

FFWPU Europe and the Middle East: Japan's Supreme Court Ruling Politically Swayed

Knut Holdhus
December 27, 2024



Seishiro Sugihara speaks at the International Coalition for Religious Freedom (ICRF) Nagoya Conference, 9th December 2024, in Nagoya, Japan



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Expert on freedom of religion and constitutional law calls verdict against Family Federation politically swayed, "deceptive and amateurish"

Tokyo, 25th December 2024 - Published as the 57th article in a series in the Japanese newspaper [Sekai Nippo](#). Republished with permission. Translated from Japanese.

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Series: Freedom of Religion Under Threat - Epilogue - part 2

The Supreme Court Denies the Value of Religion

by the Religious Freedom Investigative Team of the editorial department of [Sekai Nippo](#)

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Tomihiro Tanaka during an interview 15th Nov. 2024

In an interview with this newspaper, published 3rd December 2024, Tomihiro Tanaka (田中富広), President of the [Family Federation for World Peace and Unification \(FFWPU\)](#), formerly the [Unification Church](#) in Japan, emphasized,

"In 2009, we issued a compliance declaration. We have repeatedly provided guidance that it is unacceptable to solicit donations by inciting anxiety over ancestral curses or to demand large donations that exceed individuals' financial capacity."

He also noted that as a result, lawsuits over donations have significantly decreased, and since the assassination of former Prime Minister Shinzo Abe (安倍晋三), the [organization](#) has implemented stricter verification processes for donations.

In this context, a landmark [Supreme Court ruling](#) was issued in July of this year, declaring invalid a "pledge" signed by a female member of the [Family Federation](#) in which she agreed not to seek refunds for donations made to the [organization](#). This ruling overturned the [Family Federation](#)'s victories in both the lower and appellate courts, and the case was remanded to the Tokyo High Court for further review.



Professor emeritus Seishiro Sugihara

At a [rally in Nagoya](#) on 9th December, focusing on the theme of religious freedom, Seishiro Sugihara (杉原誠四郎), President of the International Historical Debate Institute and an expert on issues of freedom of religion and constitutional law, criticized the Supreme Court's ruling, calling it "deceptive, amateurish, and politically motivated".

The contested pledge was written in 2015 by a female member of the [Family Federation](#), confirming that she would not seek refunds or compensation for her donations. This woman passed away three years ago.

The Supreme Court ruling stated that she was under the "psychological influence of the [Family Federation](#)" and was "in a state where it was difficult to make a calm judgment." Seishiro Sugihara criticized this as reflecting a "very crude and shallow view of religion", noting that anyone practicing a specific religion is at least somewhat under the psychological influence of their religious organization.



Five judges of the Japanese Supreme Court issuing a verdict that is being called "deceptive, amateurish, and politically motivated"

The ruling referenced the "Act on the Prevention of Unjust Solicitation of Donations by Corporations and Other Entities" (Unjust Donation Solicitation Prevention Act), enacted in December 2022. This law was cited as a basis for questioning the validity of the pledge. However, both the donations and the writing of the pledge occurred before the law was enacted. Sugihara argued that citing the law in this Supreme Court decision violated "the fundamental legal principle of non-retroactivity".

By effectively declaring that donations made based on religious faith could be invalidated and reclaimed retroactively, the judiciary has seemingly given implicit approval for such actions. Sugihara expressed concern that both the law - enacted with an intent to target the [Family Federation](#) - and the Supreme Court ruling amounted to saying that "religion and faith have no value." He argued that it would be unjust for the religious world to remain silent and urged the submission of critical opinions to the United Nations.

Amid increasing threats to the [Family Federation](#)'s freedom of religion, its members organize rallies across Japan to advocate for this fundamental right and invite participation from various religious groups. These gatherings aim not only to denounce the perceived injustice of the dissolution order sought against the [Family Federation](#), but also to strengthen solidarity among religious denominations in defense of freedom of religion.



From a [Family Federation](#) demonstration in Japan 8th Dec. 2024

While many religious figures are present at these events, few take the stage to speak out. A representative of a new religious movement attending a meeting in Osaka expressed opposition to the dissolution order and affirmed solidarity with the [Family Federation](#).

However, he admitted refraining from public advocacy due to fear of being labeled as a supporter of the [Family Federation](#) in the eyes of public opinion. He explained that voicing support could lead to accusations of being "cut from the same cloth", which deters open action. This cautious approach reflects the stance of the majority within Japan's religious community, where concern for religious freedom exists alongside a deliberate distancing from the [Family Federation](#).

Regarding the [Family Federation](#)'s appeals for religious freedom, its president, Tomihiro Tanaka, commented in this series [Editor's note: See overview of the series below]:

"Human rights activists worldwide are mobilizing for issues like Tibet and Xinjiang, yet if [our organization](#) only advocates for its own rights, it will fall on deaf ears. We must be genuinely committed to the freedom of religion for other faiths as well. The expectation is for [our organization](#) to engage sincerely with such broader themes." (2nd December 2024)

Raising voices for religious freedom on behalf of Japan as a whole is seen as a crucial step toward restoring trust in the [organization](#).

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Anti-Religious Secularism And State Persecution

• December 26, 2024 • Knut Holdhus



Misunderstood separation of state and religion leads to anti-religious form of secularism and extreme persecution of religious minority the Family Federation

Tokyo, 24th December 2024 – Published as the **56th article** in a series in the Japanese newspaper *Sekai Nippo*. Republished with permission. Translated from Japanese. [Original article](#)

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Misunderstandings About the Separation of Church and State, Giving Rise to Anti-Religious Secularism

by the Religious Freedom Investigative Team of the editorial department of *Sekai Nippo*



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
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Why is it that violations of freedom of religion, such as the reinterpretation of the *Religious Corporations Act* overnight by Prime Minister Fumio Kishida (as of October 2022), can occur so readily in a democratic nation like Japan? Why does the mass media turn a blind eye to the enforcement of faith-breaking – an infringement on fundamental human rights?

While freedom of religion is guaranteed under the Japanese Constitution, it is a fact that this freedom was effectively granted rather than won through struggles like the religious wars or persecutions seen in Western countries. This historical context and its limitations cannot be ignored. Additionally, in postwar Japan, the concept of separation of church and state has been misunderstood, giving rise to an extreme secularist trend.



GHQ (General Headquarters of the Supreme Commander for the Allied Powers) around 1950. After World War II, the Supreme Commander for the Allied Powers (SCAP), a role held by General Douglas MacArthur from 1945 to 1951, was responsible for overseeing the occupation and reconstruction of Japan. The SCAP had broad authority and was tasked with implementing the terms of Japan's surrender and facilitating its transition into a peaceful, democratic nation. Key responsibilities included demilitarization, democratization, economic reconstruction, war crime trials, social reforms, rehabilitation and reconstruction. The occupation formally ended in 1952 with the signing of the Treaty of San Francisco, which restored Japan's sovereignty. Photo: Wikimedia Commons. [Public domain image](#)

and religion.

However, William Parsons Woodard, a staff member of the GHQ Civil Information and Education Section (CIE) who played a central role in the drafting of the



Front page of 2018 English version of *Religious Corporations Act of Japan*.

On 15th December 1945, the *General Headquarters* (GHQ) of the Allied Powers issued the "Directive for the Abolition of Government Guarantees, Support, Maintenance, Supervision, and Propagation Related to State Shinto and Shrine Shinto", commonly known as the "Shinto Directive".

The GHQ, aiming to spiritually disarm Japan, ordered the separation of State Shinto – viewed as a pillar of Japanese militarism – from the government. Furthermore, it advocated for a complete separation of state

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Religious Corporations Act, later acknowledged flaws in the Shinto Directive. He pointed to "an overly extreme separation of religion and the state, rather than just the separation of church and state". These issues have been brought to light through the research of religious studies scholar Yasuo Ohara (大原康男).

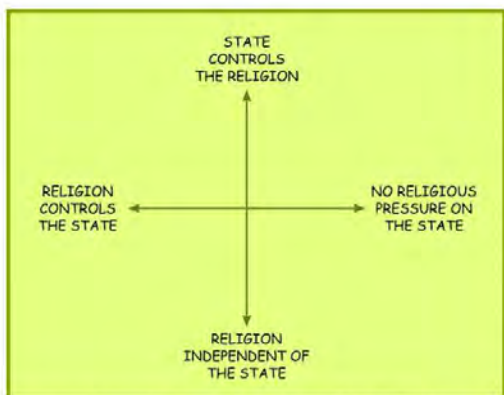


Emperor Hirohito and General MacArthur, at their first meeting, at the U.S. Embassy, Tokyo, 27th Sept. 1945. In 1868, Shinto was reconstructed, elevating Amaterasu to the most important deity and validating the Emperor's divine right to rule. This doctrine asserted Japanese superiority and significantly increased the Emperor's power. By the mid-20th century, the Emperor's role was central to Japan's political, social, military, and religious institutions. After WWII, State Shinto was dismantled through three key documents: the Directive for the Disestablishment of State Shinto (1945), the Imperial Rescript renouncing Divinity (1946), and the post-war Constitution. These aimed to purify Shinto from political misuse and prevent its militaristic and ultra-nationalistic propaganda. Photo: Gaetano Faillace (1904-1991). [Public domain image](#)

Article 20 of the Japanese Constitution begins by stating,

"Freedom of religion is guaranteed to all. No religious organization shall receive any privileges from the State, nor exercise political authority."

It first ensures freedom of religion, followed by the so-called principle of separation of church and state. The aim of the separation of church and state is to prevent the government from favoring a specific religion and thereby infringing on freedom of religion. This intention is evident from the historical context of the *Shinto Directive* and the creation of the new Constitution.



2 axes of secularism. Illustration: Nevit Dilmen. License: [CC ASA 3.0 Unp](#)

Even when examining the reality of the separation of church and state in Western nations, it is clear that this does not imply that politics must be completely disconnected from religion. The goal is to safeguard freedom and fairness.

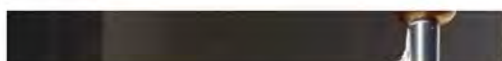
In 1977, the Japanese Supreme Court made a significant ruling on the separation of church and state in the *Tsu Groundbreaking Ceremony Lawsuit* (津地鎮祭訴訟). This lawsuit was initiated by a Communist Party city councilor, who argued that using public funds to pay for a Shinto priest's service at the groundbreaking ceremony for a gymnasium in Tsu City, Mie Prefecture, was unconstitutional. The Court held that while the principle of separation of church and state requires the government to maintain religious neutrality, it does not entirely prohibit any involvement with religion. The Court stated:

"Separation of church and state requires the state to maintain a neutral stance on religion. However, it does not mean that any interaction with religion is entirely prohibited. Acts involving religion must be judged based on their purpose and effect, and they should only be deemed unconstitutional if they exceed reasonable limits under these conditions."

This judgment explicitly rejected the notion of "complete separation" of state and religion under the Constitution. It also clarified that the purpose of the separation of church and state is to ensure the government's religious neutrality and to protect freedom of religion.

Nevertheless, even after this Supreme Court decision, lawsuits seeking stricter enforcement of the separation principle – often driven by leftist factions – persisted. This trend fostered an atmosphere where even minimal interaction between politics or administration and religion was hastily labeled as a "violation of the separation of church and state". Consequently, an extreme and anti-religious form of secularism began to take root.

When ties between politicians and the



[Family Federation for World Peace and Unification](#) (formerly the [Unification Church](#)) became a prominent issue, a widespread view emerged that such connections were inherently wrong. This perspective was shaped by the excessive secularist trends that had taken hold.



*Victim of extreme and anti-religious secularism in Japan and specifically targeted: the [Family Federation](#), here its flag waving in Japan.
Photo: [FFWPU](#)*

Ironically, the misinterpretation and political exploitation of the principle of separation of church and state – originally designed to protect religious freedom – have instead threatened that very freedom. The current crisis surrounding religious freedom, highlighted by the move to dissolve the [Family Federation](#), cannot be adequately understood without recognizing the role of the GHQ's ad hoc religious policies and the leftist factions that have exploited these policies over time.

Featured image above: The former main entrance of the building housing the Ministry of Education, Culture, Sports, Science, and Technology; the Japan Sports Agency; and the Agency for Cultural Affairs (Tokyo Office) in Kasumigaseki, Chiyoda Ward, Tokyo. Photo: [Reiwa Kato](#) ([加藤玲和](#))

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