

## THE CONSTITUTION AND RELIGION

Note: The Constitution Investigation Council of the Japanese Government, which is currently studying the manner in which the Constitution was drafted and adopted, and is considering whether it should be revised, has devoted two sessions (December 2, 1959 and March 9, 1960) to the subject of religion. Beginning with this issue we are presenting slightly abridged translations of the statements made before the Council by the officials and scholars who were asked to tell relate their experiences and express their opinions. Editor.

**Meeting on March 9, 1960**

*Hideo Kishimoto*

Today I am asked to tell something about the Shinto Directive, which is said to have greatly affected the new Constitution. This Directive was issued by the MacArthur headquarters on December 15, 1945. Let me tell what I know about the circumstances in which it was drafted and the point of view of the General Headquarters on the problem of the separation of religion and state.

When the war was drawing to a close America and her allies were making an effort to analyze the social conditions and trends of thought within Japan. The focus of the problem was the background ideological factors that had driven the Japanese to such drastic militarism and nationalism. This seems to have been the center of concern, and Shinto was said to have been one of the most powerful factors.

Concerning this I later heard many things from Dr. Hugh Borton, Dr. Reischauer, and other professors specializing in

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Japanese culture, who at that time were concerned with policy on the American side. Shinto was regarded as one of the important factors in the situation.

From their standpoint Shinto, that is, State Shinto, which was regarded as under the direct control of the state, was thought to be responsible for the condition of the Japanese people.

In addition to militarism and ultranationalism, however, freedom of religion was also a problem. They thought that Christianity and other religions and ideas had been oppressed by State Shinto. In short, concerning the problem of religious freedom as a fundamental human right, State Shinto also came into question. Thus, the influence of State Shinto in a sense was regarded in an exaggerated manner. It seems to have been over-estimated.

Consequently, when the war was over, it was believed that in some way or other Shinto would have to be eliminated. This was the attitude of General Headquarters when it came to Japan, but it also can be seen in the Postdam Declaration. Article 10 of the Declaration stated that,

“The Japanese Government shall remove all the obstacles to the revival and strengthening of democratic tendencies among the Japanese people. Freedom of speech, of religion and of thought, as well as respect for the fundamental human rights, shall be established.”

It may be seen that this spirit was later reflected in the Shinto Directive.

General Headquarters attached great importance to the Shinto Directive. When it was issued, Brigadier General Dyke said

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something to the effect that it was about the last of the very important directives to be issued by the General Headquarters. Dr. William K. Bunce, a naval lieutenant in charge of preparing the Directive, was awarded a medal for his work in drafting it.

Incidentally, I should like to comment a little on Dr. Bunce's character, because in present-day Japan it is often said that America enforced such a religious policy, or Shinto policy, in order purposely to weaken Japan. We cannot deny this entirely, but I think that it is very much exaggerated. Therefore, I am going to briefly describe his character.

His wife is the daughter of a missionary who lived a long time in Japan. She was born here, and speaks Japanese rather well. Dr. Bunce himself, I believe, used to teach at a higher school in Matsuyama, Shikoku. He always showed a friendly attitude and said that he wanted very much to come to Japan in order to help in the reconstruction of the country. It can safely be said that he personally had no idea of suppressing Japan by any means.

It was the Civil Information and Education Section of General Headquarters, that is, CIE, that drafted the Shinto Directive. This was located in a room of the present NHK (National Broadcasting Corporation) building at Tamura-chō, Tokyo. The Chief of Section was Brigadier General Dyke.

In the very beginning there was only one room with six officers headed by Dr. Henderson, a professor of Columbia University, and at that time a lieutenant colonel in the army. These six officers were in entire charge of the administration of education in Japan. We often joked about how such a

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small number could take charge of such a large business. One of the six was Dr. Bunce, who assumed charge of Shinto and the religious policy.

It is said that he entered the General Headquarters for the primary purpose of taking charge of the reorganization of university education in Japan. However, on arrival here he was assigned to the task of handling Shinto and the religious policy, because there was no other well-qualified person available. But he had not even an elementary knowledge of Japanese religions and traditions. Therefore, I was obliged to give him several introductory lectures on Japanese religions in the corner of a room in the National Broadcasting Corporation Building. He studied very hard and seemed to absorb knowledge rapidly.

In the beginning Brigadier General Dyke, Chief of Civil Information and Education Section, as well as Dr. Bunce, seemed to think of Shinto as a religion which carried on aggressive activities. They were convinced that this religion instigated the Japanese people to become warlike and drove them to ultranationalism. I took them here and there to investigate things Japanese. Upon learning the actual condition of Shinto, they seemed to be very much surprised.

In the fall of 1945, in spite of many difficulties, a Special Grand Festival was observed at Yasukuni Shrine, which was attended by General Dyke in order to observe it. Whether to interpret his presence by the word "participation" or "inspection" was a very delicate matter. At any rate he attended, and His Majesty also worshipped in person at the shrine.

General Dyke observed the festival from beginning to end and it was said that the ceremony impressed him very deeply.

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I later heard that, whenever Shinto was discussed, he would refer to the festival and say that he could not think that Shinto itself was inflammatory.

Looking within Civil Information and Education Section at the time, many opinions regarding the religious policy of General Headquarters seemed to enter from various circles. In particular many opinions were heard from Protestant and Catholic missionaries.\* In contrast with the fact that Japan was an occupied country, Catholic and Protestant missionaries, being Westerners, were in the relationship of friends with those at the General Headquarters. They frequented it rather freely. Therefore, there was a feeling in Civil Information and Education Section that to some extent what they said had to be listen to. Nevertheless, I frequently noted the fact that, when they expressed various views convenient to their own interests, the members of the Section, including Dr. Bunce, rather stood on the side of Shinto and Japanese religions and spoke in defense of them.

The Shinto Directive, which was issued on December 15th., may be regarded as something like a combination of two elements, that is, the general religious policy of General Headquarters and countermeasures vis-a-vis Shinto. Americans, having the characteristic of thinking that everything must be logical, could not be satisfied merely with special action regarding the disposal of Shinto. Therefore, they decided the general religious policy first and then handled the Shinto problem along that line. I think that this was what happened in the case of the Directive. Therefore, it may be imagined

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\* See note on p. 115.

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that, because of the necessity of taking measures against Shinto, the general religious policy may have gone a little too far.

As for the basic idea of the Shinto Directive thus issued, four points may be mentioned. The first is freedom of religion. The second is separation of "church" and state. The Directive seems to emphasize these two points very strongly. Then, as a development of the second point, the third point was the abolition of Shinto in the form of State Shinto; and the fourth, as a development of the first, that is, religious freedom, was that Shinto separated from the state might continue to exist. In other words, State Shinto ceased but Shrine Shinto was allowed to exist. The Shinto Directive seems to have this kind of a framework. Thus State Shinto became Shrine Shinto.

Let me read one or two articles related to this point. Paragraph 2a of the Directive reads, "The purpose of this directive is to separate religion from the state, to prevent misuse of religion for political ends and to put all religions, faiths, and creeds upon exactly the same basis, entitled to precisely the same opportunities and protection." Shinto falls into this category.

Furthermore, paragraph 2e states that "Shrine Shinto, after having been divorced from the state and divested of its militaristic and ultranationalistic elements, will be recognized as a religion if its adherents so desire." In this way Shinto was permitted to continue to exist.

By this Directive some concrete changes took place. In the first place, as noted above, State Shinto was entirely abolished and after being separated from the state became Shrine Shinto.

In the second place, the Shrine Bureau (Jingi'in), being an

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organ of the state, was abolished.

In the third place, the Jingū Kōgaku Kan,<sup>a</sup> which was a government university for the purpose of studying Shinto, was closed, but Kokugakuin University,<sup>b</sup> being a private institution for the study of Shinto, was permitted to continue to exist.

In the fourth place, all Shinto elements were removed from government textbooks. I remember that until they were removed the use of the textbooks was prohibited.

In the fifth place, such books as *The Basic Principle of the National Polity* (*Kokutai no Hongi*)<sup>c</sup> and *The Way of the Subject* (*Shinmin no Michi*)<sup>d</sup> were prohibited.

In the sixth place, it was forbidden for government officials in their public capacity to worship at shrines.

It was presumed by Japanese, when the Shinto Directive came into force, that about half the shrines would have to be closed, but actually, not one shrine was closed. This was due to the fact that in those three months General Headquarters came to understand Shinto speedily and deeply. This was my impression.

Finally, I should like to touch a little on the problem of the Grand Shrine of Ise and the problem of the relation between the Emperor and Shinto. For three months until the Shinto Directive was issued, the problem of the Grand Shrine of Ise and Yasukunij Shrine was very much discussed.

It seemed natural that Yasukuni Shrine should be much discussed, because it had been directly concerned with the war ; but as a matter of fact the problem of the Grand Shrine of Ise was discussed even more. At first Ise Shrine was not taken

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a. 皇学館 b. 国学院大学 c. 国体の本義 d. 臣民の道

seriously by General Headquarters, but it was by the Japanese concerned. This was a strong impression of mine. They thought that if the Grand Shrine was defended the problem of the other shrines would naturally be solved and, therefore, put it forward. Consequently, the Grand Shrine of Ise came to the front and attracted the attention of General Headquarters.

In the beginning, according to the explanation advanced on the Japanese side, the Grand Shrine was a mausoleum of the first ancestor of the Imperial Family, and because it was a mausoleum, there was no reason for closing it. There may be various explanations about the Shrine and this explanation surely expresses one aspect of its character. Therefore, I too explained the Grand Shrine to General Headquarters along this line,

However, midway the explanation was changed. I cannot tell the exact date because I have misplaced my diary, but anyway the Japanese explanation changed. The Shrine was said to be not simply a mausoleum. It was also a religious institution and they asked me to negotiate on this basis.

To speak frankly, I was not aware of how this change was brought about. Today, as Mr. Inuma is present, I think he will tell us of the circumstances. It was probably Dr. Naoichi Miyaji, Professor of Shinto of the Faculty of Literature, Tokyo University, who told me that it had been changed. An examination of the Grand Shrine's actual situation, especially its financial foundation, disclosed that it had been financially supported by its religious activities. Such religious activities as the distribution of the talisman (*taima*<sup>a</sup>) and the performance

a. 大麻



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of the sacred dances (*kagura*)<sup>a</sup> were important as its economic basis. Therefore, if religious activities had to be given up as a result of too much emphasis on the Shrine as a mausoleum, it was feared that the Shrine might cease to exist. I remember that I was asked to explain by all means the reason for maintaining the Shrine as a religious institution.

The conclusion finally reached by General Headquarters was that, if it was a religious institution, the Grand Shrine of Ise had to be separated from the state, and that, if separated, it would be allowed to continue to exist. This was in line with the Shinto Directive. It was from this viewpoint that the solution appears to have been made.

Another problem, which Dr. Bunce and others in General Headquarters were pondering, was the relationship between the Emperor and the Grand Shrine of Ise. The main line of thought was that his fundamental human rights also had to be recognized, and that he was entitled to enjoy religious freedom. Therefore, it would be a violation of his fundamental human rights if, because of his position as Emperor, he were not allowed to believe in the religion of his choice or to visit a shrine or temple where he wanted to worship. This freedom should be recognized as applicable even to the Emperor. Therefore, it was their idea that, he should be entirely free to visit the Grand Shrine of Ise, if he did so in his personal capacity. This line of thought fitted exactly with the spirit of the Shinto Directive.

Historically speaking, until the Meiji era the Emperor did not visit the Grand Shrine of Ise. In the Meiji era, for the

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first time, several Imperial visits were made. The General Headquarters authorities did not necessarily think that such a practice would be followed frequently thereafter. Therefore, although it was a very interesting problem in the field of theory, they did not seem to regard it as of very great importance, as if it were a very real problem. For this reason I don't know the conclusion. Such a problem took place in regard to the relationship between the Grand Shrine of Ise and the Emperor. This is the reason why I have mentioned it in addition to discussing the Shinto Directive.

### *Hon Tamon Maeda*

I was in office as Education Minister for only five months from August, 1945, to January, 1946. I remember that during this period I worked three times on matters related to religious freedom.

The first was after October 4, 1945, when a directive was suddenly issued by General Headquarters ordering abolition of the Religious Organizations Law. The memorandum referred only to abolition of the Law and did not touch the problem of what to do thereafter. I suppose that General Headquarters authorities did not think about this at that time. Therefore, we considered the best way to deal with the situation.

All shrines and temples possess property. There was no mention of how this should be handled. The concerned parties, as well as the authorities, were troubled by only the abolition. Consequently, as a result of negotiations with General Headquarters, the Religious Corporations Ordinance was enacted after abolition of the Religious Organizations Law. This legis-

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lation centered in the handling of the property of religious organizations.

There was not a little difficulty in regard to this. Opposition to the state or government touching religion was so strong it was not possible to make religion the subject of laws and ordinances. We explained how difficult the actual situation was and the Religious Corporations Ordinance was approved.

The second occasion was a voluntary act on my part that had nothing to do with Shinto directly. It was in relation to the problem of religious freedom, and I am telling you about it simply for your information. In October I revised the instructions of the Education Ministry issued in 1899, (Order No. 12, Ed.) This Order seems to have been based on the French policy regarding the separation of the "church" and state, and it seems to have been connected with the nationalistic ideas which were rising at that time.

The object of this Order was mainly Christian schools, and was intended to prohibit the performance of religious ceremonies even as extra-curricular activities. It prohibited the observance of religious ceremonies at private schools, even as an extra-curricular activity, not to speak of government or public schools which were carried on in accordance with the curriculum regulations of the Education Ministry.

I voluntarily revised this Order so that religious ceremonies and religious education might be conducted, if they were carried on as extra-curricular activities and provided that the schools distinctly stated that they belonged to such and such sects or denominations.

The third occasion was in connection with the directive

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which prohibited Shinto. As this was issued in the middle of December and I retired from office on January 12th, the handing of this matter was not made entirely clear.

In regard to the prohibition of State Shinto, however, I had had a previous intimation at the time of my assumption of office that this problem would inevitably arise. Especially after the abolition of the Religious Organizations Law, compulsory worship of school children at shrines, which hitherto had been practiced in Japan, could not be continued, so we had to take suitable measures. Speaking frankly regarding my attitude at that time, State Shinto, so-called, was too simple in its contents to be called a religion. It was, so to speak, a custom of the country. We had the idea that we could preserve this as a cult of the State even in a slight degree, somewhat like the religious ceremonies which are held at the opening session of the English Parliament or American Congress. Moreover, on the basis of the Japanese government policy that shrine functions are non-religious state ceremonies, we felt that Shinto would be allowed, if the compulsory elements, such as the enforcement of shrine worship, were removed.

I thought about this early in October and asked Professor Masaharu Anezaki (Tokyo Imperial University) regarding this; but according to Dr. Anezaki, State Shinto was regarded by the Occupation as nothing but a religion. In particular, its fanatical faith was regarded as the cause for the Pacific War. There was no hope of survival, because the Occupation firmly intended to lay the axe at the root of the evil, and we were almost prepared for it when the Directive of December was issued.

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I have mentioned only the outline of my experiences as I have no more material. Fortunately Mr. Fukuda, who was Chief of the Religious Affairs Section, is present today. I should like to hear Mr. Fukuda.

Note: Dr. Kishimoto's reference on p. 107 to the activities of Christian missionaries is not entirely clear, at least as far as Protestant missionaries are concerned. Except for a handful of Protestant women missionaries who remained during the war, there were no Protestant missionaries in Tokyo in the fall of 1945. The only possible exception was Dr. William Merrill Vories Hitotsuyanagi, founder of Omi Brotherhood, who was naturalized Japanese subject. Ed.