

FFWPU Europe and the Middle East: Flaws in Japan's Case to Outlaw Unification Church

Knut Holdhus
February 22, 2025



Japanese lawyer presenting a case with legal flaws in court



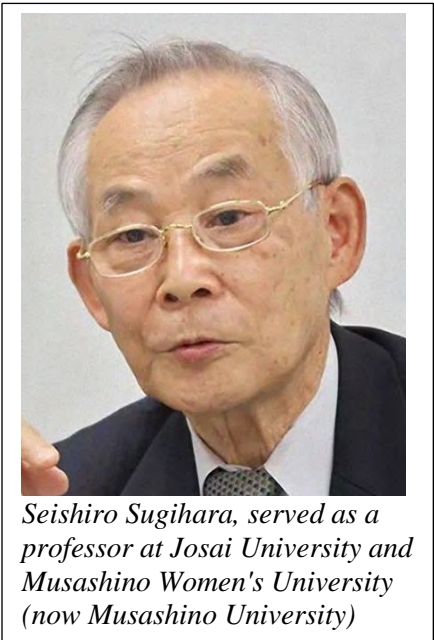
According to Japanese expert on religious corporations' law there are several serious legal flaws in the authorities' request to Tokyo District Court to issue an order to dissolve a religious corporation that has committed no crimes

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



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

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

Part 3 of the article

See [part 1](#), [part 2](#)

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Interview (continued)

Question: What is your perspective on the dissolution order request for the [Family Federation](#)? How should the organization proceed in the future?

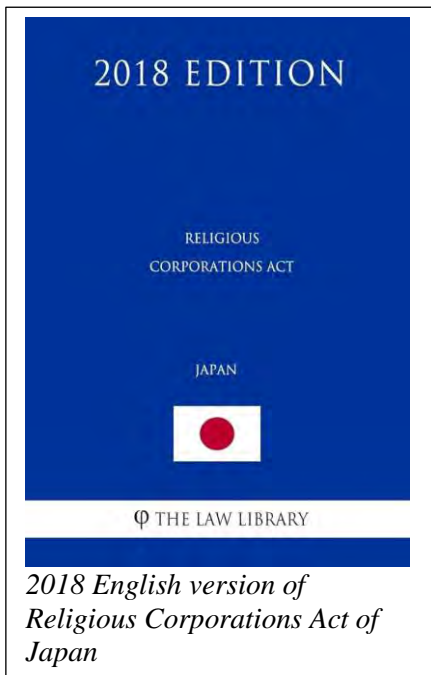
Ultimately, the current dissolution order process deviates from the original framework outlined in the Religious Corporations Act.

Specifically, regarding the [Family Federation](#), it has not committed any criminal offenses. When former Prime Minister Shinzo Abe (安倍 晋三, 1954 - 2022) was assassinated, and the [Unification Church](#) issue came under scrutiny, then-Prime Minister Fumio Kishida (岸田 文雄) made an erroneous decision. Abe's assassination should have been recognized as an [act of terrorism](#), and the focus should have been on investigating the crime itself. However, when the suspect's supposed grudge against the former [Unification Church](#) was sensationalized by the media, Kishida, in response to media pressure, [expanded the criteria for dissolution](#) to include civil cases as grounds for dissolution.



Grudge of terrorist sensationalized by media: Tetsuya Yamagami, the man who killed Shinzo Abe, the former prime minister of Japan

This is a prime example of politically unacceptable populism.



Article 81 of the Religious Corporations Act originally established dissolution proceedings with the concern that allowing administrative agencies to unilaterally dissolve religious organizations would be dangerous. Therefore, court approval was made a requirement. Under this provision, when an administrative body deems dissolution necessary, it must submit a request to the court, which then determines whether dissolution is justified before issuing a dissolution order. The process also includes a review by the Religious Affairs Council for further scrutiny.

As a result, dissolution proceedings are handled as a "non-contentious case" [See editor's note 1 below] rather than a regular trial. This is because, in principle, a religious corporation should only be dissolved when it has committed criminal acts, undergone public trials, and received a final ruling confirming the grounds for dissolution. In such cases, the court's role in a non-contentious case is merely to confirm the already-established fact of criminal conduct.

In the case of civil matters, if there are multiple final court rulings repeatedly determining certain acts as unlawful, and if the Ministry of Education, Culture, Sports, Science and Technology (MEXT), which oversees religious corporations, has issued multiple correctional recommendations but civil disputes continue and further rulings continue to find unlawful acts, only in such cases should MEXT be able to submit a petition to the court for a dissolution order.



Only in such cases should the court handle the matter as a non-contentious case, conduct a non-public hearing, and issue a dissolution order if deemed appropriate.

However, in the case of the [Family Federation](#), a compliance declaration was made in 2009, and since then, civil disputes have significantly decreased. Therefore, a dissolution request based on civil

matters is, in effect, impossible.



Japanese judges issuing verdict

That being said, if the Tokyo District Court were to issue a decision for dissolution, and a dissolution order is issued, it would be possible to appeal to the Tokyo High Court. However, rather than doing so, it would be possible to file an administrative lawsuit with the Tokyo District Court, arguing that MEXT's request for a dissolution order - the administrative action itself - is unlawful. Under the Constitution, both citizens and private organizations have the right to file an administrative lawsuit against unlawful administrative actions, so this should be a viable option.

Furthermore, in such a lawsuit, the [Family Federation](#) could demand the disclosure of the documents submitted by MEXT to the Tokyo District Court as the grounds for the dissolution order request. Otherwise, under the Japanese Constitution, the [Family Federation](#) would be issued a dissolution order while being deprived of its right to a fair trial. This is clearly unconstitutional.

The [Family Federation](#) should actively engage in public relations efforts to widely convey to society its respect for [family values](#) and work towards fostering a true understanding of its nature. Additionally, it should appeal to the United Nations and other international organizations that the dissolution order

constitutes a violation of the principle of separation of church and state. Furthermore, just as in the case of Soka Gakkai [See editor's note 2 below], it should argue that religion, by its very nature, seeks the construction of an ideal state and society, and therefore, approaching politicians is a natural right of religious organizations.

See [part 1](#), [part 2](#) of the article

[Editor's note 1: 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.]



Soka Gakkai International flag

[Editor's note 2: Soka Gakkai, a global lay Buddhist organization originating in Japan, aims to create an "ideal world" based on the principles of Nichiren Buddhism, which emphasizes individual empowerment, inner transformation, and societal harmony. Their vision is often framed as kosen-rufu, meaning the widespread propagation of Buddhist values to establish peace and happiness for all.

Soka Gakkai promotes peace, culture, and education through initiatives that focus on personal transformation (human revolution)

- the belief that changing oneself positively impacts society; peace activism - anti-nuclear campaigns, human rights advocacy, and interfaith dialogue; education - institutions like Soka University emphasize value creation and global citizenship; community engagement - social welfare programs, disaster relief, and environmental sustainability efforts.



To actualize these ideals in governance, Soka Gakkai founded the Komeito party in 1964 (now known as New Komeito or simply Komeito). The party's purpose was to translate Buddhist-based humanistic values into public policy. While legally separate from Soka Gakkai, Komeito has long been backed by members of Soka Gakkai and focuses on peace-oriented diplomacy (e.g., supporting Japan's pacifist constitution); social welfare policies (benefiting education, healthcare, and the elderly); grassroots democracy (reflecting the voice of ordinary citizens)

Since 1999, Komeito has been a coalition partner with the Liberal Democratic Party (LDP), influencing policies while maintaining a centrist stance.

Despite its contributions, Soka Gakkai's political role has been controversial, with critics accusing it of blurring the lines between religion and politics. Some also argue that Komeito's alliance with the conservative LDP compromises its original pacifist ideals.

Soka Gakkai envisions an ideal world through personal empowerment, education, and political engagement. While its approach is rooted in Buddhist ethics, its political involvement remains a complex and debated issue.]

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Law Expert: Verdict Violates Basic Principles

February 12, 2025 • Knut Holdhus



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



Logo of the Sekai Nippo

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Seishiro Sugihara,
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Seishiro Sugihara, served
as a professor at Josai
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by the editorial department of Sekai Nippo

Part 2 of the article

See part 1, part 3

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Q: 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.

Q: 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 at notary office. Illustration: Microsoft Designer Image Creator, 6th January 2025.

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



Japanese woman offering a donation at a Sunday worship service. Illustration: Microsoft Designer Image Creator, 10th February 2025.

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.

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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.

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.

Continued in [part 3](#).

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Featured image above: Japanese judges issuing a verdict. Illustration: Microsoft Designer Image Creator, 2024.

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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