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Religion and the Secular in Premodern Japan from the Viewpoint of Systems Theory*

Christoph Kleine
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Abstract
This article discusses the essential question of whether or not the concept "religion" is applicable to premodern Japan. Rather than looking for semantic equivalents of the Western term it stresses the necessity to look for structural analogies to the binary code religious/secular. Roughly within the theoretical framework of Niklas Luhmann's systems theory, documents from medieval Japan are analyzed in order to find out whether an emic binary code was used as a functional equivalent to the religious/secular pattern. It is shown that the fundamental Buddhist distinction between things that belong to this world (laukika; seken) and those which transcend the world (lokottara; shusseken) functions as a culturally specific emic version of the binary code transcendence/immanence, i.e., the code by which— according to Luhmann—all religious communication is guided. Furthermore, it is argued that the distinction between the "ruler's law" (ōbō) and the "Buddha's law" (buppō), which was so prominent in the Buddhist political discourse of the Kamakura period, is closely related to the binary code transcendence/immanence (shusseken/seken). It is proposed that both "laws" or "orders" (hō) represent what we would call the "secular order" and the "religious order." From the fact that medieval Japanese discourses actually organized the world by the binary code ōbō (seken) / buppō (shusseken) it can be concluded that "religion" as a generic concept was by no means alien to the Japanese as many post-colonial authors want to make us believe.

Keywords
religion as concept, medieval Buddhism, ōbō buppō, religious vs. secular, transcendence vs. immanence, systems theory

* Parts of this article are based on two articles published in German (Kleine 2012a, 2013).
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Delineating the Problem

Does it make any sense for a historian of religions specializing in medieval Japanese Buddhism to write an article for a journal dedicated to 'religion' in Japan? According to some scholars it clearly does not—for the simple but fundamental reason that in premodern Japan, they claim, there had not been such a thing as religion. As is well known, in recent decades a considerable number of authors have asserted that premodern and most non-European societies never clearly distinguished between religious and secular spheres in their respective cultures. This distinction that seems so self-evident and natural for modern 'Westerners' was, so it is maintained, especially in post-colonial discourses, uncritically or even deliberately and with political intentions projected onto spatially and/or chronologically remote cultures (McCutcheon 1997, 1998). In most cases, the authors refer to the actual or alleged lack of terms in many non-European languages that could be said to be semantically equivalent to 'our' word 'religion' (Graf 2004: 20; Hock 2008: 12; Kippenberg and Stuckrad 2003: 41ff; McCutcheon 1998: 56; Haußig 2008: 102; Flasche 2008: 40). No doubt, for the lack of an adequate semantic equivalent many cultures simply imported and then—translated the word 'religion' together with all its culturally specific notions and connotations in the nineteenth century—the modern Japanese term shukyō 仏教 constitutes no exception.¹

Jonathan Z. Smith in an oft-cited statement declares that “Religion is not a native term; it is a term created by scholars for their intellectual purposes” (Smith 1998: 281).² For Smith this does not mean, however, that the term should be abandoned. On the contrary! Smith continues: “It is a second-order, generic concept that plays the same role in establishing a disciplinary horizon that a concept such as 'language' plays in linguistics or 'culture' plays in anthropology. There can be no disciplined study of religion without such a horizon” (Smith 1998: 281).

Other authors have drawn different conclusions from the insight that to most cultures observed by scholars of religion, 'religion' is in fact not a "native term." As early as 1963 Wilfred Cantwell Smith (1963: 50) suggested that the concept should not be applied to non-European cultures at all. Most authors do not go that far, however, and concede that the term 'religion' may be used for heuristic purposes. This seems to have become a standard view because to my knowledge nobody has ever succeeded in avoiding the term while doing serious research in the field conventionally called 'religion.' While admitting that "religion" is a term with historically rooted meanings" a majority of scholars consciously or unconsciously subscribe to Melford E. Spiro's postulate that “a definition must satisfy not only the criterion of cross-cultural applicability but also the criterion of intra-cultural intuitivity” (Spiro 1966: 91). Whereas the term 'religion' as it is used by most scholars of religion has a high degree of "intra-cultural intuitivity," the "cross-cultural applicability" of the term is still fervently disputed.

Evidently the mere absence of a terminological equivalent in a given language constitutes a rather weak argument against the application of the "second-order, generic concept" 'religion' in non-European and premodern cultural contexts. The question whether or not a given culture distinguishes between different fields of practice (Bourdieu's champs, life orders (Weber's Lebensordnungen), value spheres (Weber's Wertsphären),³ social

¹ This does not mean, however, that the Japanese just adopted the term passively. As Hans Martin Krämer (2012: 278ff) has shown convincingly Japanese intellectuals have appropriated the term 'religion' as shukyō deliberately and with a clear agenda on the basis of their own world-views. Furthermore, Japanese Buddhist scholars such as Shimaji Moku-raft (1838-1911), Nanjō Bun'yu 本右衛門 (1849-1927), and Takakusu Jun'irō 高橋順次郎 (1866-1945) played an active part in the process of shaping the modern Western term 'religion' as a scholarly category in the nineteenth century. Ironically, those who criticize the application of Western categories to non-Western cultures as ethnocentrism or cultural imperialism in effect 'victimize' those whom they claim to protect by virtually denying them an active role in the process of cultural and social development.

² This statement, however, has been criticized by Arnal and McCutcheon who argue that "religion actually is a native term—native, that is, to the modern West, and deeply implicated with the culture and politics thereof" (Arnal and McCutcheon 2013: 175).

³ The concept of Lebensordnungen and Wertsphären were—to my knowledge—never fully and systematically developed by Weber himself (Weber 1988: Vol. I, 536). In the famous Zwischenbericht of Die Wirtschaftsethik der Weltreligionen, dealing with "trends of world-refusal," Weber at least implicitly distinguished between the "value spheres" of (1) religion, (2) economics, (3) politics, (4) aesthetics (i.e., art), (5) erotic, and (6) the "intellectual sphere" (i.e., science). Wolfgang Schluchter interprets Wertsphäre as a trans-individual continuum of meanings ruled by one dominant value. Action within these value spheres takes place according to one of three types of action: (1) value rational, (2) purpose rational, (3) and affectual. Depending on the character of a given Wertsphäre one of these types is dominant. A Lebensordnung (life order; also: Lebensmacht) can be interpreted as the institutionalized form of a Wertsphäre.
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systems (Luhmann’s *soziale Systeme*), areas of action (Münch’s *Handlungsräume*), modes of communication or the like in analogy to our distinction between ‘religion’ and ‘the secular’, is, in contrast, of crucial importance to the comparative discipline of *Religionswissenschaft*.

So what about Japan? With regard to medieval Japan, Allan G. Grapard has recently proposed “to drop the word religion because of its western baggage, and to use instead the longer but less loaded appellation of ‘cultic/cultural systems’” (Grapard 2010: 2). While Grapard’s argument seems to merely pick up the problem of the “cross-cultural applicability” of “a term with historically rooted meanings.” Timothy Fitzgerald has vehemently argued against the application of the term ‘religion’ in a more fundamental way, claiming that “the religion-secular dichotomy was imported around Meiji” (Fitzgerald 2003) and was originally alien to the Japanese before they imported the Western concept of religion for which the term *shūkyō* was “invented.” In this regard he—surprisingly enough—agrees with Ian Reader, who claims that “The term *shūkyō* … implies a separation of that which is religious from other aspects of society and culture, and contains implications of belief and commitment to one order or movement” (Reader 1993: 13–14). The second part of Reader’s statement concerning the

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4 Münch (2001) presents his concept of *Handlungsräume* (areas of action) as an alternative to Luhmann’s social systems which he criticizes primarily with regard to the notion of “autopoiesis.”

5 Later in the text, Grapard substantiates his argument for abandoning the term religion with regard to medieval Japan in a somewhat different manner that seems to stress the “embeddedness” of cultic practices in all aspects of people’s lives and the greater concern of the Japanese for practice rather than belief. “Incidentally, it is this grand tradition of concerns with restraints of all sorts, encompassing one’s entire life-span, that makes me prefer the cultic/cultural system to that of religion; in this case, it would refer to what modern Japanese call *gyōji* 行地 and *shikiteri* 作地 (Grapard 2010: 12). Luhmann postulates with regard to premodern Christian Europe that the extent of religious penetration of everyday life is consistently overestimated (Luhmann 2000: 217). I am convinced that the same holds true for premodern Japan.

6 The term itself is, of course, no neologism in the strict sense as it was quite frequently used in Chinese—mostly Buddhist—texts, although with a slightly different meaning. There is, however, good reason to believe that those responsible for coining the term in the Meiji Era were not fully aware of the original usage of that term (see Krämer 2003; cf. Shimazono and Tsuruoka 2004). For more on the “invention of religion in Japan” see Josephson (2002).

“implications of belief and commitment” is certainly correct. But I doubt whether the first part is tenable, i.e., that—in Fitzgerald’s paraphrase—“the term religion and its derivatives such as religious is an alien concept which falsely separates that which is religious from other aspects of society” (Fitzgerald 2003). Without using that term, Reader and Fitzgerald seem to subscribe to the rather awkward theory of the “embeddedness of religion” in (premodern) non-European societies, particularly premodern Japan. However, Fitzgerald, while agreeing with Reader’s statement quoted above, harshly criticizes his colleague because “he is at the same time, even in the same sentence, continuing to assert such ideas as ‘Japanese religious behaviour’ and ‘the Japanese religious process’” (Fitzgerald 2003). One could of course defend Reader by picking up Brent Nongbri’s argument that “even though a category like religion is not native and is a recent creation, it is not thereby disqualified for analytical use when discussing groups of people who might not organize themselves with that category” (Nongbri 2008: 453).

I do not deny that the often politically motivated or, at least, politically effective export of “the modern Western concept of religion” (whatever exactly this may be) had an enormous impact on many cultures that were lacking a semantic equivalent and in which the functional differentiation of society was not as developed as in modern ‘Western’ societies. But I strongly doubt that such cultures did not in some way distinguish between two spheres that we may—from an etic perspective—label as ‘the religious’ and ‘the secular.’ On the contrary, I argue that this distinction is fundamental and a potentially universal structural principle by which complex cultures are conceptually organized even if this distinction was not terminologically represented by terms entirely equivalent to ‘our’ terms ‘religion’ and ‘secular.’

As a scholar of religion I can hardly talk about ‘religion,’ which is my job after all, without implying that there are things (actions, institutions, discourses, etc.) that are not ‘religious.’ As the German sociologist and famous proponent of systems theory, Niklas Luhmann (1927–1998), put it:

> There can never have been a state of society in which all communication was religious communication. Under such conditions religious communication would have been

7 See Nongbri (2008) for a critique of this concept.
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There can never have been a state of society in which all communication was religious communication. Under such conditions religious communication would have been

7 See Nongbri (2008) for a critique of this concept.
indistinguishable... When there is religious communication there must always be non-religious communication too.8

One might object that the scholarly dispute is centered precisely on this question: whether or not religious communication in premodern Japan was indistinguishable from non-religious communication which we may call 'secular.'

Both terms 'religious' and 'secular' are interdependent or, as McCutcheon has it, "they are mutually defining terms that come into existence together—what we might as well call a binary pair" (McCutcheon 2007:179). The basic problem thus, according to Luhmann, is: "How do we know, this question must be raised and answered first, that certain social phenomena are religion?"9

In this article, I will argue that in Japanese elite discourses from at least the Heian period (794–1185) on a clear conceptual distinction was made between 'religion' and 'the secular.' My theoretical assumptions are based mainly on Luhmann's systems theory and I will concentrate on medieval Japanese texts. Before analyzing some primary sources, a few preliminary theoretical observations are imperative.

Semantic Equivalents, Family Resemblances, Polythetic Classes

As I highlighted previously, we cannot conclude from the lack of a semantic equivalent (the signifier) in a given language, that the thing or concept that the term refers to (the signified) is or was completely unknown. Otherwise we would, for instance, have to deny the existence of economy in premodern Japan since the term keizai 经济 as it is used today did not exist before the Meiji period. Even simple terms in two languages—treated as equivalents in standard dictionaries—often have rather different intentions and extensions for the speakers.10 How much more is this true for abstract concepts such as 'religion,' which do not refer to empirically given things (such as desks or houses)11 but to culturally and historically conditioned ideas.

First of all the term 'religion' constitutes a polythetic class under which people—‘ordinary’ people as well as ‘experts’ in religion—subsume a number of rather heterogeneous phenomena in accordance with their Familiärenlichkeiten (family resemblances) as Ludwig Wittgenstein called it (Wittgenstein 2008: 56–57). If we take Japan as an example, Christian missionaries as well as Buddhist priests in the sixteenth century clearly presupposed that Buddhism and Christianity belonged to the same polythetic class,12 regardless of all differences between the two “cultic systems”—to use Grapard’s terms and avoid ‘religion’ here (Kleine 2010).13 They were playing the same game and thus competed with each other in the same champ [religieux?] of social practice by using their respective social, economic, cultural and symbolic capital, as Pierre Bourdieu would have it. Even though there was no fixed and stable single term to denote the class constituted by Christianity, Buddhism, Shintō, Daoism, etc., in Japanese at that time, these traditions were treated as belonging to the same category and—most importantly—as functional equivalents (Kleine 2013). They could only replace each other but could not simply and in toto be replaced

9 Woran erkennen wir, diese Frage muß zuerst gestellt und beantwortet werden, daß es sich bei bestimmten sozialen Erscheinungen um Religion handelt? (Luhmann and Kieserling 2000: 7). In a similar manner Talal Asad (2009: 8) asks: ‘What makes a discourse and an action ‘religious’ or ‘secular’? But unlike Luhmann, Asad fails to give a clear answer.
10 Take, for instance, simple words such as ‘house’ and ouse. The average British will think of something rather different when he or she uses or hears the word “house” than the average Japanese using or hearing the word ouse. I dare say that even a German has a rather different understanding of what a proper ‘Haus’ is in contrast to an American’s idea of a ‘house.’ But so far I have not heard of anyone contesting the cross-cultural applicability of the term ‘house.’
11 Which does not mean that, in semiotic terms, verbal signs such as the words ‘desk’ or ‘house’ do simply refer to empirically given concrete things.
12 For some basic information on this concept see Needham (1975). For a discussion of the usefulness of polythetic classification in religious studies see Fitzgerald (1997: 104–106); Saler (2009); Kleine (2013). Unfortunately the concept to my knowledge has been rarely applied in actual scholarship on religion. For a first attempt see Southwold (1978).
13 One obvious example is the decision of Christian missionaries of the sixteenth/seventeenth centuries to use—in most cases—Buddhist terms to translate Christian terminology, despite the risk of misunderstandings. Krämer (2012: 204) convincingly suggests that everyday vocabulary would have had the disadvantage of being taken from a register too low for religious language.
by social systems such as economy, or politics. I dare label these social systems 'secular' for reasons to be given below.

The Master Narrative of the 'Enchanted Garden': Can there Possibly be a 'Secular' Sphere in Premodern Japan?

I expect that, at this point, objections will be raised. Can we even think of secular cultural spheres in the context of premodern East Asia, that according to Max Weber was a huge magical enchanted garden (Weber 1988: 278)? Is it not an obvious fact therefore that "most of the Japanese people were wandering lost in an 'enchanted garden'" (Shimazono 1981: 209) as most scholars influenced by Weber have believed according to Shimazono? And is it not true that gods, ghosts and demons where omnipresent in all cultural spheres? And does that not necessarily mean that the whole society was imbued by religion or conversely religion indistinguishably embedded in premodern Japanese culture?

In this regard the classic substantial definition of religion proposed by Edward B. Tylor (and elaborated by scholars such as Melford E. Spiro, Martin Riesebrodt and many others) according to which "the belief in Spiritual Beings" is "a minimum definition of Religion" (Tylor 1958: 8) can be misleading. If religion is characterized by people's "belief in superhuman ... beings who have power to help or harm man" (Spiro 1966: 91) it is indeed hard to distinguish religion from other spheres of culture. People in premodern societies (and in modern societies too) expect 'superhuman beings' to be active and effective in all fields of practice. That does not mean, however, that buying a horse in Kamakura Japan was a religious act, even if the vendee may have prayed to the gods to make a good deal. Or would we regard football a religious ritual only because the goal scorer makes the sign of the cross and thanks god for his success? Therefore Martin Riesebrodt's definition of religion as "a complex of practices that are based on the premise of the existence of superhuman powers, whether personal or impersonal, that are generally invisible" (Riesebrodt 2010: 74–75)\(^{14}\) is evidently more precise and hence appropriate. Nevertheless, for the purpose of my argument we do not need such definitions although, admittedly, the concept of 'transcendence' will play a crucial role in my considerations. My interest lies in the question of whether or not medieval Japanese culture, i.e., elite discourses in medieval Japan (and possibly beyond), did in any detectable way distinguish between secular and non-secular fields of practice or social systems; that is to say: whether or not they organized their complex world and thus socially constructed their reality (in the sense of Berger and Luckmann 1966) by use of a binary code functionally equivalent to the religious/secular pattern.

The 'Religious/Secular' Distinction and the Quest for Structural Analogies in Premodern Japan

Therefore, we are looking for structural analogies and organizing principles which in all likelihood would be linguistically represented by some 'native' terms. To make it clear again: the crucial point is whether there existed an emic term for 'religious' or 'secular' with precisely the same intension and extension. To illustrate my point let me give an example: we all assume that every known culture in the world has an idea of what is good and what is bad. It is entirely irrelevant what kinds of acts, thoughts or things are categorized as good or as bad in a given culture, and it does not matter what words are used to qualify something as good or bad. What is relevant for my argumentation is that all cultures do in fact distinguish acts, thoughts or things by a binary code that fulfills the same social, cognitive, and normative function, namely to organize the world and regulate human behavior by some moral standards which may change radically over time. If it is true that every society has a sense of good and bad we must concede that every society has some kind of 'moral' system, the binary code for which—according to Luhmann (1993: 359)—is good/bad. The same could be said of the universality of aesthetics inasmuch as in every culture people distinguish between beautiful and ugly.

Although neither moral nor aesthetics are classified as social systems in Luhmann's systems theory the decisive point of my argument remains valid: if in medieval Japan we can detect a social system that organizes its communication on the basis of the same binary code that constitutes the Leitunterscheidung (guiding distinction) of religious communication, we are entitled to say that there is 'religion' in Japan, at least from the standpoint of

\(^{14}\) The German reads: "ein Komplex religiöser Praktiken, die auf der Prämisse der Existenz in der Regel unsichtbarer persönlicher oder unpersönlicher übermenschlicher Mächte beruhen" (Riesebrodt 2007: 113).
systems theory. Although I suppose that most readers are familiar with the basic ideas of Luhmann's thought, I will give a very brief (and rather superficial, I am afraid) account of his complex theory of religion.

According to Luhmann, social systems are established and reproduced by communication. Luhmann uses the term communication in a rather abstract and uncommon way. Communication is not understood as direct interaction between two or more persons: "It is communication that communicates." This is important to note because otherwise Luhmann's theory is prone to misunderstandings. Religious communication works autopoetically, i.e., it operates autonomously from religious institutions or virtuosos. Their role is to provide an infrastructure that guarantees the stable continuation of religious communication and at the same time control over religious communication. Religious institutions as well as individuals can participate in various modes of communications, religious and secular. In short: religion as a social system is not congruent with religious institutions or religious professionals. Now, in Luhmann's view religious communication is guided by the binary code of transcendence/immanence. One may say, he writes, "that communication is religious whenever the immanent is viewed under the perspective of transcendence." Accordingly, wherever we find a social system in which communication is organized by the guiding distinction or code transcendence/immanence and views immanence under the perspective of transcendence we have religion. Here, again, it is important to note that 'transcendence' is not to be understood in a Christian theological sense. Everything that is undeterminable and intangible or unavailable for human beings in their ordinary condition is transcendent. I will come back to this later.

Coping with Indeterminate Contingency: Religion as a Social System

Doubtlessly the insight that most things in life are contingent is particularly impressive and irritating for human beings. The most important things in life such as illness or healthiness, life or death, wealth or poverty are indeterminate even in highly developed modern and wealthy societies. These states are possible but not necessary, i.e., they are contingent. By realizing the contingency of life one also realizes that there is always something that is not determinable. This indeterminate realm of intangibility or unavailability I call transcendence. Transcendence can have various forms and aspects. It can be relative (e.g. something remote but not principally inaccessible) or absolute (e.g. something completely out of reach like Luther's Deus absconditus or the Buddhist nirvana).

Religion as a social system differentiates itself from the rest of society (now classified as 'secular' by the religious system) as soon as the simultaneity of indeterminacy and determinateness or transcendence and immanence and the exigency of reference (now dassified as 'secular' by the religious system) as soon as the simultaneity of indeterminacy and determinateness or transcendence and immanence and the exigency of reference problem of communication. It does not matter where the line between transcendence and immanence is drawn and how both sides of the binary code are interpreted, defined or designated (remember the good/bad analogy!) in a given society. The only important thing is that the difference of transcendence and immanence is made the central theme of a certain mode of communication. The religious system (unlike religious organizations that engage in all kinds of communication) organizes all its communication around the binary code transcendence/immanence and occupies the universal problem of

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15 Which does not mean that people (psychic systems) or organisations do not participate in religious communication to which they are in fact "structurally linked" (strukturell gekoppelt). The point is that communication constitutes social systems by constantly reproducing itself in accordance with rules that are produced within the system. In Luhmann's words social systems are thus "operationally closed" (operative Geschlossenheit) but "cognitively open" (kognitive Offenheit). That means that systems observe other systems and sometimes even depend on what happens in other systems (e.g. psychic systems depend on food, but food is not an element of the operations of the psychic system). Decisions taken in one social system (e.g. politics) may 'irritate' another social system (e.g. economy) and force it to 'restabilize' its communication.

16 "...daß eine Kommunikation immer dann religiös ist, wenn sie Immanentes unter dem Gesichtspunkt der Transzendenz betrachtet" (Luhmann and Kieserling 2000: 77).
the simultaneity of indeterminacy and determinateness. Religion claims to make available the unavailable, to make indeterminacy determinable, to grant access to the intangible. Transcendence is made available and thereby somehow manageable by rituals and linguistic, performative and visual representation. Although transcendence is nothing but a Leerhorizont (empty horizon) religious communication applies names and ascribes properties, meanings and intentions to it, making it thereby—seemingly—determinable and communicable.

According to Luhmann, religion is historically the first of all social systems that differentiates itself from society, first by delineating particular themes, situations and roles reserved for religious communication, later by establishing institutions that stabilize and control religious communication. The social environment of religion is regarded as ‘secular’ by the religious system. Thus the classification of the world according to the organizing structural principle of religious/secular is a natural consequence of a stabilized communication on the basis of the binary code transcendence/immanence since this is the point of origin for the differentiation of the religious system from its social environment. As contingency, indeterminacy and transcendence are fundamental problems for all human beings and all social systems, and because communication centering on the code of transcendence/immanence leads to the establishment of religion as a distinct social system, we may assume that dividing the world into a religious and a secular sphere is a potentially universal phenomenon. It does not depend on processes of modernization, full functional differentiation or secularization (as is sometimes asserted), as I will demonstrate by the example of medieval Japan.

Quoting Luhmann, I have above raised the question “How do we know . . . that certain social phenomena are religion?” I now venture to apply this question to the case of medieval Japan. If Luhmann is right, the differentiation of the religious system historically constitutes the oldest form and thus can be regarded as the blueprint of social differentiation. Religious evolution says Luhmann, starts much earlier than that of other functional systems and can be detected even in archaic segmentary societies (Luhmann 1993: 270). Religion for the first time in history creates a system that may be described as being differentiated from society as a whole (Luhmann and Kieserling 2000: 250). The reason for this, according to Luhmann, lies in the specific character of religious communication. Because it is easy to talk about non-empirical things unrestrictedly, this communication must be restricted socially. Otherwise religious communication would lose all its seriousness (Luhmann 1993: 271). Communication that is, in contrast to ordinary communication, conditioned by these two factors—facilitation and restriction—tends towards differentiation. “It must not come so far that everybody says anything [as he likes]. Religious communication is tabooed and ritualized.”

The political system that has Macht (power) as its symbolically generalized medium of communication and organizes its communication through the code power/powerlessness, much like religion differentiates itself rather early from the rest of society. Therefore, in Europe until the early modern era, says Luhmann, society is defined either as a religious or as a political-human undertaking, even though or, rather precisely, because society in its entirety is not yet functionally differentiated (Luhmann 1993: 275). In my opinion the same applies to premodern Japan. Accordingly, I believe it is a good idea to start our investigation by searching for emic distinctions or culturally specific configurations that could serve as functional equivalents for the distinction between the ‘religious’ and the ‘secular,’ assuming that the ‘secular’ sphere will in all likelihood be symbolically represented by the political system, i.e., the state as the “simplified self-description of the political system” (Luhmann 1997: 758; 2005).

19 Fitzgerald (2003), in contrast, denies the existence of distinct social systems in most cultures: “However, the traders and many of the colonial administrators may have been more interested in establishing the institutions of secular civil society, itself a highly ideological concept including specific concepts of exchange and markets, but appearing to many as simply the natural and rational way to organize things. In most cultures that became colonised, what we call law, economics, and politics were not separated out into distinct spheres but were embedded in a different indigenous way of representing the world. It was this disembedding that was a necessary programme for the imperial power if it was to impose western-style laws, create capital markets and forms of exchange, and to ‘educate’ the people in the new school systems.” Reader (2004) has sharply—but in my view adequately—criticized Fitzgerald’s position.

2018 Fitzgerald’s hypothesis that “profissional sorcerers” (berufsmäßige Zauberer) formed the oldest of all professions (ältesten aller Berufe) (Weber 1980: 246).
The Laukika/Lokottara Paradigm in Early Buddhism as a Culturally Specific Version of the Binary Code Transcendence/Immanence

As David Seyfort Ruegg has convincingly shown, in Indian Buddhism the distinction between things defined as laukika (Jp. sekien 世界, also sezoku 世俗), i.e., "belonging to the world," and those defined as lokottara (Jp. shusseken 出世間), i.e., "transcending the world," "has often served as an organizing principle for ordering a complex world of religious and cultural representations" (Ruegg 2008: 40). In Buddhist theory lokottara refers to all things that lie beyond the so-called three spheres of existence and are not subject to the workings of the karmic law. As something completely detached from the ordinary states of existence (including even the highest heavens), lokottara marks a sphere of absolute transcendence in which even the distinction between [relative] transcendence and immanence is transcended. This concept of absolute transcendence has an ontological as well as a soteriological dimension. Ontologically things are qualified as lokottara if their state of existence is entirely different from all things in the empirical world (again including things that are intangible in ordinary states of consciousness such as gods, ghosts, demons, heavens, Buddha spheres, etc.). Things are only lokottara in a strict sense if they are unconditioned and increase (Sk. asamskṛta; Jp. mu'i 無依). The quality of lokottara is best represented by concepts such as nirvāṇa or a Buddha’s dharmakāya (hōshin 菩薩法身). In its soteriological dimension lokottara or absolute transcendence is characterized by complete liberation (Sk. mokṣa; Jp. gedatsu 解脱), again ideally represented by nirvāṇa, complete awakening, or Buddhahood.

The binary code nirvāṇa/samsāra may in fact be described as the oldest emic secondary encoding by which the more general guiding distinction transcendent (lokottara)/immanent (laukika) is specified from a soteriological perspective. Obviously, for a 'soteriological religion' this secondary encoding is of utmost importance. Every physical or mental action was — at least in theory — evaluated by the criterion of whether it leads to nirvāṇa or binds to samsāra (rin'e 異趣), i.e., the cycle of birth and death (Sk. jārā-marana; Jp. shōji 生死) (cf. Beyer 2006: 83–84).

One could, tentatively, define the self-understanding of Buddhism in the following way: Buddhism sees its specific function in making available absolute transcendence in the sphere of immanence, i.e., Buddhism makes the supra-mundane (lokottara), nirvāṇa and all things that are beyond the karmic law, samsāra, and the three spheres of existence, available and communicable in the mundane (laukika). Actual communication on supra-mundane things necessarily takes place on the level of discursive “ordinary mundane truth” (Sk. [loka-] sāmrṛti-sātya; Jp. [se]zokutai [世俗諦]) which

22 Sk. trailokya; Jp. sangai 三界, i.e., (1) kāma-dhātu; yokukai 欲界, the realm of desire; (2) rūpa-dhātu; shukkai 色界, the realm of form; (3) arūpa-dhātu; mushukkai 無色界, the realm of formlessness.
23 Buddhist authors have tried to connect the concept of absolute transcendence that transcends both immanence and transcendence to Nāgārjuna's famous tetralemma. For example, the Tiantai scholar Zhiyuan 智圆 (976–1022) says: “When you just reveal the denotations in terms of the tetralemma, the first [proposition] is ‘mundane,’ the second ‘supra-mundane,’ the third ‘mundane is the same as supra-mundane,’ the fourth is ‘supra-mundane is the same as mundane.’ This is in brief the explanation of the tetralemma with reference to ‘mundane’ and ‘supra-mundane’” (Niepanjingshu jingzai zhigui 妙真空 mayo 真空實相; X37, no. 662, p. 380, 8c–10). In a slightly different way the same topic is picked up in the Longqi jing xinyin 長契經心印: “[1] mundane, [2] not mundane, [3] supra-mundane, [4] not supra-mundane—these propositions make it clear that they are one and not many” (X18, no. 334, p. 140, a23–24). Luhmann suggests that there must be a connection between the re-entry of the difference between immanence and transcendence into immanence (i.e., the sacred) and the idea of a completely non-differentiated transcendence, which absorbs every differentiation including that of immanence and transcendence (Luhmann and Kieserling 2000: 127). Buddhist authors have dealt with the paradox of one side of the binary pair absorbing the difference between both sides quite frequently, often referring to it by using the slogan ni ji fu nu 二而不二.

24 See, e.g., Zō agon gyō 鎌阿弘経 (T2, no. 99, p. 204 c14–29) and Sansron gensho mong'i 真論玄禪文義義 (T70, no. 2399, p. 355 b20–23).
25 Which does, of course, not mean that the code lokottara/laukika historically predates the code nirvāṇa/samsāra. It only deals with the problem in a more general and universal way.
26 It is important not to confuse lokottara with "sacred" and laukika with "profane" as Smith (1968: 203–216, 209) does. In Buddhism gods, statues, texts, etc. are regarded as laukika or mundane, but they nonetheless deserve a special reverential treatment and are subject to certain rules of avoidance, i.e., they are treated as ‘sacred’ in a Durkheimian sense of the term. In Luhmann’s theory the “sacred” is the “re-entry of the difference between immanence and transcendence into the immanent” ["re-entry der Differenz von Immanenz und Transzendenz ins Immanente"] (Luhmann and Kieserling 2000: 1271) and is thus by no means identical with transcendence.
Relative and Absolute Transcendence

It is thus plain to see that even in Indian Buddhism we find a structural analogy to the binary code transcendence/immanence that, according to Luhmann, is the guiding distinction around which religious communication evolves and which is, therefore, the starting point of religion as a distinct social system. To make it clear again: it does not matter how transcendence is defined or where exactly the line between transcendence and immanence is drawn. Basically one can define transcendence as that which is inaccessible, unavailable and intangible in the ordinary states of human existence.30 Something may be inaccessible in one culture and therefore be regarded as transcendent (e.g., a high mountain peak or the bottom of the sea) but accessible for another culture and therefore be regarded as immanent in this culture (Luhmann and Kieserling 2000: 77–78). Transcendence is thus a graded category. Accordingly, Thomas Luckmann distinguishes three grades of transcendence, i.e., kleine, mittlere and große Transzendensen (small, middle and great transcendences) (Luckmann 1985: 29). However, Luckmann’s understanding of transcendence (and religion) is too broad for being useful in this context. I think it makes more sense to distinguish relative from absolute transcendence.

My three-layered concept of immanence, relative transcendence, and absolute transcendence is best represented by the theory of the threefold body of a Buddha. Every Buddha possesses (1) a dharmakāya (hōshin), or the inaccessible, absolute and formless “body of the law” (absolute transcendence), (2) a sambhogakāya (hōshin 境界身 or jūyōshin 受用身), i.e., the subtle “reward body,” which is only accessible in extraordinary mental states such as meditation, dream visions, etc. (relative transcendence), and (3) a nirmanakāya (keshin 化生 or ōjin 役身), or the physical “transformation body” or “response body” that manifests itself in the empirical world and is subject to everyday experience (immanence). A Buddha unites these three fundamental ontological levels in one person. The difference between immanence and [relative] transcendence is transcended in the absolute transcendence of the dharmakāya. Which of the ontological levels and which of the Buddha’s actions and sayings are to be regarded as truly

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27 In translating shintai as “transcendent truth,” I follow Ann and Minor Rogers who give as one (truly convincing!) reason for choosing this translation in the context of Shinshū doctrine their intention “to underscore their [shintai and zokutai] correlation with the categories of shussekenshi [出世間法], ‘the supra-mundane dharma,’ and sekensho [世間法], ‘the mundane dharma,’ ‘used in sectarian explanations of the concept shinshū nitai’ (Rogers and Rogers 1992: 308).

28 Nagārjuna expresses this relationship as follows: “If one does follow ordinary worldly truth, one cannot achieve the highest truth; and when one does not achieve the highest truth, one cannot achieve nirvāṇa” (Zhonglun 中論, T30, no. 1564, p. 33 32–3). We find the same in Chinese texts such as the Wansong Laoren pingsheng Tiantongqi Heshang songqu congronggan Lu 道盛老人詳論天童義和尚諸說容容錄 (T48, no. 2004, p. 259 c5-6), a basic text of the Caodong/Sōtō school of Chan/Zen, or in the Xiaoyin Daxin Chanshi wulü 笑 danei 禅師語錄 (X89, no. 1367, p. 709 c21-22), another Chinese collection of Chan/Zen sayings.

29 E.g. Jōken 仁頼 in the Kanazawa Jōken ekismon 金沢仁頼邏輯文 of 1333 (Ki Bd. 41, no. 32069, p. 220). Even in the “widely-used Nishi Honganji manual” Shinshū yōron 真宗要論 the twofold law is directly linked to the twofold truth: “Shintai means ‘to devote oneself to the saying of the Name in gratitude, having heard and entrusted oneself to the Buddha’s Name.’ Since faith and saying the Name are the supreme dharma (shussekenshi 出世間法) that relates to Buddha and transcends the cycle of birth and death, we call this ‘the transcendent truth (shintai).’ Zokutai means ‘to live humanely and obey the law of the land.’ Since humane behaviour and the law of the land are the mundane dharma (sekenshi 世間法) that relates to human beings, we call this ‘the mundane truth’ (zokutai)” (Rogers and Rogers 1992: 308).

30 One could also describe ‘transcendence’ in this broad meaning as ‘meta-empirical.’ See Hanegraaff (1996: 182).
Buddhism a 'true religion' (shūkyō) in contrast to 'superstition' (meishin 迷信) which is merely concerned with relative transcendence (such as kami).32

In summary we can say that in elite Buddhist discourse the emic binary code lokottara/laukika constitutes a clear structural analogy to the code transcendence/immanence. If we follow Luhmann, according to whom religion as a system comes into being as soon as communication guided by this code is organized, stabilized, controlled and restricted, we may say that in medieval Japan (and even before) there existed a distinct social system we can call religion. As the differentiation of religion as a social system inevitably produces a boundary between that system and its environment, which is now defined as 'secular' from the perspective of religion, the next step would be to look at the ways this boundary between 'religion' and the 'secular' is constructed and represented in emic discourses.

The Conception of a Religious vs. a Secular Sphere in Medieval Japan

The most prominent emic distinction between a secular and a religious sphere is the well-known concept of the "interdependence of the ruler's law" and the Buddha's law (ōbō buppō sōi 王法佛法相依)—a concept that resembles Martin Luther's doctrine of the two kingdoms (Zwei-Reiche-Lehre).34

32 For the Japanese case see Josephson (2006). The same pattern seems to be used in Sri Lanka, where the cults of gods for the sake of worldly benefits is relegated to the realm of laukika, whereas Buddhism, being primarily concerned with things lokottara is seen as a true religion (ágama) like Christianity and Islam. Cf. Ames (1964: 22); and Southwold (1978: 393).

33 I am not quite happy with the English translation of hō 为 as "law" because hō in the sense of dharma has a much wider extension referring to a cosmic, moral, natural and social order as well as to one's duties and particular teachings, laws, rules and regulations which serve regulate the world in accordance with the eternal order and that must therefore be understood and obeyed by men. Otherwise the order will be disturbed and calamities of all sorts will occur. Particular laws, rules and regulations are merely partial representations of this universal ordering principle, whereas ōbō and buppō may be interpreted as the two main aspects of this one order to which a variety of binary codes can be attributed: relative/absolute; provisional/true; immanent/transcendent; mundane/supra-mundane, etc. From the Buddhist perspective, these dichotomies are, of course, ultimately overcome in a true, non-dualistic transcendence.

34 "Das sind nun zwei Reiche: weltlich, das mit dem Schwert regiert und äußerlich gesehen wird; das geistliche regiert allein mit Gnade und Vergebung der Sünden und dieses
in many respects. Texts from the Heian and the Kamakura (and even later) periods refer in abundance to this distinction. Just like the contrast between laukika and lokottara, the distinction between obō (Sk. rājadharmā) and buppō (Sk. buddha-dharmā) can be traced back to India (Derrr 1976). The basic idea of this concept is that one law cannot exist without the other and that the stability and well being of the whole nation rests on these two pillars. In medieval texts the interdependence of these two laws is described as follows:

The decline of obō and buppō is interdependent. One prays that the Buddha's law shall prosper conjointly with the ruler's law; that which protects the ruler's law is the Buddha's law. Basically, the Buddha's law protects the ruler's law and the ruler's law reveres the Buddha's law. When the Buddha's law is described as follows:

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45 Cf. Omi Onjōji gakuto shukurōto shingyō 造江圍極寺學誦古老等申狀; a petition submitted by the learned and elder priests of Onjōji in 1399 (KI 35, no. 27012, p. 18).
46 Cf. Fujikura Mitsunori jūbun kishinjō 藤原光範寺願念狀; written by Fujikura no Mitsunori in 1249 (KI 45, no. 51456, p. 195).
47 Cf. Nichiren shōjō 日蓮和尚; written by the Tendai monk Nichiren 日蓮 in 1275 (KI 15, no. 1837, p. 378).
48 Cf. Ka'on kōshū 醬造橋詣; a collection of sayings by the famous Zen monk Hakuin 杭山知府 in 1324 (KI no. 3234, p. 272).
49 Cf. Enryakuji daishu ge 安楽寺大書; published by the Tōji clergy in 1244 (KI 5, no. 3234, p. 272).
50 Cf. Tōji sangō ge 安楽寺三嘆; published by the Tōji clergy in 1240 (KI 6, no. 4017, p. 217).
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with faith in Amida's Original Vow, sometimes with the five precepts for lay Buddhists (gokai 輪戒; 五戒) belonging to the Buddha's law. Even a Buddhist is subject to the ruler's law and must obey the five Confucian rules of proper conduct while carrying faith in the Other Power of Amida's Original Vow deep in his heart. This attitude propagated by the 'second founder of Jōdo Shinshū,' Rennyo 藤助 (1415–1499), highlights a remarkable aspect of this dichotomistic concept, namely a strong inside-outside symbolism underlined by anatomic metaphors. The ruler's law is associated with the outside, with the forehead, and the body; the Buddha's law with the inside, the heart, and the mind. In the same vein, the scholar monk Jōkei 藤慶 (1155–1213) in his famous Kōfukuji Petition directed against the nenbutsu movement of Hōnen 法然 (1122–1212) had written centuries earlier: "The Buddha's law and the ruler's law are just like body and mind." Finally and more importantly to our topic, according to Rennyo, the ruler's law is defined as mundane (se[kén]; laukika), the Buddha's law as supra-mundane (shusse[kén]; lokottara). Evidently the ōbō/buppō dichotomy refers to something more fundamental than only to some sort of cooperation between state and church institutions. I think it is justified to interpret this dichotomy as a culturally specific emic variation of the religious/secular distinction.

Ōbō and Buppō as Symbolic Representations of the Secular and the Religious Spheres

In terms of systems theory, buppō was the representative of the religious system while ōbō represented the secular sphere, i.e., the weakly differentiated social environment of religion and not only the political system (Kleine 2012b). In this regard it is interesting to note that in some cases the term "human law" (ninpō; Sk. dharma-pudgala, puruṣa-dharma) is used synonymously with the ruler's law, most likely when emphasis is put on the population rather than on the ruler's law and his institutions. Otherwise ōbō and ninpō are basically interchangeable.
The secular character of the ruler’s law or the law of men (from a Buddhist perspective) becomes obvious when these are implicitly referred to as “secular law” (sehō 世法; also seken no ho 世間の法; from Sk. loka-dharma). An exceptionally telling statement regarding the secular character of the ruler’s law can be found in the Dream Dialogues (Mucha mondo 夢中間答) of the famous Zen monk Musō Soseki 夢窓疎石 (1275–1351) in which he addresses the general and founder of the Muromachi Shōgunate, Ashikaga Tadayoshi 足利義政 (1306–1352). Musō, who in this context also uses the term “way of ruling” (seidō 政道) in contrast to the Buddha’s law, responds to the question whether or not it is a hindrance to the “way of ruling” when one turns his heart towards his good dispositions. In his answer, Musō refers to the fact that all good deeds, e.g. the five precepts for lay Buddhists or the “tenfold good” of Buddhist ethics, conducted in a state of ignorance are to be classified as “defiled good” (uro no zen 有漏の善) that only leads to birth in the realm of human beings or celestial gods. Nevertheless, being in this world, one has to practice the defiled good in order to ensure that peace and prosperity may prevail on earth. If all men do perform acts of defiled good, the world can be transformed into a Pure Land. Subsequently under the heading “The Buddha’s Law and the Way of Ruling” (Buppō to seidō 仏法と政道) he writes a few sentences which make it rather clear that the “secular law” (sehō) is identical to the “ruler’s law.”

Since ancient times there have been many in other countries as well as in this country who ruled the world as kings and ministers and reverently believed in the Buddha’s law (buppō). Among them have been some who promoted the Buddha’s law in order to perfect the secular law (sehō), while others have used the secular law in order to promote the Buddha’s law. Although men who put their trust in the Buddha’s law for the sake of the secular law are superior to evil kings and ministers who lack faith in the Buddha’s law, they actually [only] care for themselves (or the physical body?) and boast about the glory of a [world that is just like a] dream. Although the populace is thereby spared for a time the suffering of hunger and cold, neither the highborn nor the lowborn are spared the suffering of birth and death. In this sense even the rule of the Three Sovereigns and Five Emperors is not truly worthy of praise, since the Buddha’s law was not yet known in their lands. In contrast, those who use the secular law for the sake of the Buddha’s law, who lead the whole populace and make them enter the Buddha’s law, are truly bodhisattvas indeed.

Quite obviously sehō or “secular law” is used here as a synonym for ôbô or the “ruler’s law.”

It should become clear that elite Buddhist discourses in medieval Japan frequently organized their world conceptually according to a binary configuration that can be regarded as functionally equivalent to the secular/religious pattern. As analyzed before, this binary model may be interpreted in terms of Luhmann’s systems theory as a discursive result of the differentiation of religion (represented by buppō) from a secular social environment (represented by ôbô, sehō, ninpō). However, one problem remains to be solved. Although medieval Japanese society was obviously far from being fully functionally differentiated, from the perspective of Luhmann’s theory it is crucial to ask for the specific function of the religious system that distinguished it from its secular social environment.

At first sight, buppō and ôbô seem to fulfill roughly the same function. Conjointly, they regulate the world and preserve the cosmic, moral, natural, and social order which is a prerequisite for peace and prosperity in the world—and thus for the ability of Buddhism to fulfill its soteriological tasks. According to Luhmann it is by no means unusual in societies with a low degree of functional differentiation that various systems deal with the same problem. “Religion,” he says, “solves problem X but it does not solve it in the same way as [the systems] b, c, d, etc.” (Luhmann 1982: 9). And indeed, the ruler’s law and the Buddha’s law fulfill their mutual function of pacifying the world in very different and specific ways. In ancient India, from which the Buddhist concept of dual rule in medieval Japan was chiefly derived, the ruler’s law was expected to focus on expediency or material interests (Sk. artha; Jp. riyaku) within the confines of a mundane (laukika) realm and fulfilled its function by use of punishment and force (Sk. dāṇḍa; Jp. batsu naments, tōjō 刀杖) (cf. Derrett 1976). Buddhism, on the other hand, was meant to focus on liberation (mokṣa) in a supra-mundane (lokottara) “realm” which, nevertheless, depended on favorable social conditions in the mundane realm. Buddhism’s contribution to the pacification of the

61 Musō and Satō (1995: 63–64). Kirchner’s English translation (Musō and Kirchner 2010: 82–83) is rather free and therefore not quite so useful for my purposes. Therefore I have slightly amended it by following the Japanese text more closely.

62 Sehō is used as a synonym for ôbô also by Nichiren (Kō Bunko Bunko, no. 12618, p. 380) and by Honmyō Rikibutsu (Kō Bunko Bunko, no. 29572, p. 146).

63 It is important to note here that according to Luhmann’s theory, the functions of the religious system are defined by way of a second order observation and do not depend on respective emic concepts or first order self-descriptions (Luhmann 2000: 118).

64 Enzan Battai Oshō goroku 虚山拔仏和尚語録 (T no. 2558).
world, which was (theoretically) only a means to the purpose of eventually overcoming the world, was moral instruction and ritual manipulation. Dogmatically, the pacification of the (illusionary) world and the domestication of the masses (Weber) were no ultimate goals but expedient means to create conditions conducive to the liberation of sentient beings (shūjū 行生).

The Sinicized cultural sphere of East Asia had its own way of metaphorically representing the two ways of pacifying the world—the religious by means of moral instruction and ritual, the secular by means of force and punishment, namely, rule by "the pen and the sword" (bunbu 武文). In reality the borderline between these two ways of ruling became blurred when Buddhism virtually became a 'state in the state.' In medieval Japan, Buddhist institutions ruled their domains not only by moral instruction and ritual manipulation but also by force and punishment executed by "soldier monks" (shuto 行徒, akuso 惡僧, later known as sōheī 僧兵) and their counterparts at the shrines, the "people of the kami" (jīminin 神人) complemented by the threat of "divine punishment" (shinbatsu 神罰, meibatsu 冥罰, butsubatsu 仏罰) (Rambelli 2002). This indicates a 'totalitarian' approach to rule in some segments of Japanese Buddhist institutions, especially the Sanmon order of the Tendai Shingon, for example, the 18th abbot (zasu) Ryōgen 良源 (912–985), the right to regulate the world both by “the pen and the sword" is claimed by this powerful religious institution. Furthermore, in Ryōgen's biography Jie Daishi den 慈惠大師伝 this double structure of rule by texts and arms is symbolized by the bodhisattva Mañjuśrī who, in traditional iconography, is depicted as holding a text scroll in his left and a sword in his right hand (Tsuji 1931: 25; Kleine 2002).

But we should remind ourselves again that blurring or negotiating boundaries between two spheres actually presuppose the existence of two distinct spheres (Luhmann and Kieserling 2000: 225). Religion as a social subsystem often "anachronistically" aims at a de-differentiation of differentiated societies (Gladigow 2011: 21–22)—religious fundamentalism may be conceived as a particularly radical attempt at social de-differentiation (Marty and Appelby 1991: 23–24, 32).

Above that, it is important to note that Buddhists, as a rule, never claimed a monopoly of regulating the world by scriptures, morals and rituals—Confucianism, Daoism and other "external ways" (gedō) could do the same (i.e., "instruct," kyō 敎), though not as good as Buddhism of course. What Buddhists claimed as their exclusive domain was to grant access to absolute transcendence and thereby to offer a way out of this world. Therefore Buddhists frequently relegated the 'external ways' to the mundane (laokika) and monopolized the supra-mundane (lokottara). What does this mean for the determination of the specific function of Buddhism?

According to Luhmann, the main function of the religious system, which cannot be fulfilled by any other social system, is to transform indeterminate into determinate, or at least, determinable complexity (Luhmann 1982: 20, 188), or in slightly different words, to transform an indeterminable world into a determinable one (Luhmann 1982: 26). Luhmann uses the pair indeterminacy/determinacy synonymously to transcendence/immanence and claims that the specific reference problem of religion is the simultaneity of indeterminacy/transcendence and determinacy/immanence (Luhmann 1982: 46). Simply put, the world's indeterminacy accounts for the disturbing experience of contingency, and religion provides means to cope with these fear-producing contingencies. Conceptually religion does so by inventing what Luhmann calls Kontingenzformeln (contingency formulas). Contingency formulas serve to transform indeterminate contingency (or complexity) into determinable contingency. The contingency formula of the religious system, according to Luhmann, is "god." That means that the specific contingency dealt with in the religious system can be fully explained and "determined" by reference to god. We may have a problem

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65 "As for means to rule the world there are none but the two ways of the pen and the sword" (Siku quanshu, Shibu, Zhaoling zouyi, Zongyi zhi shu, Mingcheng jingjiu, vol. 41 史部/政治義類/政治之屬/名臣經綸/卷四十一). This concept, again, resembles Luther's concept of the two realms: "Gottes Reich ist ein Reich der Gnade und Barmherzigkeit und nicht ein Reich des Zorns oder der Strafe. Denn daselbst ist laut Vergehen, Schonen, Lieben, Dienen, Wohltun, Friede und Freude haben usw. Aber das weltliche Reich ist ein Reich des Zorns und Ernstes. Denn daselbst ist laut Vergehen, Verbieten, Richten und Urteilen, um die Rösen zu zwingen und die Guten zu schützen. Darum hat es auch und führt das Schwert, und ein Fürst oder Herr heißt Gottes Zorn oder Gottes Rute in der Schrift, Jes. 14, 5." (Luther and Aland 2008: 4736). Nichiren links the two ways of rule with his two methods to convert people relegating the first to the law of the ruler, the latter to the law of the Buddha: "Within the law of the Buddha there are [the methods of] acceptance (shöju 優受) and of subjugation (shakubatsu 折伏)—in accordance with circumstances. It is the same as with the two ways of the pen and the sword (bunbu nido 文武二道)" (K14, no. 10997, p. 361).

66 For more on these, see Adolphson (2007); Kleine (2002).
to Max Weber—the concept of karma represents the “formally most perfect solution for the problem of theodicy.”

Evidently, the primary social function of “imagined communities” (in the sense of Benedict Anderson), which are denoted by collective singulars such as Buddhism or Christianity, in the eyes of their representatives, lies in their alleged capacity to provide means to cope with contingency. From the standpoint of systems theory, however, this does not automatically qualify these imagined communities as subsystems of the religious system. Reduction of complexity and management of contingency are part of the operations of all social systems. System-specific contingency formulas, such as scarceness for the economic system, justice for the juridical system, and legitimacy (or common welfare) for the political system, all serve the purpose of transforming the indeterminate contingency of a specific functional system into a determinable contingency (Luhmann 1982: 200–208). However, the more the religious system succeeds in symbolically reconstructing the “modal problem” (Modalproblem) of contingency as such, the more it distinguishes itself from other functional systems, inasmuch as it now offers solutions that do not simultaneously fulfill central political, economic, scientific, or other functions (Luhmann 1982: 189). The specificity of the religious system lies in its function to deal with the modal problem of contingency in a comprehensive and general way that is relevant to all social systems, or as Luhmann puts it: “It seems that religion is present… whenever one has to accept that things are not always as one would like them to be.”

Another specific feature of religion is that its “guiding distinction” (Leitdifferenz) of transcendence and immanence itself serves to construct transcendence (i.e., it is a “Form der Konstruktion von Transzendentz” Luhmann and Kieserling 2000: 118) insofar as it interprets immanence from and by transcendence.

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71 When, for example, a religious group claims that a person with a medically treatable health problem can only be healed by god’s free will it produces contingency.

X Wan xinzuan xuzangjing 卐新纂續藏經; digitalized edition of the Dai Nihon zokuzōkyō 大日本續藏經 (originally edited by Maeda Eun in 1905) by the Chinese Buddhist Electronic Text Association (CBETA; online: http://www.cbeta.org/index.htm).

References
Filial Piety with a Zen Twist: Universalism and Particularism Surrounding the *Sutra on the Difficulty of Reciprocating the Kindness of Parents*

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Abstract
This article examines the *Sutra on the Difficulty of Reciprocating the Kindness of Parents* and its reinterpretation by the Japanese Rinzai Zen monk Tōrei Enji 東嶺圓慈 (1721-1792). In the context of the Tokugawa period (1600-1867) where filial piety was upheld as one of the pillars of morality and Neo-Confucian orthodoxy, Tōrei's commentary of this sutra skillfully combined the particularist understanding of filiality as limited to one's relatives with its broader construal as a universal attitude of reverence directed toward all sentient beings. The father is envisioned as the wisdom and the excellence of the Buddha, the mother as the compassionate vows of the Bodhisattva, and the children as those who emit the thought of awakening. Tōrei further pushed this interpretation by adding the distinct Zen idea that the initial insight into one's true nature needs to be surpassed and refined by perfecting the going beyond (kōjō 向上) phase of training, where the child/disciple's legacy and his indebtedness towards his spiritual mentors is recast in terms of overcoming one's attainments and attachment to them.

Keywords
filial piety, family reverence, Song period Chan, Rinzai Zen, universality, going beyond

Introduction
Not many certainties are shared by all human beings regardless of their personal, cultural, and religious backgrounds. Among them figures the inevitability of death, which also implies its correlate: the undeniable reality of birth. Because of their emphasis on impermanence, Asian religions and Buddhist traditions in particular have always accentuated the bond between life and death. Such perspective is reflected in the technical term *samsāra*, often translated as "life-death," so deeply intertwined that a