniture is said to be identical for both structures with the *shinza* in the center, a sort of sofa or bed, which is covered with a white silk (the *ofusuma*). A procession will then join the emperor bringing rice and sake (both coming from the respective rice field previously identified through divination), which will first be offered to the *Tenno* himself and then, in turn, he will offer them to the ancestral *kami* in very solemn and respectful way. Immediately after reciting some prayers, the emperor will feast on the same food and drink that he previously offered to the *kami*. As the ceremony progresses, the food is removed and the emperor has to wash his hands before repeating, as far as we are concerned, the exact same procedure in the other building *sukiden*, so that «by dawn the two rituals are finished»¹³⁰. What follows over the next two days are the «state banquets in celebration of the enthronement»¹³¹. After briefly outlining the sequence of this particular ritual, comes an even more nuanced and intricate part: the interpretation(s) of its meaning(s).

For the purposes of this contribution, we will retrace only some aspects of the overall hermeneutical operation carried out by various eminent scholars, those that appear relevant to underline the criticality of this ceremony against the background of the alleged separation between religion and state. In this sense Blacker, in no uncertain

¹²⁶ C. Blacker, *The Shinza or God-seat in the Daijosai. Throne, Bed, or Incubation Couch?*, op. cit., p. 181.

¹²⁷ Ibid.

¹²⁸ J. Holtom, *The Japanese Enthronement Ceremonies with An Account of the Imperial Regalia*, op. cit., pp. 95 – 112.

¹²⁹ C. Blacker, *The Shinza or God-seat in the Daijosai. Throne, Bed, or Incubation Couch?*, op. cit., p. 180.

¹³⁰ C. A. Mayer, *Recent Succession Ceremonies of the Emperor of Japan*, op. cit., pp. 44, 45, 46.

¹³¹ J. Holtom, *The Japanese Enthronement Ceremonies with An Account of the Imperial Regalia*, op. cit., pp. 95 – 112.

terms, stated that «all scholars who have sought to interpret»¹³² the symbolic value of the *daijo-sai* «agree that the ritual sequence enables the future emperor to pass from a human to a divine condition»¹³³ and Kokan seems to be of the same mind when he affirms that «the meaning of the *daijo-sai*»¹³⁴, its «objective is the divinization of the emperor»¹³⁵.

The line of interpretations is tripartite: one focuses on the *chinkonsai* or *mitama shizume* part and essentially depicts it as a process of «rejuvenation» of the emperor's soul, which in turn enables him to perform the ritual in *yukiden* and *sukiden* «at the height of spiritual power»¹³⁶. The concept of soul is also relevant to the third line of interpretation, which is mostly represented by the works of Orikuchi Shinobu and his incredibly fascinating theory of the «imperial soul» or *tenno-rei*. In general, in ancient Japan it was believed that a soul could easily detach itself from its «receptacle», be it a human being or an object, it would «wax in the winter and wane in the spring»¹³⁷ and hence the specific purpose of the *mitama shizume* is to «recapture» the emperor's soul «which might have waned or have been ready to leave his body»¹³⁸. However, Orikuchi will push this argument further and claim that the very core of *chinkonsai* is the «transmission» of the «imperial soul» which, during that rite, «enters the body of the new emperor»¹³⁹. This transmission apparently took place when throughout the *chinkonsai* the emperor covered himself with the aforementioned white silk, the *ofusuma* and only when and only when he took off this «magic garment» could it be said that he is the new container or receptacle of the imperial soul. As noted by Blacker, again we find a reference to the mythological record as it is in the original *ofusuma* that the «Sun Goddess's grandson was wrapped during his journey to the human world»¹⁴⁰. On the other hand, other authors have focused on the presence of a «court lady» and have hypothesized that he «engages in sexual intercourse with her»¹⁴¹, while others in turn, such as Tanaka Hatsuo, have suggested the idea of considering the «communion meal as the climax of the rite»¹⁴² as a common trend within Shinto festivals, in which «kami are summoned, entertained, honoured, treated with every mark of hospitality, and finally requested for blessings before being sent back to their own world»¹⁴³. All of

¹³² C. Blacker, *The Shinza or God-seat in the Daijosai. Throne, Bed, or Incubation Couch?*, op. cit., p. 186.

¹³³ Ibid.

¹³⁴ S. Kokan, *Priest, Shaman, King*, in *Japanese Journal of Religious Studies*, Vol. 17, pp. 106 – 128, p. 124.

¹³⁵ Ibid.

¹³⁶ E. Ohnuki-Tierney, *The Emperor of Japan as Deity (Kami)*, op. cit., p. 201.

¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ As quoted in C. A. Mayer, *Recent Succession Ceremonies of the Emperor of Japan*, op. cit., pp. 50, 51.

¹⁴⁰ C. Blacker, *The Shinza or God-seat in the Daijosai. Throne, Bed, or Incubation Couch?*, op. cit., p. 191.

¹⁴¹ E. Ohnuki-Tierney, *The Emperor of Japan as Deity (Kami)*, op. cit., p. 201.

¹⁴² As quoted in C. Blacker, *The Shinza or God-seat in the Daijosai. Throne, Bed, or Incubation Couch?*, op. cit., p. 187.

¹⁴³ Ibid.

these hermeneutical schemes contain a central shared element which is an understanding of the emperor and ceremonies that clashes, this article argues, with a total or absolute interpretation of the theory of separation. To further substantiate this claim, however, we will now move on to a final paragraph with a comprehensive analysis of this case study.

4.6 Analysing the second case-study

In addition to the more evident consideration made by scholars such as Tanaka Hatsuo and D.C. Holtom about a communion meal between the “symbol of the state” and the *kami*, the brief hints that have been made in this second case study to what might appear to be mere details, such as the one on the *ofusuma* or that on the emperor’s throne as a symbol of Mount Takachiho, as well as the Three Sacred Treasures, all point in the same direction. This direction seems to be the one described by Waida, exposed in this work, namely the reference to an effectively recurring pattern available to Japan. The scheme could be summarized, as has been shown throughout this paper, as centered on the divine kinship of the *Tenno*, which appears to be the main and only source of legitimacy for the imperial institution itself in the broader context of the Japanese institutional and Japanese system and political landscape. In the sense that, as expressed by many authors, the first and most important characteristic of the imperial institution in Japan was «for the emperor not to rule»¹⁴⁴, and Ishii Ryosuke, among others, underlined that the *Tenno* was in the end the «source of the right to rule»¹⁴⁵, but this right was almost never exercised by the imperial institution, but by other political actors¹⁴⁶. In line with this, the emperor’s position within Japanese society and throughout history has almost never been legitimized through the use of force rather, again, by referring to him as a member of that unbroken line and these ceremonies, even in 2020, reaffirm this concept. Consistent with this, therefore, all the examples cited above (i.e., the three treasures, the *ofusuma* etc.) are nothing more than a sort of correspondence with mythological episodes as narrated in the *Kojiki* or in other texts and reinforce this idea of a certain «structural continuity», as claimed by Waida. It goes without saying that this contribution argued that this continuity contrasts with the idea of a separation between the sphere of the State and that of religion and this criticality does not only concern the imperial institution itself, as it

¹⁴⁴ D. M. Earl, *Emperor and Nation in Japan: Political Thinkers of the Tokugawa Period*, Washington, University of Washington Press, 1974; F. Mazzei, *La costituzione Meiji. Il ruolo del Tennō*, in *Il Giappone*, Vol. 31, 1991, pp. 5 – 54.

¹⁴⁵ I. Ryosuke, *A History of Political Institution in Japan*, Tokyo, University of Tokyo Press, 1980, pp. 7, 8.

¹⁴⁶ In this sense, the *Tenno* seems to embody the concept of *auctoritas*, not exercising any *potestas*. For a definition of the concept, look at G. Preterossi, *Autorità*, Bologna, Il Mulino, 2002; H. Arendt, *Tra passato e futuro*, Milan, Garzanti, 2017.

cannot be said to be a completely autonomous body from the State like, for example, the Catholic Church in Italy, indeed it is the «symbol» of the Japanese state and of the «unity of the people», as enshrined in the Constitution.

Concluding this second and last case study, in the description and analysis of it we were almost transported to another dimension where magical dances are performed, magical music is played, a meal is offered and shared with non-human or divine beings. To put it simply, any reference to the secular and political side, both of the “symbol of the state” (i.e., the *Tenno*) and in broader terms, appears very rare in this process. If anything, then, politicians and representatives of various countries are mere spectators of this representation of the Sacred or, at most, they applaud and praise the protagonist of this representation, as is the case of the Prime Minister who greets the *Tenno* with a triple *banzai* which is nothing more than a wish for a long life. According to Eisenstadt, it is precisely «in the combination of secular and religious, or rather sacral, Shinto ceremonies connected with the enthronement or death of emperors» that one can find evidence of an understanding of Japanese society «as symbolized by the emperor» as «having a strong sacral component – the separation between state and religion notwithstanding»¹⁴⁷. Similarly, Bock, in commenting on these ceremonies, has advanced the proposition that the «distinction between the two areas», religion and State, «like other concepts introduced from an alien culture, is far from clear»¹⁴⁸. Moving on to the observations and concluding comments of this work, the question raised by Nosco in 1990 does not seem to have found an adequate answer and for this reason it must be mentioned: «Why, if the emperor is not and does not regard himself as a divine descendant of the Shinto deity Amaterasu, should he participate in ceremonies which at least some believe will transform him into a living deity?»¹⁴⁹.

5. Conclusion. Some final remarks

The first and most important point that has been made here is that the imperial institution, both in the events of the succession ceremonies which, again, took place only three years ago, and in the understanding of it by the multitude of actors social, among which we have highlighted the prominent role of the *Jinja Honcho*, who participated in the two campaigns described in the first case, seems to represent a sort of «blocking factor» for a complete and total separation of the spheres of state or politics and religion. If anything, it is precisely the institutional position, as envisaged by the Japanese Constitution, that suggests that the *Tenno*, as an object of investigation, should be considered within the limits set by the Constitution itself: an internal

¹⁴⁷ S. Eisenstadt, *Japanese Civilization*, op. cit., p. 40.

¹⁴⁸ As quoted in S. Eisenstadt, *Japanese Civilization*, op. cit., pp. 40, 41.

¹⁴⁹ P. Nosco, Editor's Introduction, in *Japanese Journal of Religious Studies*, Vol. 17, 1990, pp. 99 – 103, p. 99.

institution of the State and not external to it. As we have seen, the fundamental problem concerns some specific aspects of this institution, as observable in the ceremonies, which are intertwined with the mythological tale and the divine kinship models that appear to be highly problematic with a rigid conceptualization of separation. These contrasting elements, which this essay has brought together within the concept of unity theory and combined with the comments of Waida, demonstrate a certain continuity from the past to the contemporary. And since this presence is still evident today, it really seems that a significant operation of rethinking the institution in its essence is a fundamental step for those who support a necessary change of the status quo of it, if by essence we mean the unbroken line of emperors from *Jimmu Tenno* onwards.

Therefore, the main point was to underline how an analysis of these dynamics must consider the theory of unity as a relevant tool since it is not only linked to a distinctive aspect of the imperial institution since the dawn of time, but also because some social (and religious) actors, such as the Association of Shinto shrines, still maintain the validity of this theory today and the Japanese State itself, as demonstrated in the first case study, has adopted two legislations which have shown, although to a certain degree, reliance on this view.

Furthermore, another episode which confirms the inadequacy of an analysis that uses only the theory of separation to understand the Japanese reality, occurred a few years before the ceremonies described. In fact, the now Emperor Emeritus or *Joko*, who expressed his willingness to abdicate in August 2016, as reported in this work, made some interesting points in his public speech that deserve to be briefly mentioned. On that occasion he specified its position on the «first and foremost duty of the Emperor» as «the symbol of the State» which is, according to his understanding, “to pray for peace and happiness of all the people» and again «to always think of the people and pray for the people». In this respect, therefore, praying is interpreted as an essential activity for the emperor, although it does not fall within the official duties as listed by article 7 of the Constitution¹⁵⁰. As expressed by Okuyama, «as long as the emperor

¹⁵⁰ Article 7: “The Emperor, with the advice and approval of the Cabinet, shall perform the following acts in matters of state on behalf of the people:

Promulgation of amendments of the constitution, laws, cabinet orders and treaties.

Convocation of the Diet.

Dissolution of the House of Representatives.

Proclamation of general election of members of the Diet.

Attestation of the appointment and dismissal of Ministers of State and other officials as provided for by law, and of full powers and credentials of Ambassadors and Ministers.

Attestation of general and special amnesty, commutation of punishment, reprieve, and restoration of rights.

Awarding of honors.

Attestation of instruments of ratification and other diplomatic documents as provided for by law.

Receiving foreign ambassadors and ministers.

himself is a public figure, his prayers can be regarded as something public, if not official»¹⁵¹. Once again, we are faced with a very ambiguous situation in terms of blurring the boundaries between religion and state, despite the separation provided by the Constitution.

On another note, this essay has also tried to show how the conception of religion as «the binary opposite of the secular»¹⁵² is a conceptual category that is not reflected in the Japanese reality and is deeply influenced from the European developments described in this work. We shed light on the critical issues that emerge by analyzing the Japanese reality, against the background of the question of the separation of state and religion, in which the boundaries between secular and religious parts appear extremely blurred if not non-existent. A first instinct could indicate the direction of finding an alternative tool for further analysis and interpretation of this reality. Consistent with this, Van der Veer¹⁵³, and with him Casanova (2018), have used the expression «religious field» to refer to a «broader construct within which ‘religion’ and ‘secularity’ are dynamically and interactively situated»¹⁵⁴. Concepts such as religion, secularism, «but also magical spirituality» are considered to interact with each other and «their interrelation determines the religious field in any particular context»¹⁵⁵. It is precisely this interrelation rather than an opposition that arguably gives this proposition an edge over, say, the understanding of religion as «the binary opposite of the secular».

Having recalled the salient points of this paper and given some possible hints for future research on similar topics, it seems certain that what we have described here as the essence of the imperial institution (i.e., the model of divine kinship) will still provide scholars with a living and complex example for the investigation of separation of state and religion in Japan.

Abstract: The public speech of the then emperor Akihito in August 2016 in which he expressed his will to “abdicate” and the subsequent events that led to the imperial succession with all the scheduled ritual ceremonies shed light on the issue of

Performance of ceremonial functions?”

¹⁵¹ M. Okuyama, *Religious Dimensions of the Japanese Imperial System in the Contemporary Social Situations*, in *Journal of the Nanzan Academic Society Humanities and Natural Sciences*, Vol. 13, 2017, pp. 1 – 21, p. 3.

¹⁵² M. Horii, *Critical Reflections on the Religious-Secular Dichotomy in Japan*, op. cit., p. 260.

¹⁵³ P. Van der Veer, *The Modern Spirit of Asia. The Spiritual and the Secular in China and India*, Princeton, Princeton University Press, 2014.

¹⁵⁴ J. Casanova, *Locating Religion and Secularity in East Asia Through Global Processes: Early Modern Jesuit Religious Encounters*, in *Religions*, Vol. 9, pp. 1 – 12, p. 2.

¹⁵⁵ Ibid.

Claudio Lasperanza

The Japanese pontifex: a study on State-religion separation and its criticalities

State-religion separation in Japan. This article delves into this topic through the analysis of two relevant case studies.

Since the separation of State and religion is enshrined in the Japanese constitution, this contribution will emphasize the importance of considering the so-called unity theory: an understanding of the relationship between these two areas (again, State/politics and religion) as interactive rather than oppositional. The two case studies will therefore demonstrate the soundness of this theory in the context of contemporary Japan.

Consequently, this work will show that the validity of the unity theory and the historical role of the Japanese emperor involve some significant criticalities in relation to the constitutionally provided separation.

Keywords: State-religion separation – Japan - imperial succession - comparative law - law and religion - orientalism

Claudio Lasperanza – Dottorando, Friedrich Schiller Universität Jena
(claudio.lasperanza@uni-jena.de)