

Official Documents

*A Staff Study prepared by
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GENERAL HEADQUARTERS SUPREME COMMANDER FOR THE ALLIED POWERS

9 September 1949

MEMORANDUM FOR THE CHIEF OF STAFF

SUBJECT : Religion in Relation to the Public Schools of Japan

I. THE PROBLEM PRESENTED

To formulate a policy statement clarifying the extent to which matters concerning religions and religious institutions may be dealt with by the public schools of Japan.

II. FACTS BEARING ON THE PROBLEM

1. As a result of the leading role assigned State Shinto in conditioning the Japanese people for authoritarian government and wars of aggression, the Shinto Directive (SCAPIN 448) was issued on 15 December 1945 to eliminate governmental sponsorship, support, perpetuation, control and dissemination of State Shinto in Japan. It endeavored to separate religion and State by providing for the disestablishment of Shinto doctrines in any form and by any means in any educational institution supported wholly or in part by public funds. Shinto, purged of ultranationalistic elements, is permitted, however, as

a religion of individuals, *on the same basis as other religions*. A lesser known purpose of the Directive was to carry out the Occupation mandate to establish religious freedom by putting all religions, faiths and creeds upon exactly the same basis, entitled to precisely the same opportunities and protection (SCAPIN 448, paragraph 2a).

2. Elaborating upon the general prohibition eliminating Shinto from the public schools, the Shinto Directive called for the censorship of all teachers' manuals and textbooks then in use and for the deletion of all Shinto doctrine, prohibited the publication in the future of teachers' manuals and textbooks containing Shinto doctrine, prohibited teaching of Shinto doctrine, prohibited school-sponsored visits to Shinto shrines, called for the immediate removal of all godshelves (*kamidana*) and other physical symbols of Shinto, and prohibited discrimination against any teacher or student because of failure to profess and believe in or participate in any practice, rite, ceremony or observance of Shrine Shinto *or of any other religion*.

3. In addition, the Shinto Directive ordered the abolition of all public educational institutions having as their primary function either the investigation and dissemination of Shinto or the training of a Shinto priesthood and directed the diversion of their properties to other uses. Under this provision, the Shinto University (Jingū Kōgakkān) connected with the Ise Grand Shrine was dissolved. Private educational institutions for the investigation and dissemination of Shinto and for the training of a Shinto priesthood are specifically permitted by the Directive, provided they receive no support from public funds. The legal status of Shinto schools is exactly the same as that of schools of other religions.

4. Prior to the Occupation, education in religions other than State Shinto was prohibited by government order to all accredited schools. While the Education Ministry's order of 1899

forbidding religious instruction in all schools, public and private, was rescinded shortly after the Occupation began, the new constitution is definite and specific in its prohibition of religious instruction in the public schools.

a. Article 20 provides that "The State and its organs shall refrain from religious education or any religious activity," and that "no religious organization shall receive any privileges from the state."

b. Article 89 of the new constitution also prohibits state aid in the form of public money or other property expended or appropriated for the use, benefit, or maintenance of any religious institution or association.

5. The Local Autonomy Law, enacted by the Diet on 16 April 1947 as law No. 67, contains the following provision in Article 212: "Any of the property or establishments of an ordinary local public body shall not be appropriated for the use, benefit, or maintenance of any religious institution or association or for any charitable, educational, or benevolent enterprise not under the control of public authority."

6. The Fundamental Law of Education, passed by the Japanese Diet, 31 March 1947, contains in Article IX the following pertinent provision: "The attitude of religious tolerance and the position of religion in social life shall be valued in education. The schools established by the state and local public corporations shall refrain from religious education or other activities for a specified religion."

7. There is no legal restriction of any kind upon the teaching of religion in private schools, save for the ban on ultranationalism. Nevertheless, there is some need for making this clear to the Japanese, who have difficulty in making proper distinctions between schools supported from public funds and those privately supported.

8. It is clear that the Shinto Directive and the Japanese

Constitution prohibit the propagation of sectarian religion by public schools. But there is a very real need for solving the question of whether the public schools are also estopped from dealing with the historical and contemporary impact of religion upon man's political, economic, social and cultural development, as distinct from indoctrination in religion. No systematized interpretation of the Shinto Directive as it applies to religion and the public schools has yet been made. The result is that Japanese Government officials, teachers, textbook writers, religious leaders, and Civil Affairs personnel are confused and uncertain as to how to deal with historical facts associated with the inter-relationship of contemporary religious, cultural and social life. A natural tendency is to make interpretation unnecessarily restrictive and thus to deprive students of contact with materials essential to the implementation of a well-rounded curriculum.

9. Civil Affairs personnel, from the Chief, Eighth Army Civil Affairs down to Civil Education officers of Corps, Regions and Prefectural Civil Affairs Teams, have requested more precise interpretation of the sections of the Shinto Directive bearing on problems of religious education, school visitation to shrines and temples, use of school rooms by religious groups, and other related problems. Similar requests have come from all levels of Japanese Government officials and from religious leaders and private citizens. Being uncertain of what is permitted, the tendency is for principals and teachers to avoid mentioning religion altogether, thus doing violence to a well-rounded education. The overwhelming opinion is that present practices are too restrictive.

10. It appears that the only way the problem can be solved is to issue the necessary statement of policy as, first, a memorandum to the Japanese Government in which certain revisions of SCAPIN 448 are provided, and, second, a letter to the Commanding General, Eighth Army, in which somewhat de-

tailed application of the new directive is provided as the basis for guidance of Japanese educators and religious leaders. Civil Information and Education Section does not object to this procedure providing it remains clear that the basic purpose laid down in SCAPIN 448, that is, prohibition of indoctrination in State Shinto, remains unchanged. It is believed that the attached memorandum and letter are satisfactory in this respect, are consistent with the policy of relinquishing to the Japanese people an increasing measure of responsibility, and will be welcomed by the Japanese Government.

III. CONCLUSIONS

11. The following basic conclusions, which are believed to be in keeping with the Fundamental Law of Education and with the purpose of the Shinto Directive, derive from a close analysis of the problem and the facts presented :

a. The curriculum and official program of public schools may not be used to propagate sectarian religion.

b. Religious art, architecture and music, and data regarding religion and religious institutions may be included as curriculum materials to be considered objectively and on a non-discriminatory basis, but may not be included or used for purposes of indoctrination in religion. Such information is essential to a well-rounded education.

c. A distinction may be made between the status of students and teachers as citizens with freedom to participate in religious activities out of school hours and their status while in attendance or on duty during school hours. This is a distinction to which many Japanese are not accustomed and to which much attention should be given.

d. A distinction may be made between the religious leader as an ecclesiastical functionary who is forbidden to utilize the public schools as a forum for propagating particular religious concepts and as a citizen or teacher who may, within limita-

tions, be invited to speak or teach in the public schools on nonreligious subjects.

e. Trips to shrines and temples may be permitted under conditions which make possibility of religious indoctrination unlikely. There is widespread conviction that prohibition of all public school-sponsored trips to shrines and temples of architectural distinction or which contain important art objects will impoverish the artistic education of Japanese youth.

f. Public school properties may be used for religious purposes under certain conditions when schools are not in session providing a reasonable fee is paid for such use.

12. Issuance of the proposed memorandum to the Japanese Government will modify policy at those points which are now most uncertain and unsatisfactory. Issuance of the memorandum is necessary at this time in order to dispel the confusion regarding interpretation of SCAPIN 448 which is retarding the development of an integrated public school program. It is desirable that this statement should reaffirm and point up the basic principles of the Shinto Directive (SCAPIN 448), while allowing that degree of freedom essential to a reasonable school program.

13. Issuance of the letter to the Commanding General, Eighth Army, will help to answer certain questions which may be raised as to the intent of the proposed memorandum. The specific applications contained in the letter are in response to questions posed by Eighth Army and Civil Affairs officers, the Ministry of Education, religious leaders, public officials, private citizens and Japanese educators, and will help to clarify the problem of the proper relationship between public schools and religion. The specific applications are intended as guiding principles rather than as orders, and in their interpretation to the Japanese it is expected that care will be exercised by Civil Affairs in this regard. The best interest of the Occupation as well as those of the Japanese people will be served because

issuance of the policy statement will clear up uncertainty which is retarding progress in the educational field and will further the program of spiritual and intellectual reorientation which is such a necessary measure in the long-range plan of building a democratic Japan.

IV. RECOMMENDATIONS

14. It is recommended that: (a) draft memorandum to Japanese Government, (SCAPIN_____) be approved; (b) draft letter to Commanding General, Eighth Army, be approved.

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Note: This recommendation was not accepted. The matter was handled informally by the Religions and Cultural Resources Division and the Ministry of Education issued a policy statement on October 25, 1949, which embodied the principles stated in paragraph 10 on pp. 97 to 100.