

FFWPU Europe and the Middle East: Law Expert Says Japanese Verdict Violates Legal Principles

Knut Holdhus
February 12, 2025



Japanese judges issuing a verdict



[Sekai Nippo](#)

Experienced expert on religious corporations' law claims basic principles are set aside in ruling of Japanese Supreme Court against religious minority the Family Federation

Tokyo, 3rd February 2025 - Published as an article in the Japanese newspaper [Sekai Nippo](#). Republished with permission. Translated from Japanese. [Original article](#).

[Series] Request for Dissolution Order of the Family Federation - Suspicions of Fabricated Statements by the Ministry of Education

Interview with an expert: "Victim" Reports Directly Used as Evidence - Seishiro Sugihara, professor of the former Musashino Women's University: Dissolution Request to Become a Major Issue

by the editorial department of [Sekai Nippo](#)



Seishiro Sugihara, served as a professor at Josai University and Musashino Women's University (now Musashino University)

Part 2 of the article

See [part 1](#)

See also [Flawed, Deceptive Evidence Gathering by State](#)

See also [Civil Case Ruling Shows Partiality of Judiciary](#)

Question: According to one case investigated by this newspaper, a devoted [Family Federation](#) believer had been actively involved and had made donations. She signed a statement without understanding its contents after turning 90 and becoming physically disabled.

It is not surprising that statements like this were included, given that they were created by MEXT (Ministry of Education, Culture, Sports, Science and Technology) officials with no expertise in gathering such testimonies.

As I mentioned earlier, if a dissolution request is made using such sloppy statements as evidence, it will eventually lead to a major issue. Furthermore, the fact that this process is being carried out

without a public trial will only make the problem even more serious.

Question: Some elderly [Family Federation](#) believers have written memorandums affirming that they do not seek a refund of their donations. Among their children, some are believers while others oppose the

faith. In one lawsuit seeking a refund filed by those who opposed the faith, the [Family Federation](#) won in both the first and second trials, but after the parent's death, the [Supreme Court remanded the case to the High Court](#) in July of last year. This case is expected to have repercussions for many religious organizations beyond the [Family Federation](#).



Elderly Japanese woman getting a memorandum at a notary office

On 11th July last year, the [Supreme Court ruled](#) that the statement affirming no refund claim was invalid. The case was as follows:

An elderly woman, referred to as Ms. X, who was a member of the [Family Federation](#), had made significant donations to the organization over a long period. In November 2015, she submitted a notarized memorandum to the [Family Federation](#) stating that she would not seek restitution for unjust enrichment or damages based on fraud, coercion, or violations of public order and morality.

However, by May of the same year, Ms. X had been diagnosed with Alzheimer's disease. Her eldest daughter applied to become her voluntary guardian and was appointed as such. Later, in March, Ms. X filed the lawsuit seeking a refund, but she passed away in July 2021.

Before her death, her eldest daughter had Ms. X write a will stating that any refunded donations would be bequeathed entirely to her. The daughter then continued the lawsuit. The Tokyo District Court and Tokyo High Court both dismissed the lawsuit. However, the [Supreme Court overturned the High Court's ruling](#) in favor of the [Family Federation](#), declared the notarized memorandum invalid, and sent the case back to the Tokyo High Court for further review.



Japanese woman offering a donation at a Sunday worship service

The problem with this [Supreme Court ruling](#) is that it invalidates the memorandum on the grounds that a person of faith cannot make rational decisions. Additionally, it justifies this ruling by citing the December 2022 "Act on Prevention of Unfair Solicitation of Donations by Corporations, etc.", which was legislated amid the heated controversy surrounding the [Family Federation](#) issue.

This violates the fundamental legal principle of non-retroactivity, which is a cornerstone of the rule of law and legal governance. How could the [Supreme Court trample on such a basic legal principle](#)?

Even if Ms. X had dementia, declaring her earlier statement invalid while recognizing the validity of a later lawsuit - filed at a time when her condition had likely worsened - along with a will that allowed her daughter to claim all

refunded donations, is itself a ruling that runs counter to public order and morality.

To be continued. Part 3 coming soon.

See [part 1](#)

See also [Flawed, Deceptive Evidence Gathering by State](#)

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Seishiro Sugihara, born in 1941 in Hiroshima Prefecture. Completed a master's degree in education at the University of Tokyo Graduate School in 1967. Served as a professor at Josai University and Musashino Women's University (now Musashino University).

Notable publications include *The Ideal Separation of Religion and State and Constitutional Revision* (Jiyusha, 2015). Co-authored *The Disease Called Shigeru Yoshida* (Jiyusha, 2021).

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“Poorly Compiled Evidence Including Falsehoods”

• February 10, 2025 • Knut Holdhus



Experienced legal expert claims evidence containing falsehoods, and hearings behind closed doors infringe on rights of religious minority and are unconstitutional

Tokyo, 3rd February 2025 – Published as an article in the Japanese newspaper *Sekai Nippo*. Republished with permission. Translated from Japanese. *Original article.*








[Series] Request for Dissolution Order of the Family Federation – Suspicions of Fabricated Statements by the Ministry of Education


Interview with an expert: “Victim” Reports Directly Used as Evidence



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Seishiro Sugihara, professor of the former Musashino Women's University

Dissolution Request to Become a Major Issue

by the editorial department of *Sekai Nippo*

Part 1 of the article

See part 2

See also *Flawed, Deceptive Evidence Gathering by State*

This paper reported about fabrications in the statements submitted as evidence by the Ministry of Education, Culture, Sports, Science and Technology (MEXT) to the Tokyo District Court in its request for a dissolution order against the *Family Federation*

for *World Peace and Unification* (formerly the *Unification Church*). We spoke regarding the issue with professor Seishiro Sugihara (杉原誠四郎) of the former *Musashino Women's University*.



文部科学省

Symbol of the Ministry of Education, Culture, Sports, Science and Technology (MEXT) of Japan. Photo: 文部科学省 (MEXT Japan) / Wikimedia Commons. License: CC Attr 4.0 Int

Q: As reported by this paper on 21st January, there are multiple pieces of information suggesting that the statements submitted as evidence by MEXT in its dissolution request were not actually written by the individuals identified as "victims", and that they contain falsehoods contrary to fact. What do you think about this?

This was entirely predictable from the beginning.

Originally, when MEXT submitted the dissolution request to the *Tokyo District Court*, it announced the number of "victims" and the total "financial damage". However, this total was merely the sum of the amounts claimed by individuals who identified themselves as "victims".

To understand this, one can compare it to an ordinary criminal case. In criminal cases, prosecutors collect evidence to prove a crime, but not everything collected is immediately treated as evidence. Prosecutors assess the evidentiary value and credibility before determining which materials can serve as valid evidence.



Imbalanced scale of justice. Photo: 99joseph / Wikimedia Commons. Public domain image

However, in this dissolution request by MEXT, the evidence submitted to the court was merely a **collection of "victim" reports, without any means of verifying their evidentiary validity. MEXT simply compiled the claimed damages and submitted them as they were.**

Given this, it is entirely foreseeable that statements could exist where the supposed "victims" themselves did not write them, or where falsehoods contradicting the facts were included. This is not surprising at all.

Using such materials as grounds for dissolution and requesting a dissolution order is clearly an overreach as an administrative act. If a dissolution request can be made based on such unfairly collected evidence, **then any "harm" reported by former believers who left their faith or by associates of believers could serve as grounds for dissolution.**



If that is the case, **how many existing religious corporations could be subjected to dissolution requests?** In short, the procedure used by MEXT to collect evidence for the dissolution request of the *Family Federation* is something that the *Religious Corporations Act* never originally intended.

Q: Senator

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Reinterpreted: The Religious Corporations Act of Japan. here, front page of 2018 English version.

Satoshi Hamada (浜田 聡) submitted a [written inquiry to MEXT](#) requesting [fact-checking](#) regarding this



Senator Satoshi Hamada (浜田聡, House of Councillors, NHK Party) speaking on 26th January 2025, in Yokohama City, Kanagawa Prefecture, Japan. Photo: Yasuhiro Uno (宇野泰弘)

newspaper's report, but MEXT did not respond. What do you think about the fact that the proceedings are being conducted in a closed, non-public manner?

The *Tokyo District Court* is handling MEXT's dissolution request as a "non-contentious case" proceeding. Since this is not a trial in the usual sense, it is understandable that the process is not public. The secrecy of the proceedings is stipulated under the "Non-Contentious Case Procedures Act".

However, **if a religious organization is dissolved through such a non-public process, it means that its right to a public trial under Article 32 of the Constitution is not guaranteed, making this clearly unconstitutional.**

Regarding [Senator Hamada's inquiry](#), while MEXT did not respond, it is generally permissible for the deliberations of MEXT's *Religious Affairs Council* to be non-public due to the sensitive nature of the issues discussed. However, if the evidence that formed the basis of their conclusion includes falsehoods, this will inevitably become a major issue in the future.

What is particularly concerning is the **Religious Affairs Council** itself. Despite having multiple religious representatives as members, it **approved the dissolution request based on such poorly compiled materials** – this is a serious problem.

Continued in [part 2](#).

See also [Flawed, Deceptive Evidence Gathering by State](#)

Featured image above: **Seishiro Sugihara**, born in 1941 in Hiroshima Prefecture. Completed a master's degree in education at the University of Tokyo Graduate School in 1967. Served as a professor at Josai University and Musashino Women's University (now Musashino University).

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