

Entering the Temple

Priests, Peasants, and Village Contention in Tokugawa Japan

Alexander M. VESEY

Despite the ubiquity of the Buddhist clergy in rural communities during the early modern period, these religious figures have long been relegated to the marginalia of social histories on Tokugawa Japan. This article seeks to re-situate Buddhist temples and their abbatial residents in our models of village life by looking at nyūji (entering the temple), a form of Buddhist conflict mediation centering on instances where peasants in trouble with village authorities sequestered themselves within temple precincts, and petitioned the clergy to act on their behalf with the other parties. While derived from medieval temple asylum practices, the present examination considers nyūji as a uniquely Tokugawa phenomenon by showing how the mechanics of nyūji, and the systems of social, political, and religious politics underlying it, embodied a multiplicity of meanings and functions which could both simultaneously support, and quietly subvert, the Tokugawa legal order operating in rural communities.

Keywords: social structure — *nyūji* — refuge — social conflict — mediation — *danka* — Ōno village

IT HAS LONG BEEN standard practice among scholars of early modern Japanese history and religion to primarily describe the Buddhist clergy's relationship with the laity in terms of a politically mandated reciprocity: in exchange for fiscal support and active participation in Buddhist mortuary and memorial rites, clerics certified the laity's compliance with the *bakuh* state's anti-Christian policies. The preponderance of

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this focus in scholarly writings has perpetuated a general tendency to characterize early modern Buddhist clerics as primarily registrars and funeral liturgists. Given the ubiquity of the temple registration system (*teraue seido* 寺請制度), the resultant lists of religious affiliation (*shūmon aratamechō* 宗門改帳), and Buddhism's monopoly over the ritual management of death, such monikers are certainly appropriate. However, recent studies that discuss clerics and temples as purveyors of play (HUR 2000) and medicine (WILLIAMS 2000), and a series of articles that reconsider the nature of clerical participation in village life (SAITŌ 1999; TAKANO 1989; MIYAHARA 1997; MURASE 1991), all indicate the long standing registrar/death ritualist dyad no longer sufficiently encompasses the diversity of Buddhist activity in Tokugawa Japan.

In the present essay I consider Buddhism's place within rural communities by examining a facet of clerical action that has recently gained a degree of scholarly attention: the priest as mediator in cases of village discord. This area of endeavor ranged from interjection in samurai penalization processes via clerical submissions of petitions for leniency to *bakuhau* officials (HIRAMATSU, 1960, pp. 1024-51; BOTSMAN 1999, pp. 80-86), to the role of a third party seeking to facilitate negotiated settlements between disputatious villagers or townsmen. Herein I focus on a particular process often cited in early modern documents as *nyūji*, or entering the temple. Ostensibly a technical term used by Buddhist priests to indicate the taking of tonsure (NIHON DAJITEN KANKŌKAI, vol. 15, p. 615), in the context of village contention *nyūji* 入寺 referred to individuals or small groups who had become embroiled in incidents of social or legal disruption, and had temporarily sequestered themselves within temple precincts when threatened with potential village ostracism, or formal prosecution by village and samurai authorities. Other terms used to denote such events were *kakekomi* 駆込, 欠込, *terairi* 寺入, *hashirihairi* 走入, and *kakeiri* 欠入 (ABE 1965, p. 10; SATŌ 1994, p. 2). The valence of both the temple entrance act itself, and the terminology used to denote it, were often contingent upon local variations in legal statutes, and uncoded practices and traditions. Broadly speaking, the import of the phenomenon ranged from punitive measure to seeking refuge, and in certain areas these polarities of meaning were demarcated by differing terminology, a point exemplified in Satsuma where *terairi* referred to sentences of temple confinement imposed on samurai by the Shimazu daimyo, and *kakekomi* indicated flight to temple grounds in search of clerical assistance (HIDEMURA 1964, pp. 91, 93).

In light of the diversity of applications and implications inherent to entrance, the conflation of all such activities into a single category denoted by *nyūji* may seem arbitrary, but my choice in part reflects

the fact that domain administrators and village officials often exclusively used *nyūji* in reference to entrance cases. More importantly, rather than characterizing entrance as either punishment or refuge, I will argue that as often as not, both aspects could be simultaneously present in any particular event. Therefore, in contrast to other terms such as *kakeiri* that are largely weighted in favor of one or the other polarized meanings, *nyūji* is lexically broad enough to concurrently encompass affairs exhibiting both aspects of entrance activities.¹

The Parameters of Nyūji

Depicted in such general terms, *nyūji* as described evokes comparison with the well-known and well-studied tradition of temple mediated divorce, a process usually denoted by the term *kakekomi*.² Two convents with close Tokugawa connections—Mantoku-ji 萬徳寺 in the Nitta district of Kōzuke (present-day Gunma Prefecture) and Kamakura's Tōkei-ji 東慶寺—gained particular fame for their managerial prowess in handling annulment petitions instigated by disgruntled wives, an important service given women's highly restricted legal rights under the Tokugawa.³ Although case studies cited below will reveal that *nyūji* events occurring in rural, early-modern Japan—and specifically divorce oriented practices—did share a small degree of procedural symmetry, there were distinctive aspects as well; therefore, an initial cursory juxtaposition of divorce events and *nyūji* provides a convenient means for sketching the unique aspects of *nyūji* while also contextualizing it within the parameters of Tokugawa-period Buddhist temple practice.

To start on a geographic note, in contrast to the concentration of divorce cases at the two convents, documents detailing *nyūji* events appear in widely diverse locations. To date, examples come from locales ranging from the mining communities of Akita (OGI 1985) to rural communities in Satsuma (HIDEMURA 1964), with the majority of

¹ I am working in part from SATŌ Takayuki's 1994 discussion of *nyūji*'s penal and ameliorative properties; however, I will place greater emphasis on the potential for the coextensive existence of facets in any one instance of *nyūji* than is found in Satō's analysis.

² See IGARASHI 1972; INOUE 1980 and 1995; ISHII 1965; TAKAGI 1972, 1987, 1990, 1992, and 1997; and WRIGHT 1996 and 1997.

³ This is not to say that these two convents alone offered such services. Other women gained their desired annulments via male Buddhist clerics, Shugen temples, village officials, headmen, intendants, and other *bushi* residing in the countryside (TAKAGI 1990 pp. 413–73, and 1992, pp. 206–16; OCHIAI 1995). Nevertheless, given the case loads at Mantoku-ji and Tōkei-ji (107 and 387 recorded events respectively; WRIGHT 1997, p. 365), and the popularization of their image as divorce temples (*enkiridera* 縁切寺) in verse, these two institutions were the most visible to the public eye.

presently known cases occurring in provinces in and around the greater Kantō region (ABE 1965; OCHIAI 1987; SATŌ 1998; TAKAGI 1981 and 1990, pp. 36-46; TAKANO 1989, p. 302; TAKEUCHI 1976; VESEY forthcoming). In this regard, the recent work of Satō Takayuki is especially notable. Through the careful perusal of manuscript collections held by the descendants of Edo-period headmen and compendia of transcribed materials produced by various prefectural governments, Satō has compiled extensive lists documenting incidents in Musashi (60 events; SATŌ 1994) ; Kōzuke (51 events; SATŌ 1998), and the Izu-Tōtōmi area (32 events; SATŌ 1995).

The time frame for the data shows some variation as well. A few examples ante-dated 1700 (SATŌ 1994, p. 4, and 1995, p. 31), but the large majority of the cited incidents occurred in the eighteenth and nineteenth centuries. Given the nascent nature of scholarly inquiry into non-divorce related temple entrance, it is premature to argue for a ubiquitous presence of *nyūji* practices in all regions throughout the Tokugawa period. There is also much to be done in terms of assessing the rates of *nyūji* verses other forms of village-centered methods for handling contention. However, the existence of documented areas of consistent activity in Akita (OGI 1985), the Moriyama domain (ABE 1965), the Kanraku region of Kōzuke (SATŌ 1998), and Ōno village in Musashi (Chart 2) would indicate that, at the very least, certain areas had a culture of *nyūji* where temple entrance was incorporated into local repertoires for handling village contention.⁴

Further contrast between divorce *kakekomi* and *nyūji* is evident in a divergence of contexts and objectives. While the former revolved around petitions for annulments initiated primarily by disgruntled wives, *nyūji* was precipitated by a variety of causes involving men and women alike, which ranged from boisterous arguments or fisticuffs to minor contraventions of village codes and accidents such as inadvertently starting a fire. Under these circumstances, if the implicated individuals feared some form of official or personal reprisal as a result of their involvement, then they might seek a resolution by sequestering themselves within a local temple, and asking the resident abbot to convey their written apologies to the aggrieved parties. The underlying hope behind the tactic was to initially avert villager ire, and perhaps official punishment, with an expression of contrition, and then ultimately re-establish one's social position once those of greater authority accepted the apology.

Since *nyūji* constituted an act of submission, it could function as a

⁴ Here I am borrowing from James White's notion of cultures of contention (WHITE 1995, p. 285).

form of punishment—a point evident in some post-event reports and entrant testimonies couched with phrases such as *nyūji tsukamatsuri aitsutsushimase* 入寺仕相為慎候 (“I performed *nyūji* and was made to show restraint”) and *nyūji itasaseoki* 入寺為致置 (“I was made to do *nyūji*”) (SATŌ 1994, p. 8). In addition to the Satsuma domain’s usage of *terairi* for warrior miscreants noted earlier, there are also examples of villages expressly using *nyūji* for punishing a variety of petty crimes.⁵ Within the Kantō region, the *bakufu* and other domains used *nyūji* as a means for handling cases of accidental fire. As per article sixty-nine of the 1742 *Kujigata osadamegaki hyakkajō* 公事方御定書百条, the *bakufu* established periods of confinement ranging from ten to fifty days as the proper sentences for conflagrations induced by carelessness (*Tokugawa kinreikō kōshū* vol. 5, pp. 104–105 [SHIHŌSHŌ 1931–1932b]; HALL 1979, pp. 225–27), but in many rural regions, secular authorities accepted *nyūji* as an alternative. Official sanction for this option first appeared in the sixth article of the *Shoshū jīn jōmoku* 諸宗寺院条目 (1687), which ordered those suspected of causing an accidental fire to withdraw to their *bodaiji* at the onset of the investigation (*Tokugawa kinreikō* vol. 5, p. 35 [SHIHŌSHŌ 1931–1932a]; DATE 1930, p. 380), and it eventually became standardized practice. Under such circumstances, those charged with negligence entered their family mortuary temple (*bodaiji*) following the incident, and after residing within the precincts for the set period, they petitioned village and domain authorities for a release from *nyūji* (*nyūji gomen* 入寺御免).⁶

Given *nyūji*’s punitive potential, with its implication of Buddhist clerical complicity in the *bakuhun* state’s mechanisms for social control, there has been a long standing debate between generations of scholars over whether or not early modern temple entrance events represent a continuity of medieval temple asylum practices (*ajīru* アジール in Japanese). Two pre-war studies on medieval Japanese temples as sites of sanctuary, by HIRAIZUMI Kiyoshi (1934) and TANAKA Hisao (1940), concluded it did not. These studies suggest that the advent of increasing centralized control exerted by Oda Nobunaga, Toyotomi Hideyoshi, and Tokugawa Ieyasu constricted medieval Buddhism’s leeway for independent action, thereby eliminating temple rights to exclude secular authorities (*funyūken* 不入権). As HIRAIZUMI

⁵ Examples of codified temple punishment are found in KANUMA SHISHI HENSAN IINKAI 1968, p. 336, and ICHIKAWA SHISHI HENSAN IINKAI 1967, 6/1, p. 22.

⁶ Scholars often label this variant of *nyūji* as “fire-source (*himoto* 火元) *nyūji*” (see HIRAMATSU 1960, pp. 968–70; ISHII 1961; TAKAGI 1981 and 1990 pp. 36–46; SATŌ 1994, 1995, 1996, 1998; VESEY forthcoming). It is important to note that in this context “accidental” is the operative term. Felons convicted of arson (*hitsuke* 火付) were subject to execution by burning (*hiaburi* 火焙).

summarily observed, “with the advent of the early modern period, asylum (*ajīru*) was banned, and *terairi* was transformed into a form of punishment, or a means for repentance” (1934, p. 147). The only exceptions he made were the two divorce temples of Mantoku-ji and Tōkei-ji.⁷

This categorical disassociation propounded by Hiraizumi and Tanaka continued into the postwar period, but subsequent studies have exhibited a tendency to gradually hedge against the earlier stance. ITŌ Tasaburō concurred with the narrative of asylum’s decline and disuse under the Tokugawa—a shift he ascribed to both restrictions imposed by the *bakuhatsu* state, and declining need following the advent of the *pax Tokugawa*—but he also evoked two cases of samurai flight into temples to claim that “the spiritual habit of relying upon Buddhism’s extra-systemic rights of protection [*Bukkyō no seigaiteki higoken* 仏教の制外の庇護権] had a strong effect upon the hearts of Edo-period Japanese” (1995, pp. 23). Amino Yoshihiko echoed similar sentiments in his study of medieval temples as sights of non-attachment (*muen* 無縁). AMINO considered the two divorce temples to be sites of confinement (1996, p. 25–26), yet he nonetheless argued for continuity of the place of detachment ideal in the minds of Edo-period commoners (p. 123). On a stronger note, HIDE MURA Senzō (1964 p. 93), ABE Yoshio (1965, pp. 265), SAITŌ Etsumasa (1999, p. 125), and SATŌ Takayuki (1994, p. 3) acknowledge the punitive aspect of *nyūji*, but drawing upon regional data not available to earlier scholars, they also argue that acts of apology went beyond mere submission to constitute a procedural means for avoiding potentially greater punishment by effecting a reconciliation with other parties or local officials.⁸ Thus according to the analytical stance exhibited by post-1960 scholarship, *nyūji* may not be asylum in a normative medievally defined sense, but temple entrance could function as a form of qualified refuge within the early

⁷ This is not to say that Hiraizumi and Tanaka offered exactly the same interpretation of medieval practices. In contrast to Hiraizumi’s argument that temple refuge practices reached an apogee during the decentralizing turbulence of the Sengoku period followed by a swift decline at the hands of Nobunaga, Hideyoshi, and Ieyasu, Tanaka cites mid-sixteenth century proscriptions against temples taking in fleeing servants to argue that the advent of the Sengoku daimyo initiated the end of temple asylum rights. Tanaka further noted that as often as not abbots handed miscreants over to secular officials rather than protected them from secular prosecution, and he questioned whether all temples exercised the same degree of exclusionary rights.

⁸ TAKAGI Tadashi concurs with this estimation in his review of Hidemura, Abe, and Ogi’s work, but he does note a difference between aggressive clerical efforts to work on the behalf of entrants as seen in Abe’s study of the Moriyama domain, and a more passive attitude on the part of Satsuma priests who merely took in the petitioner, and did little to actively intercede with local officials (1990, pp. 29–36).

modern social and legal system.

The present essay builds upon this recent trend to include *nyūji* within a tradition of techniques for seeking aid in times of impending social and legal trouble in order to examine *nyūji* as an inherently Tokugawa practice. With its multivalent implications and amorphous character whereby temples could simultaneously function as both a place of confinement and refuge, *nyūji* poses a variety of questions over the mechanics of rural conflict (how did *nyūji* fit into village level contention resolution?), and village social dynamics (why did the clergy play such a role?). These issues are especially pressing for apology-driven related events. While the divorce process at the two convents operated under the umbrella of Tokugawa authority, and fire-related entrance was granted legal recognition, *nyūji* for the sake of apology or shelter or both often does not appear in domain or village codes;⁹ therefore, its existence raises questions about how authority was created and manipulated to allow for such clerical participation in village contention.

Case in Point: Nyūji in Ōno Village

I address these points by looking at a series of *nyūji* events that occurred in the village of Ōno 大野 in the former Chichibu district of Musashi Province (now part of modern Tokigawamura 都幾川村, Saitama Prefecture). An otherwise unremarkable place, Ōno's viability as a site for studying *nyūji* derives in part from the accessibility of village records (they are now located at the Saitama Prefectural Archives [Saitama Kenristu Monjokan 埼玉県立文書館]), and from recent research utilizing this material. Miyahara Ichirō, for one, has examined over one hundred letters of apology offered by peasants to other peasants or village officials in order to determine who co-signed apologetic statements and passed the document on to village officials. These corollary participants were variously called *atsukainin* 扱人, *shōnin* 証人, *aisatsunin* 挨拶人, *sewanin* 世話人, or simply *chūnin* 仲人 (SONE 1994, p. 134), and their importance to the process centered on their willingness to intercede on behalf of the petitioner with the aggrieved party,

⁹ One major exception was the "Ushū Akita sadame nijūshichiko gosanpō" 羽州秋田定廿七箇御山法), codes governing the Innai silver mines, which included the following: "Item. Even when a disruptive miner is under restraint, if he seeks refuge with a smithy, then he may not be arrested. This applies as well for those who enter temples" 働無調法有之、縄下ニ及候共、鍛冶屋江駆込候ハ>取押間敷事、是者入寺同前之定也。 This injunction against pursuit and capture of those who fled to either a blacksmith or temple granted the two sites a clear right to granting temporary asylum to disgruntled miners while they formulated their apology statements (see OGI 1985, p. 123).

Chart 1. Data on Events Resulting in Letters of Apology^①
 Drawn from Morita Family Archives (Saitama Kenritsu Monjokan)

Dates	No. of letters ^②	Fudō-ji	Jōen-ji	Tentoku-an	Shōbō-ji	Other temples	Kongō-in	Shrine	Peasant ^③
1698–1720	4	1	1	1	1	1	1	0	14
1721–1740	11	1	2	0	0	2	0	1	7
1741–1760	37	8	12	9	1	4	4	9	31
1761–1780	19	2	0	2	2	1	2	3	17
1781–1800	16	2	0	2	1	0	2	4	10
1801–1820	10	3	0	0	2	3	1	3	7
1821–1840	29	1	0	0	0	1	7	6	22
1841–1867	12	0	0	0	0	0	4	6	11
Unknown	2	0	0	0	0	0	1	0	4
Totals	140	18	15	14	7	12	22	32	123

① Original in MIYAHARA 1997, p. 8.

② The number of letters does not necessarily correspond with the number of unique events: in some cases involving multiple participants, one letter could contain the signatures and seals of several people and mediators; in other cases, each individual might have written his or her own letter.

③ Miyahara's original list contains further divisions for "peasants" (there are separate columns for family [*shimui* 親類], five-member groups [*gonin gumi* 五人組], neighbors [*jūni* 地類], village officials [*murayakunin* 村役人], other peasants, and peasants from other villages). Since my aim herein is to provide the basis for a general comparison of clerical vs. peasant mediation, I have combined the various peasant sub-categories into one column.

Chart 2: Incidents of *Nyūji* in Ōno

1	1695/8/20	Forceful entry into another's house	Baihonbō (Jikō-ji)	Satō 51 ^① ; Saitama ken 1991, p. 490
2	1720/2	Started forest fire	Shōbō-ji/Tōrō-an/Tōshōbō/Fudō-ji	TGO 2 ^② ; 81; Morita 4742 ^③
3	1740/9	Willfulness	Ryōsan-in (<i>bodaiji</i>) (Taira)	Satō 52; Morita 4657
4	1744/3	Failure to produce charcoal	Shōzō-in (Jikō-ji)/Jōen-ji	TGO 2; 276; Morita 5918
5	1744/5	Illegally cutting trees	Tōrō-an/Tentoku-an/Fudō-ji (<i>bodaiji</i>) ^④	TGO 2; 83; Morita 2845
6	1753/2/14	Attacking employer's wife	Jōen-ji (<i>bodaiji</i>)	Satō 53; Morita 3378
7	1753/9/18	Stealing bamboo	Tentoku-an (<i>bodaiji</i>)	Satō 54; Morita 6012
8	1764	Accidental destruction of charcoal facilities by fire	Tentoku-an/Tōrō-an (<i>bodaiji</i>)	TGO 2; 276; Morita 3394
9	1771/11/6	Negligence (failure to fulfill obligation to escort another peasant's wife to home village)	Tentoku-an (<i>bodaiji</i>)	Satō 55; Morita 6744
10	1773/11	Assault (wounded another peasant in a drunken fight)	Shōbō-ji (<i>bodaiji</i>) , Fudō-ji, Kongō-in	Satō 56; Morita 7675
11	1776/2	Vandalism (destroying lumber)	Fudō-ji, Kongō-in	Satō 57; Morita 2893
12	1818/6	Gambling	Shōbō-ji (<i>bodaiji</i>)	Satō 58; Morita 6910
13	1822/5/12	Arguing while drunk	Fudō-ji	Satō 59; Morita 6972
14	1822	Negligence (failure to farm lands/ repeatedly leaving Ōno village)	Jikō-ji	Morita 6901, 7909
15	1827/8	Disorder	Kongō-in	Satō 60; Morita 2533
16	1849/7/12	Gambling	Kongō-in	Satō 61; Morita 6155
17	1853/3/11	Accused of having wicked implements ^⑤	Shrine house of Mondo	Satō 62; Morita 4401

^① The number after Satō refers to the item's place in the chart on p. 3 of SATO 1994. ^② TGO stands for "Tokigawa sonshi hensan inkai."

^③ The Ōno records now located in the Saitama Prefectural Archives where originally kept by the Morita family, the village's hereditary head family. When citing a specific document, the figures following "Morita" indicate the catalogue number of the document listed in SAITAMA KENRITSU MONJOKAN 1982.

^④ As per my analysis below, it is not clear which of the three temples involved in this case were the actual *bodaiji*.

^⑤ According to Satō, the original text (a written apology) states the accused found a wallet containing *ahuji dōgu* 悪事道具. He was going to turn the wallet in to authorities, but came under questioning himself. The nature of the "wicked" items is not clear.

and certify the sincerity of their remorse (MIYAHARA 1997, p. 7).

Miyahara's results are provided in Chart 1, which divides the frequency of various interceding institutions or individuals within specified time frames.¹⁰ It is important to note that the total number of letters (140) in Chart 1 does not necessarily equal a total number of distinct events as a single incident might generate two or more documents. Along the same lines, the discrepancy between the letter and cumulative total tallies stems from the possibility of multiple co-signers for any apology document. What the chart does show is the degree to which petitioners sought out particular individuals to act as mediators. For example, between 1741 and 1760, thirty-one peasants were asked to sign off on some of the letters, while the priests at Jōen-ji did so on twelve different documents. If SONE Hiromi's observation is true that the existence of co-signatories indicates that the apology letter format reflected an exchange between intramural sub-groups rather than individuals (1994, p. 135), then the rate of clerical participation illustrates the degree to which the peasantry considered their local priests to be integral members of the local community.

With respect to *nyūji* itself, SATŌ has used the same data base to produce a similar list of *nyūji* specific events (1994, p. 3); his results have been adapted in Chart 2, along with five other uncited cases. When studied in tandem, the cumulative information in charts 1 and 2 provides data on both the specifics of *nyūji* mechanics, the rate of *nyūji* events over time, and background information concerning peasant reliance on temple help in mediating a conclusion to intramural contention. Therefore, in contradistinction to the still spotty reportage of *nyūji* in other regions, this plumbing of Ōno's documentary resources provides sufficient material for drawing some conclusions on the culture of *nyūji* within this particular village, and the Buddhist clergy's role in the process.

Ōno in the Early Modern Period

Lying roughly twenty-five miles to the northwest of Tokyo, Ōno is located in the Tokigawa river valley on the eastern slopes of the low mountain range that separates the Chichibu region from the rest of the Kantō plain (TOKIGAWA SONSHI HENSAN IINKAI 1996, pp. xvi-xvii). Since the Ōno area was blessed with an abundance of timber stands, but bereft of extensive arable flat lands, the village residents depended more upon charcoal production than farming to earn their living, a fact reflected by the Tokugawa designation of the village as an official

¹⁰ The original is in MIYAHARA 1997, p. 8.

charcoal supplier to the Edo castle. Population numbers varied over time, with the peak of village growth occurring in 1754 (176 households, 620 residents). These figures remained constant until the mid-1770s, and then gradually declined to hit a record low of 94 homes and 476 villagers in 1867 (SAITAMA KENRITSU MONJOKAN 1982, p. 13).

According to the bakufu's 1828 *Shinpen Musashi fudoki kō*, Ōno contained two Buddhist temples (Jōen-ji 常円寺, a Tendai School institution affiliated with Jikō-ji located to the east of Ōno in the adjoining village of Taira, and Fudō-ji 不動寺, a Shingi Shingon temple), three Shinto shrines, the Honzan Shugendō temple of Kongō-in 金剛院, and five small votive altars dedicated to Jizō (3), Yakushi (1) and Amida (1) (TOKIGAWA SONSHI HENSAN IINKAI 1996, vol. 12, pp. 103–104). What is missing from the gazetteer's description was the fact that most of Ōno's residents were parishioners (*danka* 檀家) of several other Buddhist institutions outside the village. A comparison of the "Registers of Inquiries into Religious Affiliation" (*shūmon aratamechō*) compiled in 1770, 1778, and 1814 (SAITAMA KENRITSU MONJOKAN 1982, MORITA 28, 26, 410) shows that Ryōzen-in 霊山院, another temple in Taira, and its branch temples of Shōbō-ji 正法寺, Tentoku-an 天特庵, Hōju-an 宝聚庵 and Tōrō-an 東郎庵 always had the highest numbers of affiliated peasants.

Institutionally speaking, Ryōzen-in was a Tendai temple. It was founded as a sub-precinct of the near by Jikō-ji in 1192 (TOKIGAWA SONSHI HENSAN IINKAI 1993, vol. 2, p. 98), and in the Edo period it was a branch temple of Chōraku-ji 長樂寺, another Tendai institution, in Serata, Kōzuke (present-day Ojimamachi, Gunma-ken). The temple's dharmic heritage was another matter. Shakuenbō Eichō 釈円房榮朝 (?–1247), Ryōzen-in's founder, was a Tendai monk who had moved from Mt. Hiei to Jufuku-ji in Kamakura to study Zen under Eisai (ZEN-GAKU DAJITEN HENSANSHO 1985, p. 84), and over the course of the medieval period, subsequent generations of Ryōzen-in abbots increasingly emphasized the Zen side of their Tendai/Zen legacy. In keeping with Tokugawa dictums concerning the establishment of Buddhist clerical hierarchies, Ryōzen-in maintained its Tendai institutional affiliations within the *bakufu* sponsored head-branch (*honmatsu*) system, but its resident abbots thought of themselves and their temple as a Rinzai Zen monastery. This point of identity is evident in the certification of Ryōzen-in's lay support families as "Zai-ke" 濟家 School parishioners within the Ōno registers, and in the *Shinpen Musashi fudoki kō* citations for its branch temples, all of which were listed as Rinzai.

In rather stark contrast to the extensive ties between the Ōno villagers maintained by these Taira institutions, Jōen-ji and Fudō-ji, despite their physical placement within Ōno itself, could count on only spare parishioner support from the surrounding community.

The 1778 register (MORITA 26), for example, lists 297 people; of these parishioners, 257 belonged to the Ryōzen-in group while Jōen-ji and Fudō-ji could only claim nine and sixteen funerary adherents respectively.

The Role of Religion in Handling Village Contention: An Overview

It is clear from the data in Chart 1 that religious personages were integral to the village's mechanisms for handling internal conflicts. Taken in terms of total numbers from the late seventeenth to the mid-nineteenth centuries, the near parity in religious and secular signatory numbers (120 vs. 123) indicates that Ōno residents relied as much on clerics as other peasants when it came to seeking out assistance in resolving village conflicts. Of the various religious groups cited, Buddhists appear most often, followed by Shinto shrine attendants, and then Shugendō clerics. There was also a clear demographic shift from the mid-eighteenth century onwards. Although peasant and shrine numbers remained relatively constant, and the rate of Shugendō participation gradually rose, there was a decline in reliance upon Buddhist auspices, with a particularly precipitous fall after 1760.

To a certain degree this pattern is reflected in the second chart for *nyūji* cases. Out of the seventeen known events, the first one hundred and twenty years of the Edo period are marked by only two incidents (a figure of admittedly questionable viability given the paucity of pre-Genroku documents for the area), followed by nine occurring within the thirty-six year span from 1740 to 1776. There was another spurt of Buddhist involvement around 1820 with three items, but in the ninety-two year period from 1776 to 1868, the practice of entering religious institutions was in general decline, and the few times it did occur, it was marked by a pronounced shift away from Buddhist sites and priests to those of other traditions. I will consider several potential reasons for this overall transition later, and for the moment it suffices to say that Buddhist influence in intramural problem management was strong until the 1770s, and then gradually waned.

THE *NYŪJI* PROCESS

A cursory purview of Chart 2 reveals that a number of different circumstances could induce a *nyūji* event. While all were public displays in the sense of being highly visible expressions of apology presented for village consumption, the examples may be generally divided in terms of a private/public typology depending upon an incident's import upon the rest of the community. Events falling under the first rubric tended to be small scale affairs centering on tension and

conflicts between individuals. To cite a few illustrative particulars, the 1773 case (item 10) concerned a peasant named Iyōnosuke who had attacked and wounded his fellow villager Ichizaemon in a fit of drunken rage. Upon recovering his wits, Iyōnosuke entered his family mortuary temple of Shōbō-ji in Taira, and then asked its resident cleric as well as the priests of Fudō-ji, Kongō-in, and family members to intercede by passing on his apology to Ichizaemon's family and village officials. As the aggrieved party, under Tokugawa law Ichizaemon could demand financial restitution to cover the cost of his medical treatment (*Tokugawa kinreikō kōshū* vol. 5, pp. 403–405). However, it appears that Iyōnosuke's apology alone was sufficient, a point seen in his written statement which concludes with a word of thanks to local authorities for dispensing with the case following the proffered apology, and a promise of future good behavior in Ōno and other communities.

Similar results occurred in 1753/2 (item 6) when an adolescent servant named Genbei fought with the wife of his employer, during which he both struck her, and lopped off part of her hair. Perhaps due to Genbei's youth, his father Kanjūrō took responsibility for the affair, and sequestered himself in the family's *bodai-ji* of Jōen-ji to offer amends for his son's poor behavior. The same pattern is repeated in cases 1, 3, and 9 as well: a dispute arises between two parties, one eventually decides that he was in the wrong (or unable to sustain his side of the argument), and in an effort to rectify his weakening situation, he entered a local religious institution in order to ask the priest's help to facilitate a conclusion based upon a written apology.

The other set of *nyūji* incidents—the "public"—could be equally minor in scope, with the qualification that the circumstances involved infractions against proscriptive codes, or impositions upon the village's ability to meet its obligations to the "public authority" (*kōgi* 公儀) of the Tokugawa shogunate. The potential of *nyūji* occurring after the exposure of misdemeanors is evident in the two cases of gambling (items 12 and 16), but given the importance of timber and charcoal to Ōno, it is not surprising that many events under this rubric centered on charges of improper (read "personal") utilization of village resources, or other actions detrimental to village productivity. This is evident in items 2 (starting a forest fire), 4 (failure to fulfill charcoal production responsibilities), 7 (stealing bamboo used in charcoal production for personal profit), and 8 (negligence resulting in the destruction of a charcoal production facility).

Unlike the "private" cases that were strictly handled within the village, or on a Ōno-Taira axis between peasants and priests, these "public" affairs were often marked by the presence of higher extramural authority in the form of the shogunal intendants (*daikan* 代官) who

oversaw rural regulations in the Kantō region. This participation could be figurative in that village authorities might evoke the threat of intendancy action in order to cow a miscreant into submission, or it could assume quite real proportions if and when officials did petition for samurai intervention. Statements in items 2 and 4 show that when confronted with the possibility of interrogation by an intendant, or even torture in more severe cases, apology letters offered by entrants included a plea to the headman and other peasants requesting the matter not be brought to the intendant's attention.

Upon two occasions, these "public" events erupted into serious affairs involving a significant segment of the village population, and as such, they revealed fissures within the community. Instances of this magnitude included the 1776 vandalism incident in which the destruction of lumber and uncut trees owned by the Morita family stemmed from discord between two contending groups (*kumi* 組) of Ōno residents (item 11), but the complexity of such cases is best exemplified in item 4. The extant account begins with a two-part letter filed with intendant Ina Hanzaemon in the fourth month of 1744 (MORITA 2855; TOKIGAWA SONSHI HENSAN IINKAI 1996, vol. 2, p. 83). The first section appears to be a transcription of an earlier filing detailing the incident's incipience: while inspecting timber stands designated for the production of charcoal destined for shogunal use (*gorin* 御林), Ōno's headman, *goningumi* heads 五人組頭, and the village elders discovered that unknown persons had been cutting miscellaneous trees.¹¹ Upon calling a meeting to interrogate the other villagers, the local leaders came to suspect two peasants named Riemon and Tarōemon. The hapless pair were called to appear for questioning, but rather than comply, they fled to their family mortuary temple. As per other instances of *nyūji*, they prepared a written statement including the standard expression of apology, with an added comment that the trees were not of charcoal quality anyway. In response, the village officials acknowledged the insignificance of the trees themselves but they could not excuse the transgression onto the restricted land; therefore they had filed for an intendancy investigation.

In the second section of the same letter addressed to Ina, it appears that after the initial petition for samurai intervention, the village officials had a change of heart; after noting how intendancy punishment for the two's mistake (*kokoroe chigai* 心得違い) could negatively affect Riemon and Tarōemon's families and other villagers, they asked Ina to show compassion by granting the two a reprieve. The specific

¹¹ According to the document, villagers used such fuel for the baking process, rather than the source material for the charcoal itself.

reasons for the shift remain unknown, but there are two plausible explanations. One, the officials simply adhered to routine procedures by notifying Tokugawa authorities, and then followed up with a formal petition for reprieve; or two, in reaction to the suspects *nyūji* gambit for settling the matter, the leadership sought to evoke the intendant's authority, but upon latter reflection, they decided samurai intervention could in the end be more detrimental than beneficial.

The peasants' effort to forestall intendancy participation that they themselves had precipitated came to naught when the two felons received a summons to appear before bakufu investigators (MORITA 2848). The village officials thereupon tried to have the trespassers transferred to their direct control. In response to this assertion of local authority, on 1744/5/14 the members of Riemon and Tarōemon's respective *goningumi* filed an affidavit indicating they had received orders issued by the officials to bring in both perpetrators in manacles (*tejō* 手錠) for village confinement (*mura azuke* 村預) (MORITA 2852; TOKIGAWA SONSHI HENSAN IINKAI 1996, vol. 2, p. 82). However, both groups retorted by claiming that the two were properly confined with *kumi* members taking turns in watching them, and that they would only hand over the charged on the appointed day. Their response concludes with the statement that if the two fled, the *goningumi* would collectively take responsibility. While the affidavit makes no explicit reference to Riemon and Tarōemon being sequestered within the Buddhist temple precincts, another letter to the intendant dated the same month reiterates the basic facts of the case, and notes that the two had fled to Tōrō-an out of fear after being called in for questioning (MORITA 2845; TOKIGAWA SONSHI HENSAN IINKAI 1996, vol. 2, p. 83). It would thus appear that official village attempts to reassert their direct control over the matter had not only been rebuffed by the intendancy, but also by other residents who preferred a continuance of the men's temporary *nyūji* status over their confinement under local secular supervision.

In the foregoing process of apology, the local Buddhist clergy added their own requests for leniency when Tentoku-an and Fudō-ji submitted the following petition:

Item

We the abbots of Tentoku-an of Taira village and Fudō-ji in Ōno offer up the following statement.

In the timber stands designated for bakufu charcoal production located within your jurisdiction, our parishioners Tarōemon and Riemon cut down miscellaneous trees. Upon learning that officials were going to convene an inquest, the

two admitted they had no excuse whatsoever for their actions, and entered our temples. As a result, we went to Ōno, and explained the circumstances. Since their transgression should not be deemed extreme, and they undertook the act of *nyūji*, we humbly beg your compassion and that you grant them a reprieve for the felony. They cut the timber under the misconception that miscellaneous trees were not listed in the timber tallies for *bakufu* charcoal production. Therefore, while they may be ordered to replant a fraction of the cut timber, we would be most thankful if you would drop the matter upon your inquiry. As the relatives and *goningumi* of the men respectfully make the same request, we have fixed our seal to this petition and appeal to your compassion. (MORITA 2864)

In its present condition, the submission lacks concluding signatures, a date, and an addressee; therefore the intended recipient is not clearly defined. It also raises a point of ambiguity in that here Tentoku-an and Fudō-ji claim to be the *nyūji* sites, while the 1744/5 letter to Ina cited above (MORITA 2845) cites the location as Tōrō-an. This may be the result of an error on the part of the village scribe (or the Tokigawa Kyōiku linkai transcriber for that matter) in the composition of MORITA 2845, or Tentoku-an and Fudō-ji were speaking as representatives of Tōrō-an. In any event, the petition does indicate the local Buddhist clerics were actively coordinating their efforts with other peasants to work on behalf of their lay parishioners.¹² Eventually the issue was settled when Riemon and Tarōemon were ordered to pay a fine of three *kanmon* each, the receipt for which was filed on the eighth day of the sixth month, 1744 (MORITA 2967; TOKIGAWA SONSHI HENSAN IINKAI 1996, vol. 2, p. 84).

On the matter of monetary remuneration, several examples aside from the one just discussed indicate it was a potential result to a *nyūji* event. Kanjūrō, father of the argumentative Genbei, paid two *ryō* to his son's former employer to settle their dispute, and two bamboo cutters apprehended in the same year of 1753 were fined 3 *kan* 300 *mon* a piece for their larceny.¹³ On the other hand, there are no documented

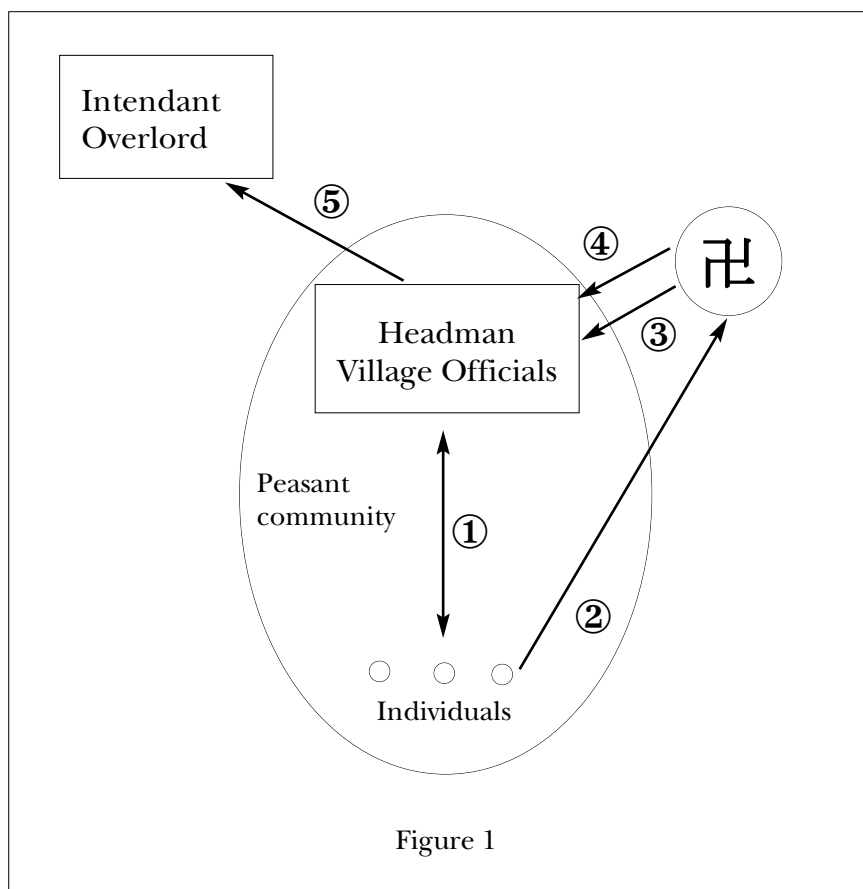
¹² The letter of Tentoku-an and Fudō-ji may have influenced the village officials in their choice to rescind their request for Ina's investigation, but without a final date, it cannot be conclusively proven.

¹³ In 1753 a one *ryō* gold piece was worth two *koku* of rice (KODAMA 1983–1996, vol. 4, p. 599). Since one *koku* was theoretically enough rice to feed a single adult for one year, Kanjūrō's fine of two *ryō* amounted to the rice consumption of a four-person family. One *kan* consisted of 1,000 copper coins (*mon*), hence the two felonious cutters paid out a total of 6,600 coppers (KODAMA 1983–1996, vol. 4, p. 564). On the Edo currency market in 1753, the exchange rate for one *ryō* was 4,290–4,465 *mon*; therefore the fine was equal to approximately 1.5 *ryō*.

exchanges of money for many of the other cases, and while there is the possibility for informal forms of material penalization (e.g., a verbal agreement on the part of the entrant to provide labor, or payment in kind), the lack of documentation for such restitutions holds open the possibility that *nyūji* alone could be a sufficient means of recompense.

Finally, as for the location of Ōno's *nyūji* incidents, up to 1818 (item 12) there was a general preference for removal to the family mortuary temple. For Kanjūrō, this meant entering Jōen-ji within Ōno itself, but for most entrants this choice necessitated a trek down the Tokigawa river valley to Taira, and then a steep hike up into the surrounding hills to reach the actual temple precincts (items 3, 5, 6, 7, 8, 9, 10, and 12; it is not clear whether item 2 falls under this pattern). In other instances (1, 4, 14) the entrants selected sites within the village—a trend that became more pronounced later in the Edo period. The Tarōemon-Riemon case as well as items 2 and 10 show it was also possible to utilize the auspices of several temples in conjunction with the apology process; under such circumstances, the transgressor might physically go over to a Taira temple, and then request another cleric residing within Ōno to participate on the petitioner's behalf. The two bamboo thieves, to give another example, entered Tentoku-an, their mortuary temple, but also asked Buddhist priests of Fudō-ji and Jōen-ji, and the Shugendō cleric at Kongō-in to act as intermediaries (item 7).

While every event had its own particularities, all shared a common pattern of action depicted in Figure 1. Initially an incident of conflict or transgression generated a central axis of contention between individuals, or residents and the village leadership (①). As the tension operating along this axis increased, the individual(s) found themselves socially and politically outside the village, and in an effort to ameliorate their alienated condition, they sought relief by entering a Buddhist institution—usually, but not necessarily, their family's mortuary temple (②). There were of course other options; as indicated by the existence of non-*nyūji* apology cases, one could seek mediation while remaining within the peasant sphere. The charged individual could also endeavor to brazen it out and fight the accusations, but there were inherent dangers to this tactic. If the recalcitrant peasant found him or herself lacking support from either family members or other peasants, then they faced the possibility of ostracization. Or, since fighting the charge could be construed as fighting the village's system of control, village officials might refer the case to the intendancy. This could be a long and expensive process for the litigants, and there was always the possibility that the adjudicating samurai might employ force to gain a confession. Therefore, given the potential severity of such outcomes, apology was often a safe bet.



Due to the bureaucratic nature of the Ōno documentation describing the flow of these events, but not the decisions informing them, accounts detailing the specific factors informing any individual's choice of *nyūji* over other avenues for proffering an apology are absent. It is thus difficult to define a specific point at which someone's nerve broke, and they bolted to the temple gate, but as a general observation, opting for entrance was the product of a complex equation where those in trouble weighed and counterbalanced estimations of culpability, vulnerability, village standing, village conditions at any one time, and in some cases real fear, to conclude that their chances would improve by physically placing themselves behind the temple walls while the outcome was still uncertain.

Of course, the power of precedence clearly factored into the decision, but the incidence of non-*nyūji* based apologies reveals a degree of individual will at play in the process. The relative value of these factors

varied from case to case and person to person, but since *nyūji* involved seeking support outside the immediate village social structure, I assume an individual's estimation of potential communal support (or the lack thereof) from family, *goningumi*, and *kumiai* members was upon occasion a key factor in the determination. The relative infrequency of *nyūji* also suggests it may have been seen as a method of last resort employed by those who could no longer rely on, or trust, the village's internal mediating processes.

Once within the temple precincts, the entrant asked the clergy to intervene (③). All the documentary evidence listed in Chart 2 indicates that the initial professions of lament for the acts were given to the priests, who then passed the statements on to the village office. It was not unusual for clerics to also sign off on the letter itself, which implied that he stood with the entrant in offering the apology (④), and in one instance (item 7), the abbot of Tentoku-an assumed the responsibility of guarantor when he appended to a letter from Hanbei (one of the bamboo thieves) his own certification of Hanbei's promise for future good behavior. The clerical submissions might also contain a request that local officials take no further action on the matter, or bring the case to samurai attention (⑤). This facet of clerical participation appears in the 1744 wood cutting case, but the same event also reveals that little could be done after samurai officials chose to weigh in on local affairs.

Once the village office or the other party accepted the apology, and the entrant paid any required fine, he returned to his home and his place within the village community. The only exception to this outcome within Ōno occurred in 1822 when a peasant named Mokuzaemon entered Jikō-ji after peasant officials charged him with not fulfilling his tax obligations, and for repeatedly wandering out of the village (item 14). Aggravated by Mokuzaemon's failings, and perhaps fearful that while on his meanderings he might incite troubles for which the village would have to assume responsibility, Ōno's headman petitioned Jikō-ji's abbot to accept Mokuzaemon as a disciple, claiming in the process that he was too ill to farm. The nature of the malaise is unstated, but the result was obvious enough: by removing the peripatetic peasant from the village to Jikō-ji, the villagers were able to remove him from their sphere of responsibilities.

The Nyūji System and Its Ambiguities

Thomas KEIRSTEAD, in his analysis of medieval conflict, has evoked the metaphor of the theater to characterize acts of peasant absconding from *shōen* as scripted or staged forms of contention (1992, pp.

72–97). Careful to note that his ascription of the theatric to conflict does not imply a trivialization of absconding's seriousness, Keirstead uses this imagery to show how peasants and land proprietors struggling to assert their respective claims relied upon an implicit body of verbal and performative symbolic language. This system of representation and meaning within absconding practices worked at two coextensive levels. In the foreground, it was a medium for expressing discord, but it also reflected the underlying structure that placed the peasantry and their overseers within a social continuum. That is, absconding was effective because it offered a means for voicing discontent while not threatening the fundamental system of noble, temple and warrior proprietorship over peasant agricultural production.

Although Ōno's early modern residents operated under circumstances that were fundamentally different from those informing medieval village life, Keirstead's general observation concerning the role of stylized modes of expression within contention processes does apply to *nyūji*.¹⁴ The repetitive deployment of a standardized, even ritualized, course of action as seen in Ōno indicates the existence of a particular "language of remorse" for displaying an acceptable performance of repentance for transgression. Interestingly, despite use of temple sites, the "syntax" of *nyūji* was not particularly "religious." Expressions of apology were couched with common phrases like *mōshi wake gozanku* 申訳無御座 ("I have no excuse") rather than specifically Buddhist terminology for contrition such as *zange* 懺悔 and the like. Furthermore, there are no indications of any symbolic ordination or other ritualized acts of leaving the world out of regret for past actions at the onset of *nyūji*. Perhaps such sentiments were at play within the minds of individual entrants, but explicitly religious motifs are non-existent in statements conveyed through Buddhist auspices. This lacuna leads to the conclusion that the Buddhists and their temporary wards were participating in a broader system of representation and social politics that underlay the position of both secular peasants and their priests. The apparent exception to this would of course be Mokuzaemon for whom *nyūji* really did mean "entering the order," but again the singularity of the case reveals its exceptional nature.

That such conciliation achieved through the formalized process of *nyūji* and apology could serve to support the overall status quo between the governing and the governed is reflected in the punitive implications of the 1744 event where Riemon's and Tarōemon's time spent within Tōrō-an's precincts was confinement of a sort—a point indirectly confirmed by the abbots of Tentoku-an and Fudō-ji whose

¹⁴ TAKAGI makes a similar observation in 1990, p. 35.

statement of "[even though they did wrong] they undertook the act of *nyūji*; we humbly beg your compassion and that you grant them a reprieve" implies that entrance was a form of self-imposed punishment. The rectification of the village order via *nyūji* is also evident in the fact that no event ever concluded with an entrant breaking free of village control. In this respect, early modern *nyūji* was quite distinct from both the divorce process at Mantoku-ji and Tōkei-ji, and the act of taking refuge in temples during the preceding medieval period. In either of the two latter forms, individuals sought to cut their social ties, and eventually reenter society with a different identity, but Edo era *nyūji* was a process for ultimately affirming previous relations. Or, when viewed from the perspective of early modern legal practices, *nyūji* was a form of "didactic conciliation," a mode of problem solving marked by a resolution wherein the format was "persuasive, educational, and instructive; it assist[ed] the authorities and the parties in achieving an understanding as to what [was] required of the alleged offender" (HENDERSON 1965, vol 1, p. 5). For every item listed in Chart 2, there was required a promise of future conformity to the village's rules and order. Therefore, in contradistinction to Amino Yoshihiko's discussion of medieval temples as sites of independence (*jyū* 自由) and no connections (*muen* 無縁) (AMINO 1996), early modern apologetic *nyūji* in Ōno and elsewhere was nothing other than a matter of maintaining extant connections.

Yet, as noted above, underneath this overt process, one which necessitated the yielding of individual will to official authority, *nyūji* could also be a means for conciliation on more equal terms where the individual gained reintegration into the village order without major penalties. This is evident in the 1776 incident when seven vandals destroyed large quantities of lumber, yet got off without paying any monetary restitution, but it also appears to be true in the cases of Iyōnosuke in 1773, the negligence event in 1771, and the other 1744 event concerning one Heikichi who had received funds to bake charcoal for the bakufu, but later claimed extenuating family circumstances to coerce two other peasants to fulfill the order (item 4; TOKIGAWA SONSHI HENSAN IINKAI 1996, vol. 2, pp. 275–76). In this instance, when village authorities threatened to inform the bakufu intendant, Heikichi sequestered himself within the Shōzō-bō 勝蔵坊 cloister at Jikō-ji, and asked the resident cleric along with Jōen-ji's abbot to pass on his apology for selfishness (*wagamama*). In the resultant document (MORITA 5918), he expressed his appreciation for village acceptance of his apology, and the decision not to pursue the matter any further.

In contrast to the more coercive side of *nyūji* practice, these events cast *nyūji* as means for a negotiated settlement between the estranged

party and other villagers. This facet of *nyūji* rested on several major factors at work throughout the mid- to late-Tokugawa period. At the level of legal policy, the bakufu and other domains increasingly supported negotiation in the form of privately mediated settlements (*nai-sai* 内済) as the most effective means for dealing with the increasing numbers of private incidents of contention over money and other quotidian issues (KOBAYAKAWA 1988, p. 77; HENDERSON 1965, vol. 1, p. 173; HIRAMATSU 1960 p. 224; OGI 1985, p. 126).¹⁵ To a certain extent the nature of the Tokugawa status system (*mibun seido* 身分制度) also encouraged the trend for resolving minor suits beyond the immediate purview of samurai officials. This form of social organization served to subordinate every social group to samurai authority, but because the Tokugawa and other domains ultimately relied upon status group leaders to maintain control over their respective membership, the restrictive nature of status subordination was partially mitigated by official recognition of status groups' rights to a degree of internal autonomy over status specific activities (MIZUBAYASHI 1997, p. 288-89; HOWELL 1998, p. 106-10). There were to be sure limitations—regardless of status affiliation, anyone implicated in serious incidents involving major transgressions against domain laws came under direct samurai jurisdiction—but for prosaic matters, status groups were self-governing as long as they conformed to basic *bakufu* and domain laws (KOBAYAKAWA 1988 pp. 78-80; HENDERSON 1965, vol. 1, pp. 129-30, 174). When coupled with samurai recognition of private settlements as a viable means for handling minor incidents, the legal leeway derived from status based rights often allowed local officials to utilize privately determined means for reaching resolutions.

Further incentive to keep suits out of domain courts came from the ambiguous nature of the judges themselves. Since the same samurai officials supervised both civil and criminal legal processes, there was always the possibility that the adjudicating official could quickly transform a private civil suit between contending groups into a criminal inquest complete with torture (HIRAMATSU 1960 p. 216, fn. 2). Finally, even if village officials did decide to present their suit against an individual peasant for samurai investigation, it could be an expensive process, and the presiding intendants themselves would continually press for a privately determined resolution even after the initiation of formal proceedings (HENDERSON 1965 vol. 1, pp.

¹⁵ The *bakufu*, however, did deny the utility of private settlement or conciliation in instances of arson, theft, homicide, kidnapping, parricide, charges of corruption against headmen, secret prostitution, and swindling (HALL 1979 p. 166); HIRAMATSU provides a similar lists drawn from the *An'ei ritsu toriatsukai no oboe* 安永律取扱之覚 (1960 p. 224).

176–77).¹⁶ Given this general preference for keeping things out of domain and *bakufu* courts if possible, the settlements reached through *nyūji* were not in theory counter to *bakuhan* laws (SATO 1998 p. 31).

Nonetheless, depending upon the context, the proclivity to handle things without samurai interference could assume subversive implications when the objective of *nyūji* was to forestall notification of incidents that would normally be brought to an intendant's attention. Peasant efforts in general to deflect samurai legal authority took on a variety of forms including non-compliance with directives, willful failure to provide full notification to authorities, and even collusion with the local intendant (OOMS 1996, p. 236–38); the *nyūji* apology process itself represents a particular application of these tactics (SONE 1994, 139; SATO 1994, p. 14). The petitions asking officials to abstain from notifying the intendancy as found within items 2 and 4 reflects this practice within Ōno, but it is more pronounced in Satō Takayuki's 1998 article where he cites thirteen separate instances in Kōzuke of peasants entering temples to make similar pleas for hiding their trespasses onto restricted hawking grounds (*takajō* 鷹場) from samurai authorities (1998, pp. 17–18). The potential importance of this facet of *nyūji* on commoners' lives is evident when one considers the 1753 Genbei-Kanjurō case in terms of potential punishments. If village leaders had opted to bring the affair to samurai attention, shogunal officials handling the case may have felt compelled to implement the prescribed punishment listed in Tokugawa codes: public exposure on horse back and then beheading (*hikimawashi no ue shizai* 引廻之上死罪) (*Tokugawa kinreikō kōshū* vol. 5, p. 172). At the cost of only two *ryō*, Kanjurō's settlement was cheap.

No doubt *bakuhan* officials were often aware of the legal latitude assumed by rural residents. This samurai complicity with local excess stemmed from a willingness on their part to overlook the specifics of particular events as long as their rule was not overtly challenged (OOMS 1996, p. 240). It also may be ascribed to the samurai cognizance of their own inherent managerial weakness. According to James WHITE's study of early modern contention, although the Tokugawa state claimed ultimate legal authority, it could never amass enough resources to realize its goal; it thus suffered from overreach and ended up in the ironic state of accomplishing ever less as it strove to attain ever more (1995, pp. 58–59). Under such circumstances, events like *nyūji* in Ōno and other areas of the Kantō were probably

¹⁶ KOBAYAKAWA Kingo gives similar reasons for the creation of the settlement system as a support mechanism for the regular trial system: legal suits cost time and money, and they could incur heavy material and mental costs (1988, p. 78).

accepted by harried officials since they in effect functioned as a relief valve of sorts by easing pressure on an over-extended legal system. ABE Yoshio claims the same held true for the Moriyama domain with the argument that priests involved with entrance events for apology could and did take advantage of the weak domain government to persistently press their requests for reprieves with locally presiding samurai officials (1965, p. 22).

The acceptability of *nyūji* thus rested on the collusion of secular and clerical leaders seeking to keep local events within local control. However, for village officials, the presence of the clergy in such matters could be as much a burden as a boon, for while the priests might participate in village based efforts to shield miscreant residents from higher authority, they could also protect the same individuals from other peasants. This, too, is evident with Riemon and Tarōemon in 1744 when their fellow villagers used temple entrance to rebuff official demands for the two to be brought back to Ōno from Tentoku-an. While the extant documents are silent over the nature of clerical intentions, the temple and its nearby headquarter institution of Ryōzen-in certainly had the power and authority to evict the trespassers if the priests had sided with village officials in the matter. OCHIAI Nobutaka cites a similar case from 1696 occurring in Fuse mura, Sōma-gun, Shimosa (1987 p. 71). In response to a rice theft, the village chose to ascertain the thieves' identity with a popular vote (*irefuda* 入札; translation from OOMS 1996 p. 222). The two hapless fellows with the highest count were convicted and banished from the village, while the next three were sentenced to house arrest (*heiko* 閉戸). Of this lot, two fled to a temple (which two is not specified), and after offering their apology through the priest, their role in the whole affair came to an end.

None of the Ōno materials evince the potential for villager ire when faced with uncooperative clerics, but it does appear elsewhere: one mining manager in Akita used the less than complementary term "shave pate" (*bōzu* 坊主) to complain of Buddhist interference with his efforts to deal with miner gangs (OGI 1985, p. 132), and there are documented cases of village headmen rejecting peasant efforts to seek conciliation through temple entrance (SATŌ 1998, p. 8; TOKOROZAWA SHISHI HENSAN IINKAI 1979, vol. 1, p. 126-27). Since *nyūji* for apology was not necessarily granted status as a codified legal procedure, rejection brought the *nyūji* gambit to an end, but in one instance of official action against a *nyūji* tradition in Kōzuke, the entrant countered the headman's intransigence by filing a suit with the local overlord (a bannerman family named Kodaira). Claiming that the denial of *nyūji* based resolutions was lacking in compassion, and would generate

problems for samurai officials by necessitating an increase in peasant demands for overlord intervention in village contention, the peasant's argument for *nyūji* legitimacy reflects a savvy reading of the complexities inherent to samurai rule (SATŌ 1998, p. 8).

The Bases of Temple Participation

The complexity, and the fascination, of the *nyūji* process revolves around its multivalent character. A stylized method for peasant expressions of contrition in the face of potential persecution, it could simultaneously carry the implications of "confinement," "refuge" and "negotiation." This ambiguous quality derived from an equally ambiguous background of intricately interwoven threads of samurai legal principles and written codes, local traditions, and social dynamics operating between the samurai, peasantry, and Buddhist clergy. Although Miyahara's data shows that religious institutional participation was not limited to Buddhists alone, the fact that temples most often became the nexus within these interacting systems raises questions over what particular aspects of the peasant-temple-samurai relationship facilitated entrance into Buddhist sites (and to a certain degree Shugendō temples as well) as opposed to the local Shinto shrines. This issue is not unique to Ōno; in every list of events found in present research, there are far fewer references to Shinto shrine entrance, and while the term *kakekomi* could be used in regard to any refuge site, there never seems to have been any Shinto oriented lexical correlate (e.g., *nyūsha* 入社 or *nyūgū* 入宮) to *nyūji*.

Although the *nyūji* apology process did not involve specifically religious language, the religious economy within the village was nevertheless a vital factor, with the parishioner system being the most obvious element. To reiterate a point noted at the onset, parishioner-clerical relations revolved around the association of temple certification with lay support for Buddhist institutions via participation in Buddhist memorial practices, but the consistent usage of the family mortuary site for temporary refuge indicates that the peasants assumed that the contractual nature of the relationship entitled them to more than just access to funeral rites. Whether or not priests responded to their parishioner's needs with heartfelt pastoral benevolence is difficult to gauge, but as the priest of Zenchō-ji 全長寺 (another temple closely associated with the Taira Ryōzen-in complex) once stated in a 1835 letter to the local overlord concerning the potential penalization of his own followers after their arrest for gambling, "[those petitioning for leniency] are all my parishioners, and I am deeply saddened by the prospect of severe punishment ... please handle their case with

pity” (TOKIGAWA SONSHI HENSAN IINKAI 1993, vol. 2, p. 257), I do not think it would be too much to assert that such sentiments were shared with other clerics in similar situations.

Concurrently, the equally consistent appearance of other, non-*bodaiji* institutions within the same series of cases also reveals a broader basis of religious influence, one resting on clerical authority as leaders of popular votive practices. The Tendai Jōen-ji, for example, had a minuscule parishioner base compared with the Taira temples, yet it figures prominently as a mediating entity within the overall apology system, and many *nyūji* specific events. This facet also helps to explain the participation of Shugendō and Shinto shrine priests who did not have any sort of formal memorial-rite association with the local community, yet were always consistent players in the apology process.

It is tempting to ascribe the basis of *nyūji* to religious factors alone, but if we follow in the spirit of Diane WRIGHT’s observation that divorce practices at the Mantoku-ji and Tōkei-ji ultimately rested on Tokugawa house authority rather than the temples’ religious identity (1997, p. 358), the ascription of *nyūji* to religious economic factors must be balanced with a consideration of the village political economy as well. The currency for such transactions within this system could assume various forms. With respect to Ōno, MIYAHARA (1997, p. 14) has examined personal letters exchanged between the young scion of the Morita family, Gyūnosuke, and the priest of Shōbō-ji Hakuhō 白峰 (later abbot of Ryōzen-in) to highlight the potential social clout accrued by Buddhist clerics as cultural and (unofficial) managerial authorities within the village order. SAITŌ Etsumasa (1999, p. 125) follows a similar thread of analysis by characterizing the village-temple nexus as a symbiotic relationship marked by the inter-reliance of clerical and peasant leadership in village governance; within this framework, he argues that temples were manifestations of “public” (non-religious) authority (*kō* 公) at the village level. Here “public” coincides with the power embodied in the village, rather than samurai, governing organs which locals might deploy in forms and mechanisms not necessarily acknowledged within *bakufu* and domain legal codes; according to SAITŌ, *nyūji* was one such manifestation of these extra-legal operations (1999, p. 137).

By emphasizing the localized aspects of rural Buddhism, Saitō argues we must not simply see the local temple as an element within larger religious institutional structures—a prevalent theme found in the numerous studies of the “head-branch” system (*honmatsu seido* 本末制度) under the Tokugawa—but also as a fundamental part of any village community. This observation offers an important means for

defining the integration of *nyūji* with other village practices, but it does not fully account for the divisive nature of the process. The mechanics of *nyūji* immediately suggests that an initial physical separation provided by entering a temple compound was a key element for a later re-integration: the individual found him- or herself at odds with local authorities or society, and so he or she entered a distinct space situated outside the community. Here they made their amends, and once transformed back into "a law abiding citizen," they eventually returned to society. The Buddhist clergy's ability to operate this unique sphere within the continuum of the village's geographical and social space, and offer temporary access to those seeking entrance was as important as any sense of unity with the surrounding peasant community.

Distinctive qualities of the temple within the village world rested on different permutations of the basic factors contributing to clerical-village ties. Whereas the funeral-votive activities facilitated temple integration, the same functions made Buddhist institutions distinct spheres that were marked by the presence of dead ancestors and supernatural forces. On a more worldly level, temples honored with Tokugawa vermilion seal grants of land (*shuinchi* 朱印地) were able to exercise a degree of regulatory power over their holdings in a manner akin to samurai bannermen (*hatamoto* 旗本; ITŌ 1995, p. 27). While not as extensive as pre-early modern *funyū* rights of secular exclusion, land lord prerogatives derived from Tokugawa munificence did place temples like Ryōzen-in and Jikō-ji outside peasant control. Therefore, when a parishioner made the trek down the Tokugawa river valley from Ōno to Taira, he was literally walking out beyond the immediate jurisdiction of Ōno officials.

Lastly, for the vast majority of religious institutions lacking such direct backing from the governing *bakuhau* polity, the status system that afforded villagers a degree of intramural autonomy also empowered clerical social independence from surrounding peasant communities.¹⁷ Like the samurai, peasants, and every other constituent group within Tokugawa Japan, Buddhists clerics throughout every domain occupied a particular space within the social fabric, a position defined by their duties (offering prayers for the welfare of the state, certifying religious orthodoxy via temple registration), and their affiliation with a state-recognized religious hierarchy (the "head-branch" organizations

¹⁷ Two well-known studies of status in early modern Japan are in HALL 1974 and OOMS 1996, but for a thorough and highly accessible discussion based upon the latest scholarship, the reader is advised to see HOWELL 1998. With respect to the impact of the status system on Tokugawa religion, see ITŌ 1995, pp. 30–34 and TAKANO 1989. For further consideration of Buddhist clerical status prerogatives and dynamics, see VESEY forthcoming.

within each school). And, like their peasant counterparts, the clergy exercised its own form of internal autonomous regulation.

Within the village context, the juxtaposition of religious, status, and functional distinctions with the secular-clerical communal integration of the nature described by Saitō and Miyahara made the local temple a site of imbricated spheres of authority and identity. Priests were village residents, yet they occupied a social space quite different from the other village constituents. For the laity, as *parishioners* under the temple registration system, they had a voice in temple management,¹⁸ but as *peasants* under the status system, they possessed limited formally recognized authority over a seated abbot. If disgruntled with their priests, villagers could either broker some form of private settlement, or take their case to secular or ecclesiastic authorities, but the dismissal of an abbot out of hand was beyond their purview.¹⁹ Of course, this status factor cut both ways. As the certifier of religious orthodoxy, the Buddhist priest could demand active support from affiliated peasant households, and withhold his seal from those not forthcoming with such aid. However, except for those villages within temple land holdings, the clergy as an institution had little official voice in village affairs due to their different status; when they did weigh in, their influence stemmed from their personal ties with the co-residents. This status factor does not completely contradict Saitō's model of clerical inclusion within the sphere of village *kōgi*, but it does necessitate a modification to see Buddhist authority as a composite structure of formal and informal ties with the village, the viability of which was dependent upon a cleric's ability to exchange religious, ritual, and status capital into social and political clout.

Accordingly, the potential for apologetic *nyūji* to function as a method of negotiation rested on another set of negotiations consisting of a number of variables derived from the clergy's dual identity within peasant villages. When manipulated by an adept priest, this "in yet without" quality allowed him to act as a third party in cases of intramural (intra-status) contention where individuals might seek aid outside their own status group.²⁰ The necessity of coextensive internal

¹⁸ The Tokugawa legal codes did recognize certain parishioner rights over their local temple, an example of which was article three of the 1687 *Shōjiin jōmoku* granting the laity a voice in determining abbatial succession; see DATE 1930, p. 380, and the *Tokugawa kinrei kō* vol. 5, pp. 34–35.

¹⁹ HOWELL outlines this facet of temple practice when he observes that within the system each group had a distinct status geography, while coherence between these spheres was maintained by the governing *bakuhau* polity (1998, p. 112).

²⁰ The role of status also helps to explain cases of peasants seeking entrance to samurai residences in the Kōzuke region (see WRIGHT 1997, pp. 378–80).

and external identification in *nyūji* is evident upon considering the following: while temples were potential sites of refuge, the presence of this space alone was not sufficient for a viable *nyūji* event; i.e., every available record shows a priest was always present. But these co-signing clerics had to be seated abbots who derived intramural identity from their incumbency. A document submitted by a novice or an unaffiliated wandering monk bore no weight. In sum, for *nyūji* to be an effective means for attaining reintegration in exchange for an apology, there had to be this unity of the socially distinct cleric, and the temple which served as a focal point of communal interaction between that cleric and the surrounding community.



Much work remains to be done on the topic of *nyūji* as there is at present no information on details such as how the entrants passed their days (were they obligated to work?), who fed them (was it the priests, or was board provided by other villagers on a daily basis?), and did entrants offer any recompense to the clerics who took them in? With respect to Ōno, there are also outstanding questions concerning declining peasant reliance upon Buddhist auspices from the mid-eighteenth century onwards, but several threads of data suggest factors for the shift, one being a shift in religious orientation. Duncan WILLIAMS (2000, pp. 245–52) has recently argued that the Buddhist clergy experienced increasing alienation from parishioners from the mid-eighteenth century on. In light of the earlier remarks concerning the existence of co-signatures as being emblematic of group inclusion, the decline of a Buddhist presence in apology documents, indicates a similar disjunction between the clergy and laity in Ōno, with a greater emphasis on inclusion being given to Shugendō and shrine auspices within the village itself.

Despite the spotty documentary base for temples within Ōno, there are also indications this transition may have been influenced by a chronologically parallel decline in Buddhist institutional fortunes, especially in the case of Jōen-ji. According to a survey of Jikō-ji sub-temples in 1776, Jōen-ji was listed as *mujū* 無住, or without abbot (TOKIGAWA SONSHI HENSAN IINKAI 1993, vol. 1, p. 18), and four years earlier, the abbot of Fudō-ji stood as Jōen-ji's proxy to sign an affidavit certifying there were no guns on Jōen-ji lands (MORITA 7256)—two items showing that the small Tendai temple in Ōno was going unmanned at times after 1760. Fudō-ji also had such troubles when it fell vacant for a period in 1798, and the villagers themselves under

took the search for a caretaker (MORITA 5031).²¹ Eventually both temples were dismantled after 1868, and the community as a whole transferred their religious affiliation to the local Shinto shrines.²² While not conclusive evidence of wholesale abandonment of faith in Buddhism, this circumstantial data cumulatively suggests that there was a gradual decline of a direct Buddhist presence in the apology events, reflecting a larger transformation of Ōno's religious economy in which Buddhist influence was replaced by that of Shugendō and Yoshida Shinto towards the end of the Edo period.

Another factor may have been an additional transformation in the nature of contention in Ōno. WHITE has argued that despite the increasing number of repressive ordinances issued by samurai authorities towards the end of the early modern period, there was a dramatic decrease in the proportion of contentious events eliciting severe punitive responses (1995, p. 284). This trend is evident in Ōno as well. Those incidents resulting in fines occurred before the 1770s, but later documentation makes no mention of retributions being exacted. Demographic issues also may have played a role. Charged with keeping up charcoal production and tax payments while faced with a declining labor force, village leaders faced the choice of imposing control via fines, and chancing further reductions in village productive power. Peasants displayed their awareness of these complications, and its potential in handling contention, in the 1818 event (item 12). As the last instance of entrance into a family mortuary temple, seven villagers including a retired Shinto priest named Tango noted in their apology letter that penalties would impose upon their abilities to fulfill their obligations as peasants (MORITA 6910). A statement not seen in other apology letters, its mildly put yet serious threat against the viability of taxing limited human resources with the imposition of punishments for minor events hints at a decline in *nyūji* inducing fear as the period came to a close.

Along similar lines, the gradual adoption of *nyūji* as an alternative to confinement in cases of accidental fire, and the fact that *nyūji* was an implicit admission of guilt, may have contributed another element to the decline. The deleterious potential inherent to the codification

²¹ The chosen cleric was one Kaikō; a monk who at the time of his appointment had yet to receive anointment (*kanjō* 灌頂), he was of low clerical rank.

²² The elimination of Buddhist temples within Ōno is evident from the description of the village in the *Musashikuni gunsonshi* gazetteer dating from the early Meiji period. In contrast to the bakufu's *Musashi fudoki kō* citation for the village, the *Gunsonshi* makes no mention of either Jōen-ji or Fudō-ji, nor do they appear on any modern maps of the region (see TOKIGAWA SONSHI HENSAN IINKAI 1990, pp. 128–32).

of *nyūji* as punishment is illustrated in a 1696 statement taken from a peasant named Kanemon who claimed that if he entered a temple when he was not at fault, the act itself would nonetheless imply guilt, and therefore would have a negative impact on his standing among other villagers (SATŌ 1998 p. 10). The same point is brought home in a 1868 report of a riot erupting in Nakanara village near the Nakasendō 中山道 post road (present-day Kumagaya). Following an inspection of the disrupted area by officials from the Oshi domain, the irate villagers forced the town watchmen to enter temples and offer their apologies to the community (SATŌ 1994, pp. 16–17). The village headman later told his hapless underlings that they were not guilty of any transgression, and their act of supposed contrition merely served to ease tensions, but clearly the disputatious villagers perceived *nyūji* as a punitive measure.²³

Since apology *nyūji* was based on a delicate balance of factors, these kinds of transitions would no doubt reduce the viability of temple entrance in the eyes of villagers, and contribute to the generally negative view of *nyūji* initially espoused by Hiraizumi and Tanaka. That being said, to take shifts in practice specific to nineteenth-century Ōno, and wide-ranging permutations of the late Edo period derived from increasing codification at the hand of *bakuhau* administrators, as categorical definitions of *nyūji* throughout the period is to ignore its importance to Ōno's villagers in the mid-1700s, and the willingness of clergy to exert their influence on behalf of their adherents—a stance evident in the statement by Zenchō's abbot quoted above. Rather than being mere reflections of Buddhist subservience to secular authority, events centering on temple entrance found in Ōno and elsewhere provide a cumulative example of the ways in which Buddhist clerics played a multitude of roles within the early-modern, rural world.

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²³ Ironically, this same kind of bakufuization of divorce proceedings at Mantoku-ji and Tōkei-ji validated those specific forms of temple entrance.

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