

## FFWPU Europe and Middle East: Japan's Judicial Overreach Fulfills Terrorist's Wish

Knut Holdhus  
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*Tatsuki Nakayama graduated from the Faculty of Law at the University of Tokyo in 1998. He was admitted as a lawyer in 2005 and graduated from the National University of Singapore Law School in 2010. After working as an international lawyer at a Singapore law firm, he opened Nakayama and Partners in 2015. After studying as a certified fraud examiner in 2016, at Lee Kuan Yew School of Public Policy, and Singularity University, he became a business ethics expert in 2022.*

**BITTER  
WINTER**

*Bitter Winter,  
the world's  
leading online  
magazine on  
religious liberty  
and human  
rights.*

### Japan's Family Federation dissolution order risks rewarding terror: Religious liberty loses when courts govern by emotion and cross into religious judgment

On 19th May 2026, [Bitter Winter](#), the world's leading online magazine on religious liberty and human rights, published an op-ed titled "[Terrorism, Constitution, or Judicial Overreach?](#)".

In this [article](#), Japanese attorney Tatsuki Nakayama (中山達樹) argues that the Japanese government and courts by issuing a [dissolution order](#) against the religious organization known as the [Family Federation for World Peace and Unification](#), effectively fulfilled the terrorist's wish to destroy a religion he according to media reports despised. Nakayama believes the case raises serious

[constitutional](#) and human rights concerns.



*Tetsuya Yamagami given [life sentence](#). Illustration: Chat GPT*

The [Bitter Winter article](#) connects two major events. First was the assassination of former Prime Minister Shinzo Abe (安倍晋三) in 2022 by Tetsuya Yamagami (山上徹也). Second was the later [court decision](#) ordering the dissolution of the [Family Federation](#).

Attorney Nakayama's central argument is this: although Yamagami was [punished for murder](#), the later dissolution of the [Family Federation](#) effectively achieved the political and personal goal that

motivated the assassination. Nakayama warns that courts should not weaken constitutional guarantees of the right to a fair trial because of public anger or political pressure.

## The assassination and Yamagami's sentence

Nakayama begins by discussing the [January 2026 sentencing](#) of Yamagami. The court gave him [life imprisonment](#) for killing Abe during a public speech.

According to Nakayama, this outcome was expected. In Japan, the death penalty is usually reserved for cases involving multiple murders. Since Yamagami killed one person, even though the victim was a former prime minister, execution would probably have been considered excessive. At the same time, a shorter prison sentence would have appeared too lenient because the murder was politically motivated and carefully planned.

Nakayama also notes that the court [refused to excuse or justify the crime](#) by blaming the [Family Federation](#). Some media reports had suggested that the group's fundraising practices or political connections partly explained Yamagami's actions. However, the court [did not accept](#) this argument. It ruled that Abe's limited contact with the [religious organization](#) was not improper and that Yamagami remained fully responsible for the assassination.

In Nakayama's view, this was legally correct. Courts should not treat hatred toward a religion as a justification for murder.

## The dissolution of the Family Federation

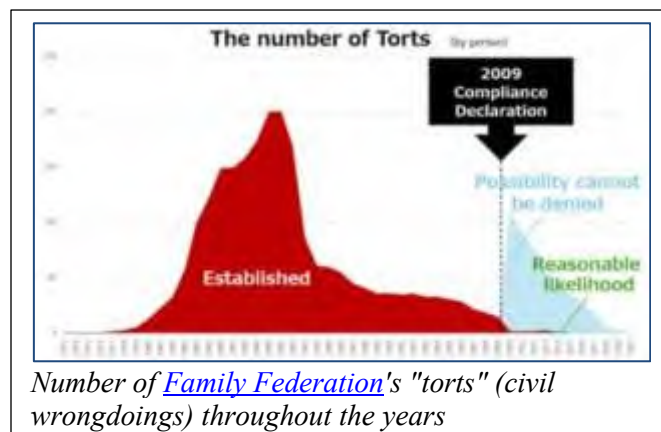
The more controversial issue, according to Nakayama, was the [March 2026 decision](#) by the Tokyo High Court ordering the dissolution of the [Family Federation](#).

This ruling removed the [religious organization's](#) legal status and severely limited its ability to function. Nakayama argues that [this decision](#) raises multiple constitutional problems.

He believes the court relied on weak evidence, [speculative reasoning](#), and an overly broad interpretation of the law. He also argues that the ruling violates religious freedom and due process protections guaranteed by the Japanese Constitution.

## Concerns about evidence and fairness

One of Nakayama's main criticisms is that the court treated accusations as if they were proven facts.



He explains that in 2009, the [Family Federation](#) introduced what it called a "Compliance Declaration" [See editor's note below] to reduce controversial fundraising activities. According to the [article](#), complaints and financial damages connected to the [organization](#) dropped dramatically afterward.

Yet the court still relied heavily on cases from after 2009. Nakayama says that in many of those cases, it was never clearly proven that unlawful conduct had actually occurred. In fact, the [ruling itself](#) reportedly admitted that

wrongdoing "could not be ruled out," rather than conclusively established.

Despite this uncertainty, the court still described the [organization](#) as continuously engaging in unlawful conduct.

Nakayama argues that this is a dangerous legal leap. In his view, courts should not impose severe punishments unless wrongdoing has been clearly proven with evidence. Otherwise, the constitutional right to a fair trial is weakened.

## Claims based on speculation

Nakayama also criticizes the court for relying on assumptions about what the [organization](#) might do in the future.

The court reportedly suggested that senior leaders of the [Family Federation](#) might continue "improper" fundraising because they defended statements made by founders [Sun Myung Moon](#) (1920-2012) and [Hak Ja Han](#), who has led the [global movement](#) since her husband's death.

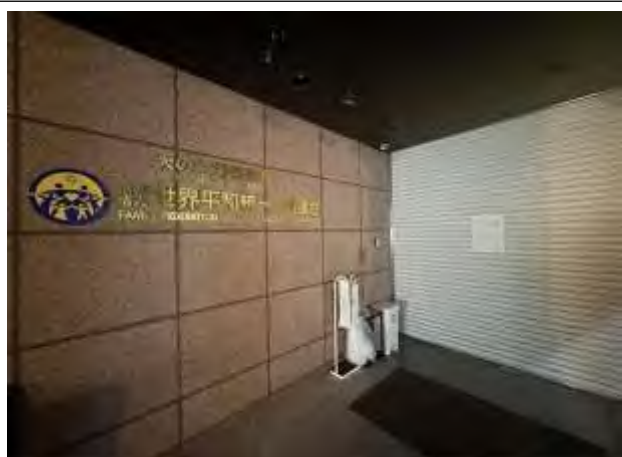
Nakayama says this reasoning is flawed. Religious leaders often defend the teachings or statements of their founders. That alone does not prove that faith leaders are incapable of following the law or controlling donations responsibly.

He argues that the court made an unjustified jump from "leaders defend the founder's ideas" to "leaders will inevitably commit harmful acts."

### Religious freedom concerns

A major theme of the [article](#) is religious freedom.

The court claimed that dissolving the [religious organization](#) did not directly prohibit believers from practicing their religion. Nakayama strongly disagrees.



*Closed along with 259 other church building and cannot be used for worship services, funerals, or religious gatherings: The Japanese headquarters of the [Family Federation for World Peace and Unification](#) in Shibuya, Tokyo, where a court-appointed liquidator has entered. (March 4, 2026)*

He points out that believers can no longer freely use [church buildings](#) for worship services, funerals, or religious gatherings. In practical terms, he says, this clearly restricts religious activity.

He uses a comparison: claiming religious freedom is unaffected after dissolving a church organization is like claiming academic freedom still exists after destroying a university campus. Even if beliefs remain legal in theory, removing the [physical institutions](#) makes practicing those beliefs much harder.

Nakayama also argues that governments should use the least restrictive solution possible when limiting freedoms. He notes that Japan already passed laws aimed at preventing improper fundraising and donation solicitation. According to him, these measures could address concerns without completely

dismantling the [religious organization](#).

### Problems with balancing rights

Another criticism involves how the court balanced competing interests.

The court reportedly argued that dissolving the [Family Federation](#) was justified to prevent possible future financial harm to members and donors.

Nakayama says this analysis is backwards because it sacrifices an existing and concrete freedom - religious practice - in order to prevent uncertain future economic harm.

In constitutional law, spiritual and religious freedoms are usually considered among the highest protected rights. Economic concerns, while important, normally carry less constitutional weight.

Nakayama believes the court reversed this priority and accepted hypothetical risks as sufficient reason to limit fundamental freedoms.

### Judicial interference in religion

The [article](#) also argues that the court improperly entered into theological questions.

According to Nakayama, the [ruling](#) criticized internal doctrines and concepts within the [Family Federation](#), including ideas related to fundraising and religious mission.

He says courts should avoid deciding whether religious teachings are proper, reasonable, or morally acceptable. Under long-established legal principles, judges are supposed to remain neutral toward religious doctrine.

Otherwise, courts risk deciding which beliefs are acceptable and which are not - something Nakayama sees as incompatible with religious liberty.

### Closed-door proceedings

Nakayama further objects to the fact that the dissolution process occurred without public access.



*Constitutionally highly problematic proceedings against [Family Federation](#) were held behind closed doors in the joint building of the Tokyo High Court, Tokyo District Court, and Tokyo Summary Court in Chiyoda Ward, Tokyo, Japan*

The court argued that these proceedings were not ordinary disputes between opposing parties and therefore did not require open hearings. Nakayama rejects this reasoning.

He points out that the government and the [Family Federation](#) spent years arguing against each other in court. Because the state was attempting to strip a [religious organization](#) of legal status and freedoms, he believes transparency was essential.

Proceedings held behind [closed doors](#) in [secrecy](#), he argues, undermine public trust and constitutional guarantees of due process.

Broader legal and international concerns

Toward the end of the [article](#), Nakayama warns that the court expanded legal definitions in

troubling ways.

Specifically, he argues that the court treated [civil lawsuits](#) and allegations of harmful conduct as equivalent to violations of criminal law, even though the [religious organization](#) itself had not been convicted of criminal offenses during its long history.

He says this weakens the principle that laws must clearly define prohibited conduct before severe penalties can be imposed.



Nakayama also notes that United Nations experts [criticized Japan's handling of the case](#) and warned that vague references to "public welfare" could threaten religious freedom under international human rights standards. Nakayama writes,

"The United Nations has repeatedly warned Japan that such vagueness violates international law. On October 1, 2025, UN experts issued a [press release](#) stating that the [District Court's decision](#) violated international law. The Miki [Tokyo High Court presiding judge Motoko Miki (三木素子)] [decision](#) disregarded these concerns and issued a ruling inconsistent with Article 18(3) of

the [International Covenant on Civil and Political Rights](#), which requires that restrictions on religious freedom be clearly defined, and with Article 98(2) of the Constitution, which mandates compliance with international law."

## Conclusion

Nakayama concludes that the case is not only about one [religious organization](#). In his view, it is about whether constitutional protections remain strong when public emotions are intense.

He argues that democracies must be especially careful not to weaken legal principles after shocking acts of violence or terrorism. Otherwise, courts may unintentionally reward political violence by allowing assassins or extremists to achieve their broader goals indirectly.

Attorney Nakayama sums it up,

"These five constitutional concerns form a troubling pattern. The [Family Federation](#) has filed a [special appeal](#) with the Supreme Court. To avoid being remembered as a court that bent constitutional principles to fulfill the wishes of a terrorist, the [Supreme Court](#) must render a judgment that withstands scrutiny from future generations."

The [Family Federation](#) has [appealed](#) to the Supreme Court of Japan, and the outcome there will, according to Nakayama, shape how posterity evaluates Japan's commitment to constitutional rights, religious liberty, and judicial fairness.

Text: Knut Holdhus, editor

He has held executive positions and other important positions in the Inter-Pacific Bar Association, which includes 1,500 lawyers worldwide. His major works are "Global Governance and Compliance" and "Integrity" (both published by Chuokeizaisha), and his recent books include "English Negotiation Techniques" (Heisei Publishing). Photo: Tsuyoshi Toyoda / [Sekai Nippo](#)

**[Editor's note:** The 2009 compliance declaration of the [Unification Church](#) of Japan (now the [Family Federation for World Peace and Unification](#)) was a formal commitment by the [organization](#) to reform its practices in response to longstanding public criticism and legal challenges.

The [Unification Church](#) in Japan had faced numerous allegations related to recruitment tactics and donation solicitation, termed "spiritual sales" (靈感商法) by a hostile network of activist lawyers who had declared the [religious organization](#) an enemy. These issues led to multiple lawsuits orchestrated by the activist lawyers and significant media backlash. This prompted the [organization](#) to take measures to restore its reputation and demonstrate compliance with legal and ethical standards.

The [religious organization](#) pledged to stop possibly unethical donation practices, including what the hostile network of lawyers claimed amounted to "pressuring members into making large financial contributions under spiritual pretexts."

This was in response to accusations from the same activist lawyers that followers "were being manipulated into giving away substantial amounts of money or property."

The [Unification Church](#) stated it would enhance internal oversight to ensure compliance with ethical and legal standards. Measures included better training for leaders and stricter guidelines for evangelization and solicitation of donations.

After this compliance declaration, there was a significant decrease in the number of lawsuits against the [Unification Church](#) - since 2015 called the [Family Federation](#). The [religious organization](#) has used this as evidence that it has improved its practices and should not be subject to [dissolution](#).]

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Religious affairs reporter Jeong Seong-su (정성수). Photo (2025): Segye Ilbo

On 19<sup>th</sup> May 2026, the South Korean

newspaper [Segye Ilbo](#) published an [opinion column](#) by journalist Jeong Seong-su (정성수) reflecting on the meaning of peace activism, Korean reunification, and the tendency of modern societies to dismiss idealistic visions as unrealistic or even irrational. Although the [article](#) emerged from a specifically Korean

social and political controversy involving the investigation of a religious organization, its broader themes are universal: How should societies treat people who continue to advocate for peace during periods of conflict and cynicism? At what point does skepticism become contempt for moral idealism itself? And how often has history eventually vindicated people once ridiculed as dreamers?

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To understand the [article](#), it is important to recognize the historical memory that shapes much of modern Korean political thought. Korea spent decades under Japanese colonial rule from 1910 to 1945. During that time, many Koreans lost hope that independence would ever return. Japan appeared militarily and politically invincible, and major world powers showed little interest in Korea's fate. Some Koreans accommodated themselves to colonial rule, while others continued to fight for independence despite overwhelming odds. Looking back today, modern South Korea celebrates the independence activists who refused to surrender hope, even when their cause seemed impossible.

The columnist uses this historical example to make a broader moral argument. During the colonial period, people who insisted that Korea would someday regain independence could easily have been dismissed as unrealistic idealists detached from political reality. Yet history ultimately remembered them not as naive dreamers, but as individuals whose convictions helped shape the future nation.

The [article](#) specifically invokes Kim Gu (김구 – 1876-1949), one of Korea's most revered independence leaders, who maintained the cause of Korean sovereignty while operating in exile through the *Korean Provisional Government* (임시정부) in Shanghai (1919-1932). At the time, his efforts may have seemed futile to many observers. In retrospect, however, his persistence became a symbol of patriotic courage and moral conviction.



Kim Gu (김구 – 1876-1949) in 1930. Unknown author. [Public domain image](#). Cropped

From this historical foundation, Jeong's [article](#) moves into

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a contemporary issue. According to the columnist, a religious believer involved as a witness in an investigation connected to a religious organization (종교단체) claimed that investigators had treated discussions of Korean reunification and world peace as essentially “delusional”. The [opinion piece](#) does not argue against the legitimacy of criminal investigations themselves. In fact, it explicitly acknowledges that state institutions in a democratic society have both the right and the responsibility to investigate acts alleged to be unlawful. The concern raised by the columnist is different: whether authorities or society at large cross an important line when they begin mocking not merely unlawful behavior, but the ideals and aspirations that individuals hold.

The author argues that peace and reunification may indeed appear unrealistic under current global conditions. Relations between North and South Korea remain tense and frozen. International politics are dominated by war, strategic rivalry, economic inequality, and geopolitical competition among major powers. Against such a backdrop, calls for world peace or Korean reunification can sound abstract, distant, or impractical. Yet the [article](#) asks whether difficult circumstances should lead humanity to abandon such aspirations altogether.

A central idea running throughout the [column](#) is that societies become morally impoverished when they reduce all idealism to fantasy or madness. The author warns that a culture of excessive cynicism risks destroying the very capacity to imagine a better future. Even if peace and reunification seem unattainable today, the [article](#) argues that someone must continue advocating for reconciliation, dialogue, and hope. Otherwise, societies may become trapped in permanent hostility and despair.

The [column](#) also emphasizes that the aspiration for Korean reunification is not merely a religious slogan or the agenda of a single group. In South Korea, reunification has historically been understood as a constitutional and national objective. The South Korean constitution itself contains language affirming peaceful reunification as part of the nation's mission. Therefore, the [Segye Ilbo article](#) argues, dismissing reunification as “delusion” is not simply criticism of one religious movement; it potentially reflects a broader erosion of confidence in shared national ideals.

To strengthen this argument, the columnist places the issue within a larger global historical framework. Many moral and political causes that are widely accepted today were once considered unrealistic or impossible. The abolition of slavery, women's suffrage, and the dismantling of racial segregation all began as ideas that powerful institutions and mainstream opinion frequently rejected. Social progress often depended upon minorities who persisted despite ridicule and opposition. According to the [article](#), human civilization advances precisely because some individuals continue pursuing ideals that initially appear unattainable.

The [piece](#) also invokes the ancient Chinese philosopher Mencius (맹자), quoting the phrase: “Those who oppose Heaven perish; those who follow Heaven prosper” (逆天者亡 順天者興). In this context, “Heaven” (하늘) is interpreted not narrowly in a religious sense, but more broadly as moral conscience, ethical principles, and humanity's enduring aspiration toward



justice and communal well-being. The [article](#) suggests that the pursuit of peace and reconciliation belongs to this larger moral tradition. But more than that, reporter Jeong portrays the longing of his people for peace and reunification of the peninsula “as part of the inevitable moral current of our age”.

*Mencius (Mengzi – 372-289 f.Kr), Chinese Confucian philosopher, often referred to as the Second Sage as he is traditionally revered as second in importance only to Confucius (551-479 f.Kr) himself within the Confucian philosophical tradition. Photo: Noasaurus / Wikimedia Commons. License: CC ASA 4.0 Int. Cropped*

At its core, the [column](#) is not primarily about one religious organization or one legal case. Rather, it is a reflection on the relationship between realism and idealism in public life. The author accepts that democratic states must uphold law and investigate wrongdoing. However, he cautions against allowing legal or political conflicts to evolve into contempt for moral aspiration itself. Democracies, he argues, should judge unlawful actions through legal processes, but they should remain careful not to ridicule people merely for holding ambitious or hopeful visions about humanity’s future.

For non-Korean readers, the [article](#) offers insight into several important aspects of contemporary Korean thought. It reflects the continuing emotional significance of the independence movement (1919-1945) in Korean historical consciousness, the enduring symbolic importance of reunification on the Korean peninsula, and the tension between pragmatism and idealism in a rapidly changing society. More broadly, it speaks to a universal human question: whether societies retain the courage to pursue peace and moral progress even during periods when such goals seem politically unrealistic.

Ultimately, the [article](#) argues that history is often shaped not by those who dismiss hope, but by those who continue defending it despite ridicule.

See also [Movement Promoting Family as National Solution](#)

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**Text:** *Knut Holdhus, editor*

**Featured image** above: *History vindicating dreamers. Illustration: ChatGPT, 20th May 2026*

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