

FFWPU Europe and the Middle East: Japanese Government's Hostile Investigative Committee

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On 29th August 2022, Taro Kono, the Minister of Consumer Affairs, speaks at the first meeting of the "Investigative Committee (Study Group) on Measures Against Malicious Business Practices such as Spiritual Sales", which was published on YouTube. Appearing on the screen is also Masaki Kito, an activist left-wing lawyer and member of the investigative committee (third from the top).



Tokyo paper exposes how the Kishida administration's investigative committee was led in authoritarian style by hostile "experts" appointed by hostile minister

Tokyo, 3rd July 2024 - Published as the third 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 - The Kishida Administration's Reckless Actions

Abuse of authority by Kono, Minister of Consumer Affairs

by the Freedom of Religion Reporting Team of the editorial department of [Sekai Nippo](#)

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From Kasumigaseki, the area of Tokyo where much of the state bureaucracy is located

The second reshuffled Kishida cabinet, which severed ties with the [Family Federation for World Peace and Unification](#), established a "Liaison Council of Relevant Ministries and Agencies on the 'Former [Unification Church](#)' issue". It was chaired by the Minister of Justice. On 18th August 2022, the first meeting was held. The purpose was for the government to collaborate on providing relief to "victims" of issues related to religious groups, but a particular [religious organization](#) was specifically targeted, and they intended to have the entire Japanese state bureaucracy (霞が関 - Kasumigaseki) take on the issue.

On the other hand, on 29th August 2022, Taro Kono (河野太郎), who had been appointed as Minister of Consumer Affairs, held the first meeting of the Consumer Agency's "Investigative Committee

(Study Group) on Measures Against Malicious Business Practices such as Spiritual Sales". In his opening remarks, Kono stated, "While spiritual sales involve the sale of goods, issues related to donations have also been pointed out." He indicated that donations would also be a subject to consider. He also called for discussions that "in some cases may go beyond the scope of the Consumer Affairs Agency's responsibilities."

"Acts of donating" mentioned by Taro Kono are fundamentally considered religious acts. To raise this as a problem and impose restrictions on it carries the risk of infringing upon religious freedom. Moreover, it falls outside the jurisdiction of the Consumer Affairs Agency. When Kono said, "Beyond the scope of the Consumer Affairs Agency's responsibilities", it appears he was aware of this point. But Kono's show of force is a threat to religious freedom.

The composition and operation of the investigative committee also lacked fairness and impartiality. There were eight members, but half of them held an antagonistic stance toward the [Family Federation](#).



Shiori Kanno in 2016



Masaki Kito, one of the hostile lawyers of National Network of Lawyers Against Spiritual Sales and Nationwide Unification Church Damage Countermeasures Legal Team

The committee included Masaki Kito (紀藤正樹), a lawyer from National Network of Lawyers Against Spiritual Sales (Zenkoku Benren); Kimiaki Nishida (西田公昭), representative director of the Japan Anti-Cult Association; Shiori Kanno (菅野志桜里), a lawyer who has consistently emphasized the need for a dissolution order against the [religious organization](#) since the first meeting of the investigative committee; and Naoko Yoshino (芳野直子), Vice-President of Japan Federation of Bar Associations (JFBA), who has issued a critical opinion paper where she criticizes the religious organization and links it to "spiritual sales scams" (靈感商法).

The remaining members were two professors specializing in civil law and two consumer issues experts. It was only natural that Kito and Kanno led the discussions.

Regarding the actual "harm" caused by spiritual sales (靈感商法), which forms the basis of the discussion, the [Family Federation](#) claims that since their 2009 compliance declaration, there have been no legal claims seeking damages specifically related to spiritual sales.

In contrast, the National Network of Lawyers Against Spiritual Sales (Zenkoku Benren) asserts that "many victims continue to suffer." However, the materials prepared by the Consumer Agency for the first meeting included legal consultation fees related to spiritual sales (also referred to as 開運商法 - fortune-telling sales), and they were unclassified and included organizations other than the [Family Federation](#).

Without anyone in the investigative committee thoroughly examining this, the discussions concentrated on two points: 1) how to legally regulate donations and offerings, and 2) how to prevent and remedy "illegal financial exploitation by cult-like groups" (including the request for a court order to dissolve the [religious organization](#)). During this time, there was no attempt to involve or seek attendance from

representatives of the [religious organization](#).

In particular, the fourth meeting, which focused on "Analysis and verification of individual cases", resembled a trial in absentia. Invited lawyer Masaki Gouro (郷路征記) from National Network of Lawyers Against Spiritual Sales stated,

"To prove that this huge [organization](#), said to have tens of thousands of members, conducted what I consider illegal missionary and indoctrination activities as an organization, [...] it is difficult with just the materials we have."

He suggested that "it is important for the government to actively collect evidence." In response, Shiori Kanno agreed, saying,

"If that is the case, then it is indeed the government's turn. They should use the right to ask questions and the right to collect reports under Article 78-2 of the Religious Corporations Act."

The summary of the discussions from the seven investigative committee meetings was compiled by four people: chairman Shoji Kawakami (河上正二), professor emeritus at the University of Tokyo

specializing in civil law; Shuichi Miyashita (宮下修一), professor at Chuo University, and Masaki Kito and Shiori Kanno. The resulting report, dated 17th October 2022, stated,

"Regarding the former [Unification Church](#), given that serious problems have been pointed out which cannot be overlooked by society, it is necessary to exercise the authority to collect reports and ask questions based on Article 78-2 of the Religious Corporations Act, with the request for a dissolution order also in view."

The investigative committee, whose purpose was to provide relief to victims, exceeded its mandate and even mentioned dissolving the [religious organization](#). Few people realized how authoritarian this was.

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Obvious Inconsistency Ignored By Shaky Kishida

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Fumio Kishida 2nd 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 Freedom of Religion Reporting Team of the editorial department of *Sekai Nippo*



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On 17th 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 10th August 2022 and the *Liberal Democratic Party's* announcement on 31st 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 13th 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 14th 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.

Kiheï 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 certain actions of the [Family Federation](#)



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may constitute grounds for a dissolution order. He made this remark during an opposition party hearing in the Diet on 25th 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 30th 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

- 8th 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**.
- 10th August: The second Fumio Kishida Cabinet is inaugurated, announcing a review of its relationship with the organization.
- 18th August: A meeting of "*Liaison Council of Relevant Ministries and Agencies on the 'Former Unification Church' issue*" is held (*Ministry of Justice*).
- 29th August: "*Investigative Committee (Study Group) on Measures Against Malicious Business Practices such as Spiritual Sales*" convenes (*Consumer Affairs Agency*).
- 31st August: Prime Minister Kishida declares, as LDP president, that the party will sever ties with the organization.
- 6th October: Prime Minister Kishida states in the Diet that "careful judgment is necessary" regarding the dissolution order request.
- 11th October: *National Network of Lawyers Against Spiritual Sales* requests that the *Minister of Education, Culture, Sports, Science, and Technology* files for a dissolution order.
- 14th October: The Cabinet decides on a response stating that the **organization** does not meet the criteria for dissolution.
- 17th 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.
- 19th 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.
- 8th November: The *Agency for Cultural Affairs'* expert meeting finalizes the criteria for using the right to question.
- 22nd 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 9th December). The right to question is used seven times in total.

2023

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

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

Featured image above: Fumio Kishida deliverin a speech at the UN Climate Change Conference in Glasaow (COP26) 2nd Nov. 2021. Photo: 首

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