

**FFWPU Europe and the Middle East: Unconstitutional! Using Japanese Civil Code to Destroy Church**

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**Did the judges at Tokyo District Court issue unconstitutional verdict? Illustration**



**As constitutional scholars point out the use of civil code and closed hearings violate the Japanese constitution in dissolution case, Family Federation files new briefs to court of appeal**

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**Family Federation Claims It Is Unconstitutional to Apply Civil Law and Hold Closed Hearings in Dissolution Order Case**

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

**Legal scholars' opinions become focal point of the dispute**



*Setsu Kobayashi, author, constitutional scholar and professor emeritus at Keio University, Japan (2015)*

The [Family Federation for World Peace and Unification](#) (formerly the Unification Church), which filed an immediate appeal with the Tokyo High Court challenging the Tokyo District Court's dissolution order, submitted three briefs to the High Court dated 20th June. In these documents, the religious organization argued against the legitimacy of the dissolution order, citing opinion papers by Masaki Nakamasa (仲正昌樹), a political scientist and professor at Kanazawa University, and Setsu Kobayashi (小林節), a constitutional scholar and professor emeritus at Keio University.

Kobayashi is of the opinion that including the Civil Code in the legal grounds for the dissolution of religious corporations according to the Religious Corporations Act - and holding non-public hearings - violate the Constitution. Based on that, the [religious organization](#) signaled its intent to challenge the order on constitutional grounds, depending on how the case proceeds.

The [Family Federation](#) had already submitted a "Statement of Reasons for Appeal" on 21st April and a "Brief" on 23rd May to the Tokyo High Court. The recent filings are a continuation of these. Seeking to clarify the core of the dissolution request issue, the new documents explore topics like religious persecution history, legal philosophy, and the nature of Japanese society. They also highlight Nakamasa's criticism of the District Court's decision.



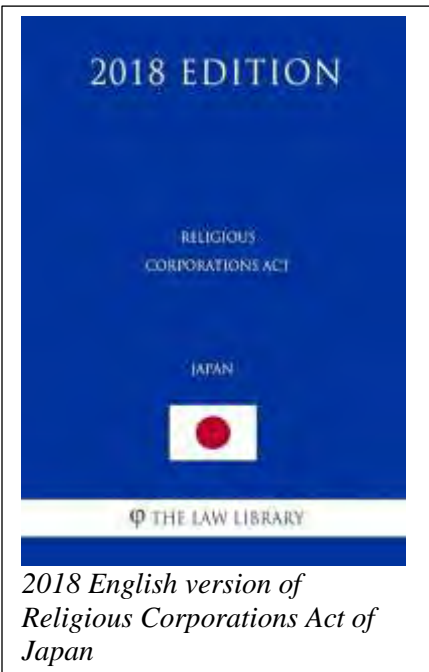
Nakamasa argues:

The [Family Federation](#)'s specific unlawful acts were not identified, and no objective criteria were given to explain why only the [Family Federation](#) was targeted for dissolution.

The move toward a dissolution order appears to be a "political decision".

The court ignored the fact that the Ministry of Education, Culture, Sports, Science and Technology (MEXT) allegedly fabricated and falsified documents.

Constitutional scholar Setsu Kobayashi, an expert on the separation of church and state, had already submitted a written opinion to the District Court titled "The Tense Relationship Between the Principle of Separation of Church and State and Freedom of Religion". After the court's ruling, he felt "intense indignation" and submitted a new opinion letter.



In his opinion paper, Kobayashi asserts that freedom of religion is a superior human right and that any restrictions on it must be subject to strict scrutiny. He emphasized that any disadvantageous measures by the state against a religious organization must adhere to legally prescribed, rigorous, and appropriate procedures. He also argued that Article 81 of the Religious Corporations Act, which allows for the dissolution of religious entities for "violating laws and regulations", has remained constitutional because "laws and regulations" have been narrowly interpreted to mean criminal law. Including the Civil Code in this scope, he says, would be unconstitutional.

Kobayashi further pointed to Article 32 of the Constitution, which guarantees the right to a fair trial, and Article 82, which mandates that trials affecting citizens' rights must be open to the public. He stated that the issue of dissolving a religious corporation clearly constitutes a legal "dispute", and holding such proceedings as non-public "non-contentious" [See editor's note below] hearings violates the Constitution.

The views of a prominent constitutional scholar carry significant weight. While the [Family Federation](#) is prioritizing the correction of the District Court's errors, it said it is provisionally asserting the unconstitutionality of the non-contentious [See editor's note below] proceedings. It added that if the case proceeds to a final appeal before the Supreme Court, it intends to fully argue that the decision is unconstitutional and therefore invalid.

The judgment of the High Court may ultimately determine the future of religious freedom in Japan.

**[Editor's note:** A non-contentious case refers to a legal matter where there is no dispute between parties. These cases typically involve administrative, procedural, or uncontested legal actions, such as probate (handling a deceased person's estate), uncontested divorces, adoption, or registering a trademark. Since there are no opposing parties or legal conflicts, these cases usually proceed smoothly through the legal system without litigation.]

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# “Fears of Elderly Believers Dying Alone”

## Suginami – Over 100 People Gather Daily

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

See part 1: [“Liquidation Is Like Being Robbed of Our Assets”](#)

A 12-minute walk from JR Nishi-Ogikubo Station in Tokyo’s Suginami Ward takes you through a residential neighborhood past antique shops and Showa-era bakeries. There, a four-story pink building appears, marked by a large sign reading: “Religious Corporation [Family Federation for World Peace and Unification](#) Suginami Family Church.”

Inside the entrance, a lobby with desks and chairs is lively with 5 or 6 women chatting. The building, which belongs to the Suginami Church with about 700 affiliated members, was purchased by the [organization](#) 15 years ago. Worship services are held on Sundays, and even on weekdays, around 100 people come and go.



**Demonstrators** in Suginami, Tokyo 1st May 2025, protesting the dissolution order against the [Family Federation](#). Photo: [FFWPU](#)

However, if the dissolution of the [Family Federation](#) is finalized, the property could be lost during liquidation procedures.

Yosuke Yokokawa (横川洋介), the church’s leader and pastor, argues,

“Losing the church is not just a matter of losing a place of worship.”

He notes concerns that religious events such as the *Seonghwa Ceremony* (akin to a funeral) and prayer meetings could be banned in regular facilities due to regulations, making it difficult to find alternative venues. Yokokawa emphasized,

“The biggest loss would be the disappearance of the community formed around the church facilities.”

He added, “Looking at the congregation, I believe their faith wouldn’t waver even if the physical church were gone.”

However, he expressed concern that “losing the church means losing the opportunity to gather, and the community would vanish.”



**Demonstration by young members** of the [Family Federation](#) outside the national parliament on 6th May 2025, protesting the authorities’ attempt to dissolve the [religious organization](#) and seize its assets. Photo: [FFWPU](#)

Religious practices would shift to the home, but in families where not all members are believers, he stressed,

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There are limits to what believers without family support can do at home.”

A long-time female member explained,

“For those who don’t have their family’s understanding, the church has become a spiritual sanctuary.”

This is especially true for elderly believers. Yokokawa voiced concerns:

“Many elderly members could end up dying alone.”

Elderly believers who have lost their spouses and live alone often visit the church two to three times a month, providing an opportunity to check in on one another. Without the church, there’s a risk of unnoticed solitary deaths, with individuals eventually being buried anonymously in unmarked graves.

On a Sunday in mid-June, a youth gathering was held at the Suginami Church. Separate from worship, it was called a *Restoration Meeting*, a monthly event for young believers. That day, around 15 men and women in their 20s and 30s – working adults – attended. They drove together to a riverside in northern Saitama Prefecture and enjoyed a friendly game of park golf, their laughter echoing across the area.



**Demonstration by young members** of the [Family Federation](#) in Kyoto on 22nd June 2025, protesting the authorities’ attempt to dissolve the [religious organization](#) and seize its assets. Photo: [FFWPU](#)

Between rounds, they spoke about the dissolution order.

“The church is part of my life. I can’t imagine it disappearing.”

These were the strong words of 22-year-old *Saki Tanaka* (alias). Born to a Filipino father and a Japanese mother, Tanaka is what’s known as a “second-generation believer” and is in her first year working at the Suginami Church as a [Family Federation](#) staff member.

Tanaka said her turning point came in her second year of high school when her father collapsed in front of her. He had a brain hemorrhage. Though he survived, he was left partially paralyzed, and their family life changed dramatically.

She recalls wondering in despair, “Why did this have to happen only to my father?” What kept her going through that painful time was “having a place where second-generation believers could gather.” For Tanaka, the church became her emotional anchor during those hard times.

She explains, “Even if the Suginami Church disappears, the relationships among believers will remain,” but she also appealed that,

“There must never come a time when we have no place or environment to connect through our faith.”

See part 1: [“Liquidation Is Like Being Robbed of Our Assets”](#)

**Featured image** above: Entrance to the Suginami Church of the Family Federation – Suginami Ward, Tokyo. Photo: Tsuyoshi Toyoda (豊田剛)

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