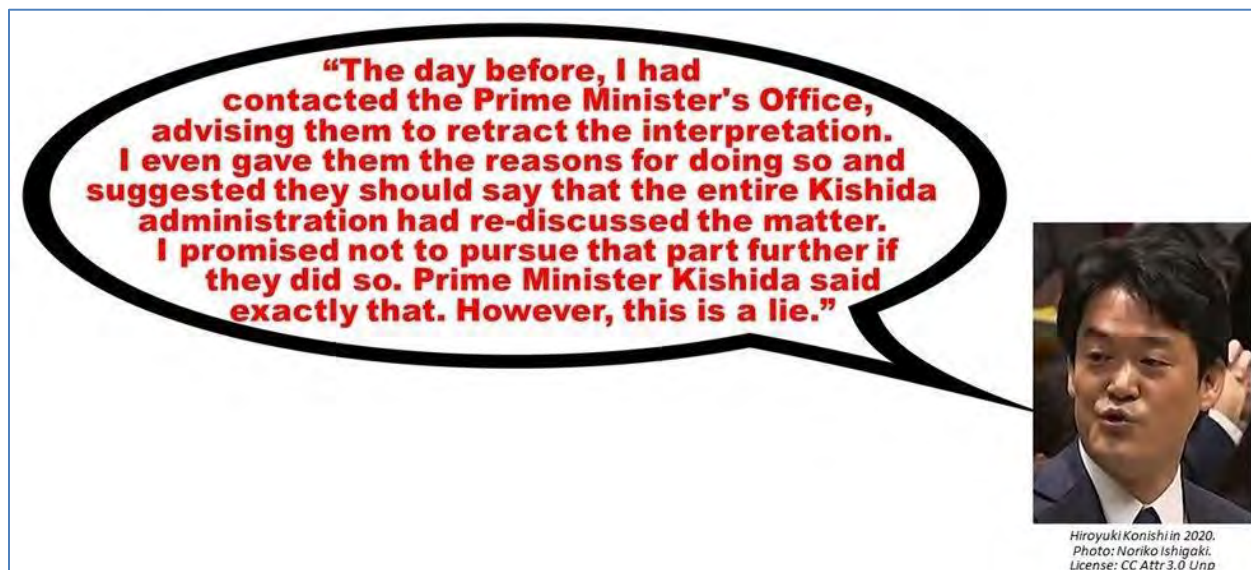


## FFWPU Europe and the Middle East: Japanese Clique Changed Religion Law Overnight

Knut Holdhus  
July 8, 2024



*Hiroyuki Konishi's statement 22nd August 2023*



### Tokyo paper reveals how small clique around Kishida overnight changed interpretation of law crucial to religious freedom

Tokyo, 5th July 2024 - Published as the fifth article (the last) in a series in the Japanese newspaper [Sekai Nippo](#). Republished with permission. Translated from Japanese.

[Original article](#)

#### Series: Freedom of Religion Under Threat - The Kishida Administration's Reckless Actions

#### Changing of rules overnight undermines the foundation of the rule of law

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

[Nippo](#)

See the [first article](#), [second article](#), [third article](#), [fourth article](#)

Prime Minister Fumio Kishida made an announcement on 17th October 2022 that he would use the right to question the [Family Federation for World Peace and Unification](#) (formerly known as the [Unification Church](#)). This was an act against the conventional interpretation of the law, and it was subjected to attacks from the opposition parties at the House of Representatives Budget Committee the following day (18th October).



*Akira Nagatsuma 8th June 2010*

Akira Nagatsuma (長妻昭), a member of the Constitutional Democratic Party (CDP), persistently urged Prime Minister Kishida to reconsider his interpretation of the dissolution requirements for religious corporations. The requirements are in line with the 1995 Tokyo High Court decision (confirmed by the Supreme Court in 1996). Nagatsuma argued against Prime Minister Kishida's assertion that "acts that are unlawful according to the Civil Code are not included" in the prohibitions and directives specified by criminal law and other established regulations, as indicated by Tokyo High Court. Nagatsuma said,

"As for the main body of the former [Unification Church](#), no final judgment has established criminal responsibility. [...] As the director of the Agency for Cultural Affairs has consistently stated, unless the government changes its interpretation, a dissolution request can never be made."

On that day, the Prime Minister stuck to the position that had been decided in the Cabinet meeting on 14th October. However, at the beginning of the House of Councillors Budget Committee session on the

19th, in response to a question from Hiroyuki Konishi (小西洋之) of the Constitutional Democratic Party (CDP), he stated, "Having taken into account the discussions from yesterday, the government, had the relevant ministries gather again and has revised the government's stance." Then he made the following declaration,



*Hiroyuki Konishi Photo 2014*

"If it becomes clear that acts are organized, malicious, and continuous, and if they are deemed to meet the requirements of the Religious Corporations Act, wrongful acts (torts) under the Civil Code can also be included."

The interpretation of a law so important for religious freedom, about the dissolution requirements for religious corporations, was changed 180 degrees overnight. Although Representative Konishi remarked that "this is too much of a change in such a short time," he did not pursue the matter any further.

There was an even more serious issue lurking behind this "overnight change of policy" commotion. On 22nd August 2023, Representative Konishi, to whom the Prime Minister first communicated the change in interpretation, revealed the behind-the-scenes details of this change on YouTube. Konishi said,



*Eito Suzuki, born as Kiyofumi Tanaka*

"The day before (18th Oct.), I had contacted the Prime Minister's Office, advising them to retract the interpretation. I even gave them the reasons for doing so and suggested they should say that the entire Kishida administration had re-discussed the matter. I promised not to pursue that part further if they did so. Prime Minister Kishida said exactly that. However, this is a lie."

This is how Konishi bragged to his associate Eito Suzuki (鈴木エイト) [a "journalist" campaigning fanatically against the [Family Federation](#)] that "the prime minister has changed his interpretation according to my instructions." So it is not entirely reliable.

However, the Prime Minister's schedule on the 19th Oct. records a meeting with Konishi just before the Budget Committee session of the House of Councillors. It was unusual for him to meet and exchange words with an opposition member who asked a question

just before such a session. And indeed, Konishi did not pursue the point he himself had declared a lie - that "the entire government had discussed' the matter." There is a strong suspicion that the overnight change was pushed through due to collusion between the government and the opposition.



*Satoshi Hamada asking questions in the Japanese Parliament 13th May 2024*

The government has remained tight-lipped about the participants in the meeting where the Cabinet decision was overturned. On 31st January of this year, Satoshi Hamada (浜田聡議), a member of the NHK Party, asked in a written inquiry about the assignment and positions of the participants in the meeting.

The government only admitted that the meeting was not a Cabinet meeting, but stated, "We would like to refrain from answering questions about the details of the government's internal deliberation process." The names of the participants were not disclosed. Furthermore, the decisions (interpretation changes) made at this meeting have not been subsequently ratified by the Cabinet. There is a strong suspicion that this significant interpretation change was

decided by a very small number of close aides in an unofficial gathering.

At a symposium held in Tokyo on 18th June this year, Masaru Wakasa (若狭勝), a former senior prosecutor at the Tokyo District Public Prosecutors Office and a former member of the House of Representatives, who is now a lawyer, strongly warned,

"The biggest issue in requesting a dissolution order against the [Family Federation](#) is the lack of fairness. Changing the interpretation and application of the law hastily within a day, and then requesting a

dissolution order, is going to undermine the foundation of a nation governed by laws."



*Masaru Wakasa, lawyer and politician 2013*

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# Obvious Inconsistency Ignored By Shaky Kishida

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July 6, 2024 • Knut Holdhus



Fumio Kishida 2<sup>nd</sup> Nov. 2021. Photo: [首相官邸ホームページ](#)  
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*Japanese newspaper exposes how shaky Kishida went ahead with his demonstration of power against minority religion in spite of glaring inconsistencies*

Tokyo, 4th July 2024 – Published as the **fourth article** in a series in the Japanese newspaper *Sekai Nippo*.  
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Series: Freedom of Religion Under Threat – The Kishida Administration’s Reckless Actions








The lack of consistency when declaring the use of the “right to question”


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



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On 17<sup>th</sup> October 2022, Prime Minister Fumio Kishida announced during a *House of Representatives Budget Committee* session that according to the *Religious Corporations Act* the government for the first time would use its right to collect reports from and ask questions to the [Family Federation for World Peace and Unification](#).

This announcement coincided with the release of a report by the "Investigative Committee for Measures Against Malicious Business Practices, such as Spiritual Sales", established by Consumer Affairs Minister Taro Kono at the Consumer Affairs Agency, which recommended the necessity of using the right to question the [Family Federation](#).



Keiko Nagaoka, government minister for education, culture, sports, science and technology (MEXT) 2022-2023. Photo (May 2023): U.S. Department of State. [Public domain image](#). Cropped

The Prime Minister had previously instructed Keiko Nagaoka (永岡桂子), Minister of Education, Culture, Sports, Science and Technology to proceed with the necessary procedures, expressing his determination by stating, "We must thoroughly advance the fact-finding and clarification of the actual situation by using the right to ask questions."

Despite the Cabinet's declaration on 10<sup>th</sup> August 2022 and the *Liberal Democratic Party's* announcement on 31<sup>st</sup> August to sever ties with the [Family Federation](#), the Cabinet's approval rating continued to decline. This **necessitated special measures to turn the situation around**. Using the right to question the [organization](#) was likely such a measure. The fact that Consumer Affairs Minister Kono during the 7th meeting of the *Consumer Affairs*

*Agency's* investigative committee on 13<sup>th</sup> October 2022 specified the release date of the report as "Monday morning (the 17th)" suggests that there was a meeting in advance.

However, it appears that the government had not prepared sufficiently.

On 14<sup>th</sup> August, the Prime Minister responded to a question from Hiroyuki Konishi (小西洋之), a member of the *Constitutional Democratic Party* in the *House of Councillors*. The official response, which was approved by the Cabinet, states that based on their interpretation, the [Family Federation](#) **does not fall under the provisions for issuing a dissolution order** as stated in article 81, paragraph 1, items 1 and 2 of the *Religious Corporations Act*.



Hiroyuki Konishi (小西洋之). Photo: [Sekai Nippo](#)

Specifically, the government's opinion, which was endorsed by all Cabinet ministers, concluded that the [Family Federation](#) **did not warrant a dissolution order**. This conclusion was based on the interpretation set forth by a *Tokyo High Court* decision in 1995, which outlined the following criteria:

1. Acts by representative officers of a religious corporation using assets and organizational resources accumulated under the corporation's name.
2. Acts that, in light of social conventions, can be considered acts of the religious corporation.
3. Acts that clearly violate prohibitions or directives defined by laws such as the Penal Code and significantly harm public welfare.

Taking these interpretations into account, the government determined that the [Family Federation](#) did not meet the requirements for a dissolution order request.

The right to question under the *Religious Corporations Act* (Article 78-2) is originally intended to be exercised "when there is a suspicion that grounds for a dissolution order, etc., may apply, in accordance with the provisions of the *Religious Corporations Act*." Since guaranteeing freedom of religion is a fundamental premise, the requirements for exercising this authority are strictly regulated.

Kihei Maekawa (前川喜平), former *Vice Minister of Education, Culture, Sports, Science and Technology*, who was involved in the amendment of the law to add the right to question, also stated that the right to question cannot be used unless the competent authority (the *Minister of Education, Culture, Sports, Science and Technology*) recognizes a suspicion that



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certain actions of the [Family Federation](#) may constitute grounds for a dissolution order. He made this remark during an opposition party hearing in the Diet on 25<sup>th</sup> October 2010.



*Kihei Maekawa, Vice-Minister of Education, Culture, Sports, Science and Technology, attending a meeting at the Central Government Building No.7 in Chiyoda Ward, Tōkyō Metropolis on 7th June 2016. Photo: 文部科学省ホームページ / Wikimedia Commons. License: CC Attr 4.0 Int. Cropped*

By that standard, it is a **complete inconsistency for the Prime Minister to announce the use of the right to question the same religious organization just three days after the Cabinet decided that the organization does not qualify for dissolution**. Furthermore, the **Prime Minister provided only two pieces of evidence**:

1) civil court cases in 2016 and 2017 that recognized the organizational liability of the [corporation](#) itself for unlawful acts, and

2) over 1,700 consultations received by the government's joint telephone counseling service from 5th to 30<sup>th</sup> September, which were then referred to relevant agencies including the *Legal Affairs Bureau* and the police.

This falls far short of meeting the strict conditions set by the *Tokyo High Court* decision.

As Prime Minister Kishida announced during the *Budget Committee*, it appears that he intended to use the right to question as a means of gathering evidence. However, this approach risks plunging the government into significant confusion. **The inconsistency was pointed out by the media**, leaving Keiko Nagaoka (永岡桂子), *Minister of Education, Culture, Sports, Science and Technology* struggling in her response, saying, "There are various things that are indeed difficult to discuss, and I apologize."

### **Developments concerning the request to dissolve the Family Federation**

#### **2022**

- 8<sup>th</sup> July: Former Prime Minister Shinzo Abe is shot and killed during a campaign speech for the *House of Councillors* election. A *Nara Prefectural Police* official leaks that the shooter's motive was resentment towards the [Family Federation](#).
- 10<sup>th</sup> August: The second Fumio Kishida Cabinet is inaugurated, announcing a review of its relationship with the organization.
- 18<sup>th</sup> August: A meeting of "Liaison Council of Relevant Ministries and Agencies on the 'Former [Unification Church](#)' issue" is held (*Ministry of Justice*).
- 29<sup>th</sup> August: "Investigative Committee (Study Group) on Measures Against Malicious Business Practices such as Spiritual Sales" convenes (*Consumer Affairs Agency*).
- 31<sup>st</sup> August: Prime Minister Kishida declares, as LDP president, that the party will sever ties with the organization.
- 6<sup>th</sup> October: Prime Minister Kishida states in the Diet that "careful judgment is necessary" regarding the dissolution order request.
- 11<sup>th</sup> October: *National Network of Lawyers Against Spiritual Sales* requests that the *Minister of Education, Culture, Sports, Science, and Technology* files for a dissolution order.
- 14<sup>th</sup> October: The Cabinet decides on a response stating that the [organization](#) does not meet the criteria for dissolution.
- 17<sup>th</sup> October: The *Consumer Affairs Agency's* committee recommends the use of the right to question; the Prime Minister instructs the *Minister of Education, Culture, Sports, Science, and Technology* to use this right.
- 19<sup>th</sup> October: The Prime Minister revises his statement, suggesting that "wrongful acts (torts) under civil law could also be included" in the criteria for a dissolution request.
- 8<sup>th</sup> November: The *Agency for Cultural Affairs'* expert meeting finalizes the criteria for using the right to question.
- 22<sup>nd</sup> November: The *Ministry of Education, Culture, Sports, Science, and Technology* uses its right to question for the first time (with the [organization's](#) response due on 9<sup>th</sup> December). The right to question is used seven times in total.

#### **2023**

- 6<sup>th</sup> September: The *Ministry of Education, Culture, Sports, Science, and Technology* decides to impose a fine due to over 100 unanswered questions.
- 7<sup>th</sup> September: The Ministry notifies the *Tokyo District Court* of the fine.
- 12<sup>th</sup> October: The Ministry holds a meeting of the *Religious Juridical Persons Council* to discuss the dissolution order request.
- 13<sup>th</sup> October: The Ministry files for a dissolution order with the *Tokyo District Court*.

See the [first article](#), [second article](#), [third article](#), [fifth article](#)

**Featured image** above: Fumio Kishida deliverin a speech at the UN

Climate Change Conference in Glasgow (COP26) 2nd Nov. 2021. Photo: 首相官邸ホームページ / Wikimedia Commons. License: CC Attr 4.0 Int. Cropped

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