

# RELIGIOUS FREEDOM UNDER THE MEIJI CONSTITUTION

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## **Introduction**

### **Current Controversies on Religious Freedom in Japan**

During the past few years Japanese newspapers and weekly journals have frequently published articles alleging that a breach has been made in the postwar wall of separation between church and state and implying that religious freedom is threatened. The issue is being vitalized by two movements, which hold opposing views of the present government's policy vis-à-vis Shinto. On the one hand there is a movement for the revival of state support of Shinto which is promoted by a number of members of the Diet,<sup>1</sup> the National Association of Shinto Shrines (*Jinja*

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1. The promoters include Members of the House, Kaya Okinori and Nakasone Yasuhiro, who holds defence ministership, and Councilmen, Murakami Isamu and Aoki Kazuo, who each prepared drafts of the Yasukuni Shrine Bill. As of April 1968, the Liberal Democratic Party instituted a Sub-Committee concerning the Yasukuni Shrine Law (Yasukuni Jinja Hō ni kansuru Shō Iinkai) in its Constitution Investigation Committee (Kempō Chōsa Kai). Chairman of the sub-committee is Inaba Osamu, who is the chairman of the Constitution Investigation Committee. *Shin Shūkyō Shimbun* (April 20, 1968), p. 1.

*Honchō*),<sup>2</sup> and the Bereaved Families Association of Japan (*Nihon Izoku Kai*).<sup>3</sup> On the other hand there is a movement opposed to the state support of Shinto, which is led by the Union of the New Religious Organizations of Japan (*Shin Shū Ren*)<sup>4</sup> and the United Church of Christ in Japan (*Nihon Kirisuto Kyōdan*).<sup>5</sup>

The official position of the present government of Japan is one of opposition to the prewar government's policy in respect to Shinto. It is not that the pre-occupation government denied the principle of religious freedom and the separation of church and state. Rather it maintained that Shinto is not a religion but an expression of national morality, and that, therefore, financial and administrative support of Shinto by the government was compatible with the principle of religious freedom.

Prior to Japan's surrender in August 1945, the government's

2. A comprehensive religious association incorporated under the Religious Juridical Persons Law (Shūkyō Hōjin Hō, 1951) with the participation of about 90 per cent of Shinto shrines in the nation. Its history is covered in *Jinja Honchō*, ed., *Jinja honchō jūgo nen shi* (Tokyo, 1961).
3. A foundational juridical person incorporated in 1952. Its headquarters building, which used to be the Military Club, is government property and is leased to it free of charge by a special enactment. Its major functions include pressure group activities for the maintenance and increase of the veterans' and the bereaved families' pensions and the management of tours to visit the Yasukuni Shrine on nationwide basis. The association edited its history in *Nihon izokukai jūgo nen shi* (Tokyo, 1964).
4. The union is composed of about 100 new religious organizations. Its leading constituent members are the P. L. Kyōdan and the Risshō Kōsei Kai. The objectives of the union are: cooperation among religions, religious freedom, separation of church and state, and religion for every citizen. *Shin Shūkyō Shimbun* (October 20, 1967), p. 1.
5. This federation was a product of pressures exerted by government officials in connection with the implementation of the Religious Organizations Law (Shūkyō Dantai Hō, 1939). Most of its leading churches are of the Congregational, Methodist, and Presbyterian-Reformed tradition.

position regarding Shinto was not openly challenged by any Japanese scholar, but several Western scholars cast serious doubts on the wisdom of the state support of Shinto. The earliest of the latter was Basil Hall Chamberlain who in 1912 criticized the Japanese government for molding religions into a new state religion.<sup>6</sup> A quarter century later Daniel Clarence Holtom found Shinto to be a primitive and communal form of religion and defined it as the state religion, the Emperor cult of modern Japan. At the same time he argued that the principle of religious freedom was inseparable from the values of universalism and individualism and was, therefore, in basic conflict with the establishment of the communal and particularistic Shinto religion.<sup>7</sup> Miner Searle Bates, writing in the mid-forties, claimed that religious freedom was gravely hampered in Japan. He based his position upon the observation that the Imperial Rescript on Education had been made a canon of the state religion, that the public school system was its church, and that the Japanese people had been forced to forsake their critical judgment relative to religious matters.<sup>8</sup> The theories of these writers were apparently generally accepted by the officials of the Allied Powers in connection with their mission to demilitarize and democratize Japan. These theories, therefore, influenced the United States government in formulating the occupation's policies in respect to

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6. Basil Hall Chamberlain, *The Invention of a New Religion* (London, 1912), pp. 1-13.

7. Daniel Clarence Holtom, "The Political Philosophy of Modern Shinto," *Transactions of the Asiatic Society of Japan*, 2nd series, XLIX-2 (Tokyo, 1922), pp. 299-300; *Modern Japan and Shinto Nationalism* (Revised edition, third impression, New York, 1963; originally, Chicago, 1943), pp. 1-5, 122.

8. M. Searle Bates, *Religious Liberty: An Inquiry* (New York, 1945), pp. 49-52.

Shinto and other religions.<sup>9</sup>

The Shinto Directive issued by the Supreme Commander for the Allied Powers on December 15, 1945, established the new pattern of church-state relations. The directive noted that in State Shinto there was "direct or indirect compulsion to believe or profess to believe in a religion or cult officially designated by the state, ... compulsory financial support of an ideology which has contributed to their war guilt, defeat, suffering, privation, and present deplorable condition," and "the perversion of Shinto theory and beliefs into militaristic and

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9. The democratization policy, based on the Potsdam declaration, was drafted into policy statements by the State War Navy Coordinating Committee of Washington and implemented by the Supreme Commander for the Allied Powers of Tokyo. Questions relative to religious democratization are extensively discussed in a forthcoming book by William P. Woodard.

Similarity between the characterization of Shinto by D. C. Holtom ("Shinto in the Postwar World," *Far Eastern Survey*, XIV-3, February 1945, pp. 32-33) and the itemized accusation of Shinto by the Shinto Directive suggests the close intellectual relation between the Baptist missionary scholar and the occupation officials. In addition, Holtom's September 22, 1945, recommendations "covering specific policies that should be adopted by the military government of the United States of America towards National Shinto in the Japanese schools" include such items as "the elimination of mythological and unhistorical materials from textbooks, ... the abolition of the requirement of the Department of Education that school children and others visit the shrines and make obeisance before altars of gods, ... and the abolition of the Bureau of Shrines in the Department of Home Affairs" (William P. Woodard, "The Allied Occupation and Japanese Religions, 1945-1952," Unpublished MS, pp. 794-799). All of these items are found in the Shinto Directive, although the difference between this memorandum and the Shinto Directive is not negligible.

It is also to be noted that Kishimoto Hideo, late chairman of the religious studies department of the University of Tokyo and a liaison man during the occupation testifies that William Kenneth Bunce, who was head of the Religions Division Civil Information and Education Section and who wrote the Shinto Directive, read and had been influenced by the understanding of Shinto and the religious situation of D.C. Holtom. (Kishimoto Hideo, "Arashi no naka no jinja shintō," Shin Shū Ren, ed., *Sengo shūkyō kaisō roku*, Tokyo, 1963, p. 107.)

ultranationalistic propaganda designed to delude the Japanese people and lead them into wars of aggression.” The directive, therefore, prohibited the “sponsorship, support, perpetuation, control, and dissemination of Shinto by the Japanese national prefectural, and local governments, or by public officials, subordinates, and employees acting in their official capacity.” It permitted the survival of Shinto only insofar as it constituted the religion or philosophy of the Japanese people.<sup>10</sup>

The Government Section of the General Headquarters of the Supreme Commander further clarified this new policy in the new supreme law of the Japanese state.<sup>11</sup> In place of the Meiji Constitution’s provision on religious freedom which stated :

10. General Headquarters Supreme Commander for the Allied Powers. AG 000.3 (15 Dec. 1945). Reprinted in *Contemporary Religions in Japan*, VII-4 (December 1966), pp. 354-360.
11. The establishment of religious freedom was a commitment of the United Nations. The U. S. government’s Inter-Divisional Area Committee on the Far East examined the problem relative to the implementation of religious freedom in postwar Japan and drafted a memorandum as of March 15, 1944. The memorandum, drafted by E. R. Dickover, A. Moffat, and E. H. Dooman, recommends the proclamation of freedom of religious worship and the interdiction of ceremonies or gatherings which involve demonstrations or large crowds at the strictly nationalist shrines (SWINCC Memorandum on Freedom of Worship, PWC-115, CAC-117, March 15, 1944; copy of this document was provided by Dr. William P. Woodard).

This document clarifies that the American government, prior to Japan’s surrender, was committed to the establishment of religious freedom in Japan, distinguished Shinto as a religion from the cult of nationalism under the cloak of Shinto, and extended freedom to Shinto as a religion while planning the extinction of the cult. Whereas close cooperation among Washington, Government Section, and Civil Information and Education Section is not evidenced, it is possible to argue that, theoretically, the document’s former recommendation as a principle was incorporated into the new Constitution and its latter recommendation as a means toward the preparation of the former was implemented by the Shinto Directive.

## Religious Freedom under the Meiji Constitution

(Article 28) Japanese subjects shall, within limits not prejudicial to peace and order, and not antagonistic to their duties as subjects, enjoy the freedom of religious belief.<sup>12</sup>

the new Constitution reads as follows:

(Article 20) Freedom of religion is guaranteed to all. No religious organization shall receive any privileges from the State, nor exercise any political authority.

No person shall be compelled to take part in any religious act, celebration, rite or practice.

The State and its organs shall refrain from religious education or any other religious activity.

(Article 89) No public money or other property shall be expended or appropriated for the use, benefit or maintenance of any religious institution or association, or for any charitable, educational or benevolent enterprises not under the control of public authority.<sup>13</sup>

The occupation authorities thus enforced a very positive separation of church and state as a guarantee of religious freedom.

The Japanese government at the time was subordinate to the Supreme Commander for the Allied Powers and, therefore, in conformity with the directive and the new Constitution, terminated its sponsorship of all shrines, including the Grand Shrine of Ise and Yasukuni Shrine, and prohibited the shrine worship by government officials acting in their official capacity and school-sponsored worship by pupils at Shinto shrines.<sup>14</sup> Consequently

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12. George M. Beckmann, *The Making of the Meiji Constitution* (Lawrence, 1957), p. 152.

13. George M. Beckmann, *The Modernization of China and Japan* (New York, 1962), pp. 676, 682.

14. Substantiating Article 20 and Article 89 of the new Constitution, the Fundamental Law of Education in its Article 9 Section 2 stipulated, "Schools established by the state or local public authorities shall not conduct religious education based on the tenet of some special religions." English translation of the text is in Supreme Commander for the Allied Powers Government Section, *Political Reorientation of Japan September 1945 to September 1948* (Washington, D. C., 1949), p. 865.

the government authorities have maintained a policy of complete separation of Shinto and the state.

As soon as the new system was enforced, many of those who were in favor of the old arrangement expressed their disapproval very forcibly. Their dissatisfaction was threefold. In the first place, under the new system Yasukuni Shrine is a private institution even though it is dedicated to the veneration of the spirits of all the war dead of the country. In the second place, the Grand Shrine of Ise is legally on equal terms with other religious organizations in spite of its traditional relationship with the Imperial Family and of its having been an organ of the state. In the third place, the shrines have lost their former favored position and in the eyes of the law are now on a basis of equality with all other religions and as a result the traditional commitment of the people which is symbolized in their participation in the rituals of Shinto will be destroyed and the foundation of national morality weakened.

Almost simultaneously with the termination of the occupation in the spring of 1952 those who were dissatisfied with what had happened, who may thus rightly be called the National Morality Group, set in motion a movement to oppose the occupation-sponsored separation of Shinto from the state and to restore the prewar system. That same year the fourth national assembly of the Bereaved Families Association of Japan adopted a resolution calling for state support of Yasukuni Shrine, and since then the association has carried on an active study of the problem in cooperation with the officers and priests of the shrine. In February, 1964, the association published its tentative conclusions in a pamphlet entitled *Proposed Outline of the*

*State Support of the Yasukuni Shrine* (Yasukuni jinja kokka goji yōkō).<sup>15</sup> In addition it succeeded in creating a Conference of the Friends of the Bereaved Families (Ikazoku Giin Kyōgikai), composed of 285 Liberal Democrats in the Diet,<sup>16</sup> which in turn organized a drafting committee that drew up a Yasukuni Shrine Bill fundamentally identical with the association's recommendations of June, 1967. This bill, which has since been revised several times and has repeatedly but unsuccessfully been presented to the Diet by the conservatives, proposes giving the shrine status as a state institution and appropriating state funds for its maintenance.<sup>17</sup>

The drafters contend that state support for Yasukuni Shrine is appropriate because of the shrine's origin, as well as because of the traditional popular sentiment connected with it. They insist that support of Yasukuni Shrine is the state's moral responsibility to the war dead and a retributory obligation to the bereaved.<sup>18</sup> It is to be noted, however, that in advocating state support, the sponsors of this proposal have attempted to avoid any conflict with the constitutional principle of religious freedom by advocating the separation of church and state on the one hand and by claiming that Yasukuni Shrine is in a category different from religion on the other.<sup>19</sup>

15. Nihon Izoku Kai, *Yasukuni jinja kokka goji yōkō* (Tokyo, 1964).

16. Tomura Masahiro, "Yasukuni jinja kokka goji mondai to kirisutosha no sekinin," *Fukuin to sekai*, Special Issue (May 1968), p. 30.

17. Iizaka Yoshiaki, "Shinkyō no jiyū to yasukuni jinja mondai," *Fukuin to sekai*, Special Issue (May 1968), pp. 1-5.

18. Personal opinion of Inaba Osamu, chairman of the Constitution Investigation Committee of the Liberal Democratic Party. Reprinted in *Shin shūkyō shimbun* (April 20, 1968), p. 1.

19. Ikeda Ryōsaku, vice chief of the Yasukuni Shrine, states: "Religion as used



The treatment of the Grand Shrine of Ise, in the meantime, has been made a live issue by the Association of Shinto Shrines which argues in favor of a special status for the Grand Shrine in view of its special relation to the institution of the Emperor. In September, 1957, a committee of the association submitted a petition to the Minister of Education requesting official assurance of the inseparable relation between the institution of the Emperor and the Grand Shrine of Ise.<sup>20</sup> At the time this petition was ignored by the government, but by January, 1958, the leaders of the association succeeded in bringing about within the Liberal Democratic Party an organization for the promotion of this movement. Then, in November of that year, the official board of the Grand Shrine of Ise studied the possibilities of its receiving state support, and on March, 28, 1959, announced a plan to revise the legal status of the Grand Shrine of Ise. The plan consists of two items. One is to nationalize those institutions of the Grand Shrine which are needed by the Emperor for the performance of ceremonies he conducts in his public capacity. The other is to obtain from the government official recognition of the fact that his Majesty's performance of the ceremonies is an official function of the state.<sup>21</sup> In order to push these proposals Representative

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in the constitutional guarantee of religious freedom implies only such religion as is made the means of individual worship in the individual life. The Yasukuni Shrine differs from such a 'religion.' It possesses a special position grounded upon historical practices and attached with the national sentiment." Kujō Yasuke, "Yasukuni jinja kokka goji o meguru ronsō," *Keizai Ōrai* (November 1967), p. 267.

20. Jinja Honchō, *Jingū to kōi to, seifu no kōshiki kenkai hyōmei made* (Tokyo, 1960), pp. 4-5.
21. Satō Naotake, "Jingū seido kaisei yōkō shian," in Jinja Honchō, *Ise jingū no seido kaisei ni tsuite* (Tokyo, 1959), pp. 1-2.

Hamaji Bumpei, with the support of the Liberal Democratic Party's committee, submitted October 1960 an inquiry to the Prime Minister concerning the government's interpretation of the relationship between the Emperor and the Grand Shrine of Ise. In response the late Prime Minister Ikeda Hayato gave assurance that the government realized the special status of the Grand Shrine of Ise and acknowledged its special position in relation to the Imperial Family.<sup>22</sup> At this point the Association of Shinto Shrines published a pamphlet in which the organization's executive secretary, Tomioka Morihiko, observed that this was a small but definite victory clarifying the official relation between the government and the Grand Shrine of Ise.<sup>23</sup>

The movement for revival of state support of a few special Shinto shrines has formed a part of the sweeping movement for the revival of devotional nationalism. The most influential members of the Liberal Democratic Party, including Prime Minister Satō Eisaku, ex-Minister of Education Araki Masuo, Minister of Agriculture Kuraishi Tadao, Minister of Education Nadao Hirokichi, and ex-Minister of Finance Kaya Okinori, are among the leaders of this movement. Satō repeatedly claimed the necessity of a national consensus as the basis for strengthening Japan's position in international relations. Araki has promoted the revival of a centralized and controlled system of education while denouncing liberal educators for their lack of patriotism.<sup>24</sup>

22. Jinja Shimpōsha Seikyō Kenkyūshitsu, ed., *Jingū to kempō* (Tokyo, 1963), pp. 114-118.

23. Jinja Honchō, *Jingū to kōi to, seifu no kōshiki kenkai hyōmei made* (Tokyo, 1960), fly-leaf.

24. Kigensetsu Mondai Renraku Kaigi, ed. *Sensō jumbi no shisō kōsei o hihan suru, 1968-2-11 no kiroku* (Tokyo, 1968), p. 2.

Kuraishi explicitly urges the revision of the Constitution so that Japan can re-establish its regular army equipped with nuclear weapons. Nadao asserts that elementary schools must endeavor to inculcate in the minds of the young pupils a fighting spirit for national self-defence.<sup>25</sup> Kaya, who assumed the finance ministership both before and after the occupation under the Tōjō and the Kishi cabinets, heads the Bereaved Families Association of Japan and links the ultra-rightist movements with party politics.<sup>26</sup> Such a reactionary atmosphere among influential politicians has brought about the revival of February 11 as National Origins Day, a national holiday commemorating the alleged date of the mythical Emperor Jimmu's accession to the throne, and made possible the observance of the Meiji Centenary festivities much as was done in 1940 in connection with the alleged 2600th anniversary of the founding of the country. These projects are indicative of the conservatives' intention to revive in the minds of the people a Shintoistic commitment as the foundation of national morality. The movement for the revival of state support of Shinto and the reinstatement of a Shintoistic commitment to the national consciousness are thus steadily growing.

The growth of this revival movement in turn has invited strong opposition. Historians attacked the revival of the National Origins Day and the promotion of the Meiji Centenary festivities as a menace to a democratic and peaceful Japan. Mikasano-miya Takahito, a historian and younger brother of the Emperor, cautioned against the danger of such projects because of their

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25. *Shin shūkyō shimbun* (February 20, 1968), p. 2

26. *Shin shūkyō shimbun* (May 5, 1968), p. 2.

possible misuse for the promotion of ultra-nationalistic propaganda.<sup>27</sup> The leaders of Christianity and “new religions” strenuously oppose the revival of the state support of Shinto on the ground that it orients itself in the direction of undermining religious freedom and coercion in connection with the observance of Shinto rites. Kuwata Shuen, President of Tokyo Union Theological Seminary, has warned that the movement for the state support of the Grand Shrine of Ise involves a regression from religious freedom to the nominal prewar arrangement. He has urged that Christians protest this movement.<sup>28</sup> The board of directors of the Union of New Religions Organizations of Japan unanimously resolved on April 24, 1968, that the complete separation of Shinto and the state was the only guarantee of religious freedom. This was in view of the oppression the “new religions” experienced in prewar Japan on account of their alleged violation of the peace and order of society and the fact that their non-conformity to Shinto practices was used as a pretext for their suppression.<sup>29</sup> These men identify government support of Shinto with the infringement of religious freedom.

These convictions resulted in an active and persistent campaign against the revival of National Origins Day. A list of the organizations that participated in that campaign in 1968 includes the Association of History Educators (Rekishī Kyōiku-sha Kyōgikai), the General Council of Trade Unions (Nihon

27. Mikasanomiya Takahito, ed., *Nihon no akebono* (Tokyo, 1960), pp. 3-5, 281-286.

28. Kuwata Shūen, “Shūkyō no jiyū no ichi,” in Nihon Kirisuto Kyōdan Senkyō Kenkyūsho, ed., *Kon'nichi no jinja mondai* (Tokyo, 1959), p. 3.

29. *Shin shūkyō shimbun* (May 5, 1968), p. 1.

Rōdō Kumiai Sōhyōgikai, better known as Sōhyō), the Japan Teachers' Union (Nihon Kyōshokuin Kumiai, better known as Nikkyōso), and the United Church of Christ in Japan.<sup>30</sup> They organized campaigns against the restoration of February 11 as the National Origins Day as one of the expressions of their refusal to have the symbol of traditionalist and integrationist ideology imposed upon them by the government. This implies that those who have been organized to support liberal or radical platforms are opposed to the conservative establishment's attempt to strengthen devotional nationalism by reviving an official sanction of the Shintoistic civil religion.

Meanwhile, the United Church of Christ in Japan and the Union of New Religious Organizations of Japan have concentrated their efforts in the movement against the revival of state support of Shinto. The Union of New Religious Organizations of Japan has held study meetings for the teachers of the "new religions," published books and pamphlets on the subject, and sent their spokesman to the House of Councilors.<sup>31</sup> The United Church of Christ in Japan has also conducted pamphleteering mass meetings and demonstrations, and signature movements against the revival of State Shinto.<sup>32</sup> In addition these

30. Kigensetsu Mondai Renraku Kaigi, ed., *Sensō jumbi no shisō kōsei o hihan suru*, 1968-2-11 no kiroku (Tokyo, 1968), pp. 35-60. The Union of the New Religious Organizations of Japan did not join the anti-National Origins Day campaigns but sent sympathetic messages to the meetings of the Christians. *Shin shūkyō shimbun* (February 20, 1968), p. 1.

31. Such activities include the publication of: *Shin shūkyō shimbun*, bi-monthly since 1952, Shin Shū Ren, ed., *Sengo shūkyō kaisōroku* (Tokyo, 1963), Shimizu Masato, ed., *Kon'nichi no shūkyō* (Tokyo, 1967), and Shin Shū Ren, ed., *Yasukuni jinja mondai ni kansuru watakushitachi no iken* (Tokyo, 1969).

32. These activities are reported in Nihon Kirisuto Kyōdan, ed., *Kon'nichi no jinja mondai* (Tokyo, 1959) and Kigensetsu Mondai Renraku Kaigi, ed., *Sensō jumbi no shisō kōsei o hihan suru*, 1968-2-11 no kiroku (Tokyo, 1968).

movements against the revival of State Shinto are reciprocally strengthened by the anti-totalitarian sentiment widely held by the intellectuals at large who remember the state's enforcement of its Shintoistic cult which led to the suppression of their freedom of thought and expression in the 1930's and early 1940's.

These opposing movements were instrumental in the rise of academic arguments on the quality of religious freedom under the Meiji Constitution.

The opposing academic arguments cross at the evaluation whether or not the institution under the Meiji Constitution which permitted the state support of Shinto truly and substantially guaranteed religious freedom, first because recent studies of religious freedom under the Meiji Constitution correspond to the movements for and against the revival of state support of Shinto, and secondly because neither positions attempt to revise the firmly established principle of religious freedom and the separation of church and state in the new Constitution.

There are a few scholars who content that religious freedom was well guaranteed by the arrangement of the Meiji Constitution and support the demand for the revival of a special relation of Shinto with the state. The best known of these is Ōishi Yoshio, professor of constitutional law at Kyoto University.

Ōishi maintains that the unquestioned veneration of the Emperor and Shinto worship have been the Japanese way of life and that the peace and order of the Japanese nation have been dependent on due respect being paid to the Emperor and Shinto shrines. Respect for the Emperor and Shinto worship, consequently, have been and should be the civil duty

of all Japanese, and the control of such religious practices as contradict this duty of citizens is an administrative function of the civil government and does not concern religious freedom. According to Ōishi, most alleged instances of the infringement of religious freedom cited by opponents of the revival of the prewar status of Shinto can be explained as a confusion of civil and religious affairs. The civil government's control of peace and order being a sovereign right of the nation, Japan has that right even under today's Constitution. Ōishi concludes that the Meiji Constitution's provisions guaranteed religious freedom as fully as the recent Constitution.<sup>33</sup>

This view takes the Meiji Constitution's guarantee of religious freedom at its face value. It accepts in its fundamental philosophy the idea that the individual is subordinate to the state. In other words, its main objective is to postulate the superiority of the national identity over the rights of the individual and to establish the constitutional legitimacy of the state's function to limit the freedom of individual citizens. This point of view, thus, leads to subject human rights to the discretion of the state authorities. This argument, therefore, does not deserve serious consideration as an argument for the existence or non-existence of religious freedom under the Meiji Constitution.

Almost all eminent scholars, on the other hand, observe that religious freedom was insufficiently guaranteed by the Meiji Constitution and subscribe to the movement that opposes to

33. Ōishi Yoshio, "Jingū to kokka," *Jinja Shimpōsha Seikyō Kenkyūshitsu*, ed., *Jingū to kempō* (Tokyo, 1963), pp. 1-11; "Religion, the State and the Constitution," International Institute for the Study of Religions, ed., *Religion and the State in Japan* (Tokyo, 1959), pp. 21-40.

restore Shinto to the *status quo ante bellum*. The list of such scholars would include Tanaka Jirō, formerly Dean of the Faculty of Law at Tokyo University and currently Associate Justice of Japan's Supreme Court; Takagi Hiroo, professor of sociology of religion at Tōyō University; Iizaka Yoshiaki, professor of political science at Gakushūin University and an active member of the Mission Research Institute of the United Church of Christ in Japan; Aizawa Hisashi, professor of constitutional law at the Jesuit Sophia University; Murakami Shigeyoshi, professor of history of religions at the Buddhist Ryūkoku University; and Miyazawa Toshiyoshi, Dean of the Faculty of Law at the Anglican-Episcopal Saint Paul's University.

This group argues that the guarantee of religious freedom under the Meiji Constitution was not only seriously restricted but practically nullified because Article 28 stipulated that religious freedom could be enjoyed by the people only within limits not prejudicial to peace and order and not antagonistic to their duties as subjects, and because the government provided Shinto with special administrative treatment that resulted in its transformation into an official cult which was in effect a state religion. They explain that the restrictive clause in Article 28 permitted the police to interfere with religions independently of any legislative body or court by simply deciding that a religious practice was "prejudicial to peace and order or antagonistic to the duties of subjects." They believe that this expression conferred on the police absolute authority to control religious bodies, their leaders, and their followers. In addition the arbitrary claim that "Shinto is not a religion" enabled civil authorities to force the observance of certain Shinto practices,



including compulsory worship at Shinto shrines, without their being accused of violating the constitutional guarantee of religious freedom. They maintain that the Shinto-is-not-a-religion viewpoint provided justification for the further assertion that shrine worship and the acceptance of Shinto tenets were the duties of subjects and necessary to the maintenance of peace and order. Thus, they say that this point of view gave the authorities a rationale to brush aside the claims of a universal religion like Christianity and to oppress its churches and leaders on the ground that its teachings conflicted with the particularistic communal claims of Shinto. They conclude that while the Meiji Constitution paid lip service to the principle of religious freedom, it served in reality to establish a religious commitment to the state and did not protect religious freedom. This was due to the fact that the makers of the Meiji Constitution were not seriously concerned with the guarantee of civil rights, including the principle of religious freedom, so that it was so written that the authorities could freely manipulate it according to the convenience of the administration.<sup>34</sup>

The observations of the scholars who deny the existence of religious freedom under the Meiji Constitution point to a clear and substantial image of the ideal form of religious freedom and

34. Tanaka Jirō, "Religion and the State under the Meiji and the Present Constitutions," International Institute for the Study of Religions, ed., *Religion and the State in Japan* (Tokyo, 1959), pp. 59-95; Iizaka Yoshiaki, "Shinkyō no jiyū to wa nanika, seijigaku no tachiba kara," Shimizu Masato, ed., *Kon'nichi no shūkyō* (Tokyo, 1967), pp. 219-249; Takagi Hiroo, "Shūkyō hō," Ukai Nobushige, et. al., eds., *Nihon kindaihō hattatsushi*, VII (Tokyo, 1959), pp. 1-35; Aizawa Hisashi, *Gendai kokka ni okeru shūkyō to seiji* (Tokyo, 1966), pp. 180-184, 221-250; Miyazawa Toshiyoshi, *Kempō*, II (Tokyo, 1959), p. 348.

to the deficiencies of the Meiji Constitution in this regard. They successfully explain the undermining of religious freedom in the second quarter of the twentieth century. Their schematization of the contrast between the pre-occupation and post-occupation state of religious freedom is much more convincing than the discussions of their opponents.

Their arguments, however, contain several serious defects. First, due to the fact that for centuries before its forced separation from Buddhism in the early Meiji era Shinto had seldom existed as an independent entity, that the movement for the establishment of Shinto as a state religion failed miserably in the early Meiji era, and that the position of Shinto in its relation to the state did not remain static throughout the past century; the idea of treating State Shinto as a fixed category cannot avoid serious contradictions when applied to different situations. Secondly, in an overemphasis on and the generalization of the defect of the Shinto-is-not-a-religion position, they commit the error of confusing historical consequences. While the Meiji Constitution was deliberated throughout the 1880's and promulgated in 1889, the government's position on this question was not made explicit until the beginning of the twentieth century. It was not until 1900 that the government started administratively to distinguish Shinto from other religions and it was as late as 1913 that the government clearly separated the office responsible for Shinto from the office responsible for religious affairs.<sup>35</sup> Thus the primary basis of the Shinto-is-not-a-religion argument

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35. Imperial Ordinance No. 136, 1900; Imperial Ordinance No. 163, 1900; Imperial Ordinance No. 173, 1913. For the English translation of relevant sections, see Wilhelmus H. M. Creemers, *Shrine Shinto after World War II* (Leiden, 1968), pp. 215-216.

was non-existent at the time of drafting the Meiji Constitution, and the argument that the Meiji Constitution was intent upon placing the administration of Shinto above the guarantee of religious freedom fails to stand. Identifying the Meiji Constitution and State Shinto generally as the cause of the undermining of religious freedom, therefore, is misleading.

The inaccuracies involved in the popularly accepted theories of religious freedom under the Meiji Constitution are derived primarily from their being antithetic to an historical approach to the problem. The vicissitudes of the concept and practice of religious freedom in the making and operation of the Meiji Constitution have seldom been presented historically.

It is, therefore, the explicit purpose of this thesis historically and contemporaneously to examine the religious freedom issues during the past century with the hope that it might correct the inaccuracies involved in the popularly accepted theories of religious freedom under the Meiji Constitution. However, because the volume of available material varies to such a degree as to prohibit tracing the continuous development of the concept, and because an intensive examination of a few key elements serves the purpose of examining the accepted theories, the following cases relating to the introduction of the principle of religious freedom and its subsequent disintegration have been selected for detailed examination:

1. The influence of the Western powers in the formation of a policy of tolerance toward Christianity in the late Tokugawa and early Meiji eras.
2. The movement to establish Shinto as a state religion and its impact upon Buddhism in the early Meiji era.

3. The approaches to the idea of religious freedom in the making of the Meiji Constitution.
4. The opposition to the idea of religious freedom as expressed in the drafting and promulgation of the Imperial Rescript on Education.
5. The religious freedom disputes caused by the Yamagata religion bill.
6. The religious freedom disputes caused by the Okada religion bill.
7. The failure of the judiciary and the disintegration of the principle of religious freedom.

## I

### **Religious Freedom in the Bakumatsu and the Early Meiji Eras**

The early Meiji government sought its spiritual foundation in the Imperial theocracy. The leaders of the new regime promoted it by accepting the doctrine of the Hirata school of national learning which explained that Imperial theocracy was the legitimate system of government, where the Emperor worshipped the indigenous gods as the head of the state, and as the descendant of the Imperial Ancestors ruled the subjects according to His divine will, and where the subjects should reverence the Emperor and unconditionally obey His guidance. The doctrine of the Hirata school fit the need of the restoration leaders who were in urgent need of a spiritual symbol around which they would develop the unity of the new nation, at a time when

they just succeeded in overthrowing the Tokugawa Shogunate and started to build a new body politic. This policy of the Imperial theocracy as outlined by the Hirata school was confirmed by the promulgation of the Imperial Rescript on the Unity of Government and Religion and the institution of the Grand Council of Shinto on April 5, 1968.<sup>1</sup>

This fundamental policy, in its negative aspect, developed the programs of prohibiting Christianity, which was inherited from the Shogunate and was intended to exhibit the new government's power and nationalism, and of damaging Buddhism for the enhancement of Shintoistic doctrines. In the exercise of these programs was reflected the restoration leaders' assumption that religion was something that the governmental authorities should grant people as an expedient for a peaceful government. This assumption refused to acknowledge people's autonomy in religious belief and categorically contradicted the concept and practice of religious freedom.

These programs, however, failed in a few years, and the failure of these programs led the restoration leaders to reflect upon their basic assumptions regarding religious matters and to decide on repealing them. Therefore the repeal of these programs—the prohibition of Christianity and the enforcement of Shintoistic indoctrination at the expense of Buddhism—meant the forfeiture of a concept contradictory to religious freedom. This process precedes the formation of a more modern policy of religious freedom under the Meiji Constitution. Consequently, an enumeration of the points of that change is necessary. This involves

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1. Kishimoto and Wakimoto, "Introduction," pp. 27-28; "Meiji," pp. 37-45. (For the full titles of quoted literature see the Bibliography at the end of this thesis.)

details of the growth of religious toleration in response to the foreign pressure against the persecution of the native Christians including the background material of the Bakumatsu period, and includes the process of the release of the Buddhists from the government-sponsored movement of propagandizing the Shintoistic faith.

The prohibition and persecution of Christianity in Japan had a long history. Christianity, which had enjoyed freedom upon its arrival in Japan in 1549 and gained a considerable number of converts during the latter half of the sixteenth century, was prohibited for the first time in September, 1591, by Toyotomi Hideyoshi, who by then had established his suzerainty over almost all of the feudal lords of Japan. He saw clearly that the essence of Christianity did not conform to the syncretism of traditional religions and that its prosperity would necessarily bring about a decay of traditional religions. Hideyoshi saw to it that his order was rigorously executed, by having twenty-six foreign and native Christians crucified at Nagasaki on February 5, 1597.<sup>2</sup>

When Tokugawa Ieyasu seized the the position of the suzerain upon the death of Hideyoshi, he, following Hideyoshi's precedence, issued an act prohibiting Christianity and destroying Christian cathedrals in the Shogunate territory on March 21, 1612, and had all Christians arrested during the following year. In May, 1613, in order to confirm that there should be no Christians in the nation, Ieyasu forced citizens to become members of a Buddhist temple and each temple to keep a complete register

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2. Urakawa, I., pp. 19-22, 29-30.

of its members. The measures to prohibit Christianity were intensified by the successors of Ieyasu. In 1626, the system of trampling on Christian images was devised by the governor of Nagasaki, Mizuno Kawachi-no-kami, in order to confirm those who apostatized from Christianity and, after 1643, to discover hidden Christians.<sup>3</sup> In March, 1633, Hidetada banned travel abroad and forbade those who were abroad to return, in order to sever Japan from possible infection abroad.<sup>4</sup> In the same year he also had a notification posted all over the nation which stipulated that the Shogunate would grant a cash award to any informant of a Christian. The Shogunate became even more rigorous in persecuting Christians after the Christian uprising at Shimabara, which lasted from December, 1637, to April, 1638. It exhibited its determination to remain secluded by burning a Portuguese ship, which visited Nagasaki during June, 1640, and whose merchants were suspected of having provided the Shimabara rebels with weapons. Thereafter, all Christians with high social standing were executed, banished, or forced to recant.<sup>5</sup> By the mid 1640's, the Shogunate had virtually exterminated the entire Christian population from the public scene in Japanese territory. The founders of the Tokugawa Shogunate established the ban on Christianity as a fundamental law on the basis that Christianity was a threat to the peace and order of society.

The Tokugawa Shogunate had remained free from the contamination of Christianity and yet strictly prohibited Christiani-

3. Urakawa, I, pp. 31-37, 48, 62.

4. Boxer, pp. 439-440.

5. Urakawa, I, pp. 53-55, 77-78.

ty and foreign contacts for over two centuries. The machinery of prohibiting Christianity kept liquidating spiritual dissent to the Shogunate rule while the enforcement of seclusion discarded possible foreign intervention in the national integrity.<sup>6</sup> The prohibition and seclusion operated as a unit and served the Shogunate in maintaining for two and one-half centuries a peaceful regime.

After Japan's insularity of two centuries the United States finally broke Japan's seclusion. Following unsuccessful attempts by a private party in 1837 and by Commodore James Biddle in 1846,<sup>7</sup> President Millard Fillmore entrusted the task to Commodore Matthew Calbraith Perry in 1852. Fillmore's letter of November 13, 1852, to the Japanese Emperor defined the objective of the Perry expedition as the establishment of friendship and commerce, the guarantee of a supply of coal and provision and protection for shipwrecked American people. It stated that the Constitution and laws of the United States forbade all interference with the religious or political concerns of other nations.<sup>8</sup> Fillmore, placing the primary interest of the expedition in opening Japan and recognizing the Japanese antipathy to Christianity, asserted and ordered Perry to propound that the United States would not interfere with Japanese religious affairs.

Perry arrived at Uruga, a port at the mouth of Edo bay, in July, 1853, and succeeded in handing Fillmore's letter to the officials of the Shogun. Upon receipt of the American President's letter urging the opening of Japan, the Shogun referred

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6. Anesaki, p. 1.

7. Beckmann, *Modernization*, pp. 108-109; Reischauer, E. O. p. 196.

8. Pineau, pp. 220-221; Hawks, pp. 256-257; Miller, Hunter, VI, p. 517.



the matter to the officials of the Shogunate and to some of the influential daimyos. The majority of the officials and daimyos advised not to open the ports on the grounds that the seclusion had been the law of the forefathers and that the beginning of trade would lead to the introduction of Christianity.<sup>9</sup> Regardless of this advice, the Shogunate, being aware of the change of times and the danger of being attacked like China, decided to accept Perry's demand. The Shogunate signed a treaty of amity with Perry on March 31, 1854, and ended the seclusion of two centuries.<sup>10</sup>

While Perry's squadron was anchored off the coast of Japan, four American sailors happened to die and Perry asked for the Shogunate's permission to perform funeral services for them and bury them on Japanese soil. Upon the Shogunate's permission, the chaplain of the squadron, George Jones, conducted Christian services four times on Japanese shores.<sup>11</sup> Encouraged by those events in which the Japanese showed permissiveness for the performance of Christian ceremonies, Perry attempted to include the Bible and other Christian literature among the gifts to the Japanese officials and interpreters. Upon discovering the Christian literature among the gifts from Perry, the Japanese officials stiffened their attitude and reproached Perry for his contradiction with the above mentioned presidential letter promising not to incur trouble related to the religious concerns of the Japanese. The matter was settled by sending the books back and by

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9. Fujii, XXVII, pp. 6-10; Beasley, pp. 102-107.

10. Pineau, pp. 183-184; Hawks, pp. 377-379; Miller, Hunter, VI, pp. 439-470; Fujii, XXVII, pp. 12-14.

11. Pineau, pp. 165-166; Hawks, pp. 446; Fujii, XXVII, pp. 12-14.

Perry's accepting them.<sup>12</sup> These events indicate that the Shogunate officers understood the ban of Christianity as a legal matter and were not concerned about examining the content of that religion. The Shogunate officers were unanimous in abiding by the law and acted against Perry who attempted to interfere with a Japanese law.

Shortly after the Perry treaty, the Shogunate negotiated a treaty of amity with Admiral Eugene Putiatin of Russia in 1854. The Japanese delegates tried to insert the prohibition of Christianity but Putiatin did not concede. Whereat the Shogunate, by an official letter from Kawaji Samon-no-jō to Admiral Putiatin, proclaimed that Christianity being legally prohibited in Japan, the Russian government should not permit Russian people to propagate Christianity even when some Japanese might approach Russians asking for Christian teaching. Putiatin wrote that the Russians would not interfere with the religion of other peoples and that Russians would respect Japanese laws while they remained in Japanese territory. The Shogunate regarded this as an assurance by the Russian government not to promote missionary activities, and did not press the matter further. Consequently the Russo-Japanese Treaty of 1854 did not include any article to prohibit the Russians from disseminating Christianity.

The Shogunate also attempted by treaty to prohibit the Dutch from supporting Christian missionaries. The Dutch Captain, Jan Hendrik Donker Curtius, rejected the proposal on the grounds that the Dutch could not concede what had been refused

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12. Fujii, XXVII, pp. 14-17.

by the Russians before and stated that the inclusion of such a clause would spoil Japan's reputation among the civilized Christian nations. Curtius further advised the Japanese to stop the practice of trampling on Christian images as that practice offended the Christian nations and would provide a pretext for Western powers to start a belligerent action against Japan. The Shogunate accepted his advice and ordered the practice abolished on December 29, 1857. The Shogunate informed Curtius of the abolition of the practice and, at the same time, notified him that the abolition should not be interpreted as Shogunal permission for importing books, pictures, and images of the Christian religion.<sup>13</sup> The practice of the notorious system of discovering hidden Christians was terminated because the Shogunate officials became aware of its possible international repercussions, but not because the officials doubted the legitimacy of prohibiting Christianity. The Japanese officials at this moment were far from becoming aware of the concept and practice of religious freedom.

Meanwhile the United States sent Townsend Harris to regulate a commercial relationship on a treaty basis. Harris arrived at Shimoda on August 21, 1856, and stayed there for a year with no avail. After realizing the inconvenience of being at the isolated town and after his repeated urgings to receive an audience with the Shogun at Edo, Harris set forth to Edo in November, 1857, and was received by the Shogun on December 7. Thereafter Harris was invited by Hotta Bitchū-no-kami, the President of the Council of State (Rōju) for confidential communication. In these confidential meetings Harris

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13. Fujii, XXVII, pp. 19-25, XXVIII, pp. 71-74.

energetically explained to Hotta the trend of the world and the merit of foreign trade. Other high ranking officers who attended the meetings were Hayashi Daigaku-no-kami and Udono Mimbu-shōyu, both of whom were the plenipotentiaries at the negotiation of the Perry treaty; Inoue Shinano-no-kami, who signed the Harris treaty; and Kawaji Saemon-no-jō, who negotiated the treaties with the Russians and with the Dutch. On the subject of religion, Harris stated, that the principle of leaving men free to follow the dictates of their own consciences, was adopted in most of the countries of the West, and that in all cases, it ensured the peace and happiness of the country; that the Portuguese who came to Japan 250 years ago, had three objects apparently in view, that is, trade, conquest and proselytism, and that at the present day no nation desired to propagate its religious faith by force of arms.” When formal negotiation started, Harris wrote in his draft treaty an article assuring freedom of worship for Americans. He presented the topic at the negotiations of January 25 and February 6, 1858. The Japanese plenipotentiaries, Inoue Shinano-no-kami and Iwase Higo-no-kami, agreed to include that article, provided that it should read that neither Americans nor Japanese should interfere with each other’s religious matters. Hence Article Eight of the Harris treaty of July 29, 1858, in part read as follows:

Americans in Japan shall be allowed the free exercise of their religion, and for this purpose shall have the right to erect suitable places of worship... The Americans and Japanese shall not do anything that may calculate to excite religious animosity...<sup>14</sup>

Thus Harris succeeded in obtaining the right for Americans to

14. Miller, Hunter, VII, pp. 957-958, 1044-1047

practice Christianity for themselves in Japan. Japan's treaties with the Netherland, Russia, Britain, and France, signed on August 18, 19, and 26 and October 7, 1858, respectively, included a similar article.<sup>15</sup> These agreements did not mean that the Shogunate decreed religious freedom for the Japanese. All that the Shogunate approved by these treaty arrangements was that the foreigners might enforce their law including the law of the freedom for foreigners to practice their religion within their concessions in as much as the Japanese authorities should enforce Japanese law including that of controlling religions in Japan without foreign interference.

In 1859 the Shogunate opened the treaty ports. Immediately missionaries started to come in and build Christian churches at the foreign concessions in Yokohama, Hakodate, and Nagasaki. Those missionaries eagerly attempted to preach the Christian gospel not only to the foreigners but also to the Japanese, although the treaties limited their right to pastoring foreign communities only.<sup>16</sup> They therefore explicitly violated the treaties and caused troubles at all ports.

At Yokohama, Catholic priests belonging to the French Foreign Missionary Association built a chapel in January, 1862, and started to give sermons in Japanese. A number of natives gathered. Being informed of the gathering, the police acted and arrested many Japanese at the chapel. Upon the appeal of the missionaries, the French minister Léon Roches requested the Japanese foreign minister to release them, threatening that the practice of such a harsh law would be disadvantageous for

15. Miller, *Hunter*, VII, pp. 957-958, 992, 993, 1041-1042; Gubbins, p. 283.

16. Urakawa, I, pp. 180, 200, 212, 223.

Japan's foreign relations. This trouble was settled by the immediate release of the arrested, the police explaining that the natives gathered there only for the purpose of sightseeing and that the priest explained the building to them.<sup>17</sup> Both the Japanese and French diplomatic authorities handled this question without touching the issue of religious freedom, which postponed the confrontation to another incident.

French Catholic priests of the same organization, with the financial assistance of French Empress Eugénie and Admiral Jaurès, built a cathedral at Nagasaki in February, 1865. The style of the building having been unique, a number of natives came to see the new cathedral even before it was completed. Among the visitors were included some hidden Christians, who secretly confessed their Christian belief to the missionaries. The earliest of them were three women from the village of Urakami. They recognized and worshipped the statue of the Virgin Mary and confided to the missionaries that they entertained the Catholic faith. Thereafter from Urakami and other villages many natives who had secretly kept their Catholic faith for over two centuries, started to visit the missionaries and pray at the cathedral. The Shogunate officials at Nagasaki recognized the phenomenon, became alert, and sent police forces to the cathedral for surveillance.<sup>18</sup>

The missionaries, excited by finding those native Catholics, dared to visit the villages at night and on stormy days in the disguise of Japanese, and assisted the villagers to construct as many as four chapels in the village of Urakami. With the increasing confidence from the villagers, the missionaries in-

17. *Tokugawa*, IV, pp. 36-37; *Urakawa*, I, p. 200.

18. *Anesaki*, pp. 18-20; *Urakawa*, I, pp. 223-233

structed them with rigid Catholic dogmas and encouraged their strict observation. When a Buddhist temple in the village of Urakami sought donations for the expense of reroofing a building, in 1866, the missionaries advised the native Catholics to refuse donation. The Urakami villagers followed the advice and rejected the customary donation. This action infuriated the elders of the Buddhist temple, and the latter informed the village master of their being Christians. The village master summoned those who refused the contribution and urged them to conform to the village custom. He, however, refrained from punishing them for the act of refusing a donation and vaguely settled the issue on the pretext of their lack of resources. Then, in April, 1867, a member of a Catholic family died. Following the missionaries' advice to refuse the Buddhist funeral ceremony, the family declined the Buddhist priest's offer to conduct the service for the dead. Upon report, the village master summoned the family, and ordered them to receive the Buddhist funeral ceremony. The family, however, observing the instruction of the missionaries, not only refused to obey the order of the village master but also explicitly confessed their Christian faith. The village master referred the matter to the governor of Nagasaki for instruction. Similar incidents followed one after another, and by the beginning of 1867, the governor of Nagasaki as well as the nationalistic samurai of Hizen, Ōmura and other *han* in northern Kyushu clearly knew of the surviving Christian peasants, of their having contact with the foreign missionaries, and of the missionaries' agitation beyond the concessional borders.<sup>19</sup>

19. Anesaki, pp. 20-22; Urakawa, I, pp. 234, 243-245, 377-405, 412-413.

For nearly half a year after being informed of the presence of the Christians, the Shogunate's governor of Nagasaki, Tokunaga Iwami-no-kami, did not exert any oppressive measure and had the police continue investigation. Meanwhile the anti-Shogunate samurai agitators in northern Kyushu found the Christian issue an appropriate target for denouncing the weakness of the Shogunate in the exercise of law, and some radicals planned the assassination of the missionaries and the lynching of native Christians. The lord of Ōmura, representing such feeling, wrote a letter to the governor of Nagasaki and strongly recommended the execution of those native Christians in order to prove that the law of the nation was strictly enforced. The governor finally decided to act and during the summer of 1867, ordered the arrest of the leaders among the native Christians. The police carried out the order on July 10, 1867, arrested 68 leaders, imprisoned them, and tortured them while demanding that they forsake Christianity. The governor had three reports made in which he explained the uneasy situation of northern Kyushu created by the anti-Christian and nationalistic samurai who were ready to act for themselves. He sent those reports to the Council of State at Edo and requested instruction which would authorize him to conduct, for the purpose of recovering peace and order, the radical persecution of Christians which would satisfy those radicals.<sup>20</sup>

The French consul at Nagasaki, M. Leques, learned of the arrest and torture of the native Christians from the missionaries shortly after the police action. Pressed by the missionaries, Leques immediately protested to the governor of Nagasaki for

20. Anesaki, pp. 3-4; *Tokugawa*, IV, pp. 37-38.



his persecuting Christians, and requested the release of those who were arrested. Upon the governor's refusal to release the arrested, Leques referred the matter to the French minister, Léon Roches. Then Roches went down to Hyogo and requested an audience with the Shogun, Tokugawa Keiki, who was staying at the Osaka castle. Roches met the Shogun on August 21, 1867, and urged him to release the native Catholics in the interest of the Japanese nation. Roches in the pursuant discussion with the Shogun's representative and a member of the Council of State, Itakura Iga-no-kami, argued that the persecution of Christians would invite hostility against Japan among the Western powers. On the other hand, he recognized the Shogunate's difficulty due to the nationalist radicals' agitation in Japan, as explained by Itakura. Roches and Itakura arrived at an agreement, according to which the Shogunate would release the native Catholics but confine them in the village of Urakami and the French minister would order the French missionaries to keep their hands off the villagers.<sup>21</sup>

This solution proved the Shogunate's growing leniency toward Christianity. In fact, in a letter to the French Emperor, Napoleon III, dated September 4, 1867, the Shogun affirmed that Japan would follow the lead of Western nations regarding the policy of religious freedom in the future when the Japanese people became civilized to the level of Western nations. None the less, the same letter announced that the Shogunate at that moment could not change the law prohibiting Christianity because the majority of the Japanese yet believed that Chris-

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21. *Tokugawa*, IV, pp. 39-41.

tianity was an evil religion and such permission would bring about much confusion of public sentiment so that public peace would be seriously disturbed. He also requested that the French sovereign prohibit the French missionaries from disseminating Christianity to the Japanese in violation of the terms of the treaty and of the Japanese law.<sup>22</sup> It is also recorded that a Shogunate official specifically assigned to handle the Urakami issue, Hirayama Zusho-no-kami, told Leques in September, 1867, that the Shogunate did not regard either Catholic or Protestant Christianity as an evil religion and that the Shogunate government would certainly grant them freedom when the nation reached an improved state of civilization.<sup>23</sup> Thus although the Shogunate did not change the law prohibiting Christianity, the Shogun himself and the high ranking officials of the Shogunate who had had contact with the Western diplomats and who had known the civilization of the West, were coming to assume a tolerant attitude toward Christianity.

The growing leniency of the Shogunate provided an opportunity for the feudal lords to accuse the Shogunate for being weak-kneed in its relation with the Western powers. The deep-rooted anti-foreignism developed into at least one of the major elements that united the feudal lords in an action to overthrow the Shogunate. At the united attack of the lords of Satsuma, Chōshū, and the Imperial Court, the Shogunate finally proved incapable of standing against the pressures and on November 9, 1867, the Shogun Tokugawa Keiki submitted a proposition to return the authority of governing the nation

22. *Tokugawa*, IV, pp. 41-41; Anesaki, p. 36

23. *Tokugawa*, IV, p.48; Urakawa, I, pp. 481-484.

to the Emperor. The Emperor accepted the Shogun's proposition the following day. The new government, which was actually operated by the samurai from Satsuma, Chōshū, Tosa, Hizen, and some radical nobles from the court circles, declared the restoration of the Imperial rule on January 14, 1868.

The new government announced the Imperial Restoration to the foreign diplomats on February 13, 1868, and stated that the new government would honor the treaties that the Shogunate had concluded with the Western powers.

Upon assuming power, the new government's Grand Council of State (Dajōkan) removed the Shogunate's policy statement which was posted at major intersections all over the nation, and ordered a new notification posted on April 7, 1868. Item Three of the notification stated that the evil religion of Christianity was strictly prohibited, that anyone suspecting another of violating this command should inform the proper officers, and that the authorities would in turn reward the informer.<sup>24</sup> The restoration government thus confirmed the Shogunate's regulation of the prohibition of Christianity as a law of the new regime.

Shortly after the government posted the notification of the prohibition of Christianity, the Resident Minister of the United States Robert B. Van Valkenburgh learned of it through the Japanese government's official gazette. On May 24, 1868, he sent a memorandum that urged the Japanese government to abstain from persecuting Christianity on the grounds that such a law offended the feelings of the Western peoples who

24. Japan. *Hōrei*, Keiō 3-Meiji 1, p. 67; English translation in U. S. Congress, 1868-69, part I, p. 749.

believed in Christianity and that it might bring about deterioration of Japan's international reputation.<sup>25</sup> The resident ministers of Great Britain, France, Prussia, and the Netherlands followed this with similar actions during the same week.<sup>26</sup>

Inoue Kaoru, representing the Japanese government, insisted that it could not accept this protest because the prohibition of Christianity was an established law of the Japanese government; therefore, it was an internal affair whose interference by the foreign powers was prohibited by international law.<sup>27</sup> Still, the government slightly modified the language of the signpost notification so that Christianity would not be read as evil religion and reconfirmed the prohibition of both Christianity and evil religions on May 25, 1868.<sup>28</sup> This change, however, did not quench the unyielding protests from the diplomats of the Western nations. The Japanese Foreign Minister Higashikuze Michiyoshi, therefore, wrote to the resident ministers of the Western nations to the effect that the re-writing of the signpost notification was the Japanese government's recognition that Christianity was not an evil religion and that that was done in order to show the Japanese government's goodwill to the Western nations.<sup>29</sup>

Meanwhile the new Imperial government extended its rule to Kyushu by the end of February, 1868, and appointed Sawa Nobuyoshi governor of Nagasaki. Sawa was one of the seven

25. Letter from R. B. Van Valkenburgh to Japanese Minister for Foreign Affairs Higashikuze Chūjo, in U. S. Congress, 1868-69, part I, p. 750; Japan, *Dainihon gaikō*, I, part I, pp. 639-643.

26. Japan. *Dainihon gaikō*, I, part I, pp. 643-644, 672.

27. *Ibid.*, p. 847.

28. Japan. *Hōrei*, Keiō 3-Meiji 1, p. 107.

29. Japan. *Dainihon gaikō*, I, part II, pp. 687-688, II, part I, pp. 122-123.

court nobles who had staged a coup d'état in 1863 for the restoration of the Imperial rule and who, upon its failure, had fled to Chōshū for a future uprising. Sawa, as a radical leader of the movement toward the Imperial restoration and the ousting of the Shogunate, was a staunch nationalist. Sawa was accompanied by a staff, that included Inoue Kaoru, Matsukata Masayoshi, Ōkuma Shigenobu, and Sasaki Takayuki, all of whom shared with Sawa a nationalistic view that defined Christianity as contrary to the spirit of the new Imperial nation. The new governor and his staff arrived at Nagasaki in March, 1868, and started immediately the effective persecution of Christians, the most active among the governor's staff in handling the Christian issue being Inoue Kaoru.<sup>30</sup>

It is also to be noted that the lower ranking officers who served the shogunal governor of Nagasaki and who remained in service to the new governor under the Restoration government were the most enthusiastic faction in conducting the persecution of the native Christians. Having been dissatisfied with the Shogunate orders which had instructed them to deal mildly with the native Christians, these men jointly recommended to the new administration the most strict application of the law to those who violated the law of the nation by believing in Christianity. The recommendation expressed their conviction that Christianity was an evil religion the existence of which the law of the nation could not overlook, that believing in Christianity formed a most serious breach of the law of the Empire, and that native Christians ought to be severely punished for their religious

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30. Urakawa, I, pp. 598-599.

belief.<sup>31</sup> This understanding of the low ranking officers that Christianity was an evil religion became the major force in promoting cruel treatment of the native Christians during the following few years.

The governor of Nagasaki began by issuing a warrant to the leaders among the native Christians living at the village of Urakami, near Nagasaki, on March 14, 1868. On March 16, twenty-two leaders reported at the office of the governor of Nagasaki and responded to the inquiries. Again on March 29, the governor of Nagasaki summoned heads of 180 Christian families for investigation. The policy of the central government having been undecided, he released them both times even though they admitted their Catholic faith.<sup>32</sup>

In the central government, the Grand Council of State met at His Majesty's temporary headquarters in Osaka and discussed the disposition of these native Christians on April 25, 1868. Kido Kōin, being influenced by the Chōshū imperialist Yoshida Shōin, held a rigid view regarding the evil character of the foreign religion, proposed to behead the leaders and to remove the rest from their place of residence. Fukuba Bisei, who was a senior officer to the minor lord of Kamei Iwami-no-kami, and an outstanding Shinto scholar of the Hirata school, rejected capital punishment, arguing the importance of the life of the Japanese subjects and the possibility of guiding the Catholics to the cult of the Emperor. Fukuba nevertheless agreed with Kido's idea of removing the native Christians from their native village, so that they should be cut off from the influence of the

31. Anesaki, pp. 109-113; Urakawa, I, pp. 602-605.

32. Anesaki, p. 106.

missionaries. Then the Emperor supported Fukuba's view.<sup>33</sup> The Grand Council of State adopted Fukuba's argument and issued an order to the governor of Nagasaki on June 7, 1868, to transfer all the 4,010 native Christians from the village of Urakami to the confinement centers which were to be located at 34 *hans*.<sup>34</sup> Acknowledging the grave importance of the matter and the subtlety needed in dealing with the consuls of the Western nations, the Grand Council of State decided to send Kido to Nagasaki with the special task of cooperating with the governor of Nagasaki in the shipment of the Christians. The governor, helped by Kido, began carrying out the order, and one and a half months later he had 114 leaders arrested and exiled to the *hans* of Chōshū, Satsuma, and Kamei's Tsuwano on July 20, 1868.<sup>35</sup>

The news of the deportation reached the foreign delegation through the missionaries who had received the information from the acquaintances of the deported. The consuls of Britain, Portugal, the Netherlands, the United States and France at Nagasaki handed in a joint communiqué to the governor of Nagasaki on July 11, 1868, expressing their deep concern about the fortune of those native Catholics and their hope that the Japanese government would recognize that Christianity was the religion of their countrymen so that persecution because of belief in Christianity might insult the people of their countries. The governor answered it on July 17, saying that since Christianity was forbidden by Japanese law its breach should be

33. *Segai*, I, pp. 294-295; *Urakawa*, II, pp. 506-507.

34. Japan. *Hōrei*, Keiō 3-Meiji 1, pp. 126-131: U. S. Congress, 1868-69, part I, p. 771.

35. *Marnas*, II, p. 120.

punished accordingly and that there was no justification for Western powers intervening in this matter.<sup>36</sup> The consuls, therefore, referred the situation to the ministers at Yokohama for further actions. Thereupon the American minister Van Valkenburgh, the British minister Harry S. Parkes, the French minister Léon Roches and the German minister Max August Scipio von Brandt orally and by letters criticized the decision of the Japanese government and demanded its repeal.<sup>37</sup>

To this protest the Japanese Minister of Foreign Affairs, Date Muneki, responded very congenially. He assured the resident ministers that the local authorities had acted beyond the authorization from the central government, that the central government disapproved of these actions, and that instructions to have the local authorities cease the ill treatment of Christians would be sent without delay.<sup>38</sup> The Grand Council of State ordered postponement of the exile of the remainder on August 7, 1868.<sup>39</sup> Date's answer and the government's action of stopping the deportation undoubtedly pleased the ministers of the Western

36. Japan. *Dainihon gaikō*, II, part II, pp. 835-836, 847; Urukawa, I, p. 463.

37. Japan. *Dainihon gaikō*, I, part I, 802-805; Nezu, pp. 92-95.

38. Japan. *Dainihon gaikō*, II, part I, pp. 653-654; Marnas, II, pp. 136-137. In addition to the action at Nagasaki, Christians were found and persecuted by the *han* authorities at Gotō, to the west of Nagasaki. Ministers protested to the government on reports from missionaries and consuls, and the Japanese government sent a special commission to Gotō to investigate the problem. As Gotō had the feudal autonomy, the central government was ill-informed of the actual proceedings and the Western diplomatic corps protested with less confidence in the reports of the missionaries. In spite of a good number of exchanges of communications, the Gotō issue seems to have little influenced the decisions of the Japanese government. Japan. *Dainihon gaikō*, II, part I, pp. 533-534, 636-637, 652-667, 715-726, 883, 878-879, 905-907; II, part II, pp. 3-21.

39. Japan. *Dainihon gaikō*. I, part I, pp. 919-920.



powers and the issue appeared to be settled temporarily.

However, as far as the presently available records indicate, Date never sent any instructions for the local authorities to stop ill treatment of Christians and his assurances could have been merely soothing. The truth was that a powerful rebellion against the new government led by the ex-Shogunate Admiral Enomoto Takeaki broke out in Hokkaido. This rebellion obliged the *han* authorities to support the Imperial government and become involved in the civil war, and the whole situation caused financial and administrative difficulties in the *han* which had agreed to receive the Christians.<sup>40</sup> The suspension of the deportation of the Christians was due to the refusal of the *han* authorities and the government's approval of the refusal and not due to the change of the governmental policy.

Therefore, when the rebellion in northern Japan was settled by Enomoto's surrender to the new regime on June 27, 1869, the Grand Council of State decided on and instructed the resumption of the exile of the Christians. The governor of Nagasaki conducted the operation of arresting and shipping heads of 700 Catholic families from Urakami village on January 5 and 6, 1870. During the following two days, he completed the shipping of an estimated 3,000 Catholics from the Urakami village to 18 *hans*.<sup>41</sup>

The resumption of the governmental persecution of native Christians shocked the diplomatic corps, and provoked an immediate reaction. Parkes went all the way to Nagasaki to negotiate the postponement of the embarkation with the gover-

40. Anesaki, p. 119; Nezu, p. 98; Marnas, II, pp. 138-140.

41. Anesaki, pp. 121-124; Urakawa, II, pp. 322-323.

nor of Nagasaki. His attempt, however, proved abortive.<sup>42</sup> Upon the failure of this effort, he returned to the capital and promoted an international conference. The meeting was held on January 19, 1870, with the participation of Japanese Prime Ministers Sanjō Sanetomi and Iwakura Tomomi, Japanese Foreign Ministers Sawa Nobuyoshi and Terashima Munenori, and the Resident Ministers, Ange George Maxime Outrey of France, Charles E. de Long of the United States, Max August Scipio von Brandt of Germany, and Parkes. Parkes strongly reproached the faithlessness of the Japanese government, citing the statement of Date Muneki sixteen months earlier. The other resident ministers also urged the Japanese government immediately to stop the persecution of the native Christians.

This time the Japanese government reacted strongly to the protest. Iwakura and Terashima asserted that the Japanese government was absolutely based on a system of belief in which the Emperor was defined as the direct descendant of the spirit and thus ruled by divine origin, and on account of this divine origin, that Christianity taught the Japanese people to despise and disbelieve this feature of the national faith, and that therefore, Christianity brought this sacred character into contempt. They, defining Christianity as non-conforming to the spiritual basis of the Japanese polity, claimed that the Japanese government was obliged to repress Christianity and that the repression was a matter of internal politics. Terashima made another point in refuting the protest. He mentioned that the foreign missionaries were not only inviting the Japanese people into their churches established in foreign settlements, but also were

42. Marnas, II, pp. 173-177; Nezu, pp. 98-99; Urakawa, II, pp. 310-312.

propagating Christianity to the Japanese outside of the foreign settlements although it was prohibited in the treaties. He called for the ministers' attention to the treaty arrangement on religious matters which, according to his interpretation, provided no right for foreigners to go inside the Japanese community propagating their religion; in return for this foreigners in Japan were guaranteed their own places of worship and the right to practice their own religions free from the Japanese government's intervention in their religious practice within the foreign settlements. On the basis of these reasonings, Terashima observed that deportation was the only means for the Japanese government to maintain legal order, when the government did not desire to jeopardize international goodwill by treating foreign missionaries harshly. Thereafter Iwakura reconfirmed the government's sincerity and eagerness for keeping international relations on friendly terms.<sup>43</sup>

That Japan's most responsible and high ranking officials expressed their desire and sincerity toward the maintenance of international friendship appeased the ministers. Further, Terashima's argument as to the missionaries' breach of the treaty prevailed on the ministers. The four ministers thereby issued a memorandum on February 9, 1870, which instructed the missionaries to comply with the treaty arrangements and to limit their activities within the foreign settlements.<sup>44</sup> Finally, the diplomats came to realize that the deportation of native Christians was closely related to the national security of Japan.

43. Japan. *Dainihon gaikō*, III, pp. 354-360, Urakawa, II, pp. 331-341; U. S. President, 1870, pp. 453-478.

44. Japan. *Dainihon gaikō*, III, pp. 360-361; Urakawa, II, p. 344.

They came to learn that strong anti-foreign sentiment, which had brought together the nativist forces that led to the Shogunate's downfall, still dominated the powerful feudal class and could easily produce anti-government and anti-foreign movements. They saw that the new and weak government enforced the deportation of native Christians despite the protest of the Western powers as a demonstration both of its independence from the interference of the Western powers and of its authority over the most powerful vestiges of the preceding era.<sup>45</sup> The representatives of the Western nations judged that the security of a nation preceded the enforcement of religious freedom on Japan in terms of the interest of the Western society. The ministers, therefore, did not pursue stronger actions for the moment.

Being aware of the undesirable consequences of the deportation, the government did not conduct further deportations although some more Christians were discovered while the negotiation was in process and during the following months.<sup>46</sup> The government complied with the British minister's request for permission to send a British officer for the inspection of the situation at the places of exile. The government sent its own officers to inspect and supervise local authorities so that the handling of the Christians would not become overly cruel.<sup>47</sup> During 1871 and 1872, the Japanese government and the diplomats from the Christian nations had a time of truce over the deportation issue.

In the meantime, by about 1871, the restoration government

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45. Nezu, p. 102.

46. See p. 307 n. 38.

47. Japan. *Dainihon gaiikō*, III, pp. 380-389, 432.

consolidated its domestic problems and began to pay more attention to the international scene. More specifically, the leaders of the new government became most interested in the revision of the unequal treaties signed by the Shogunate with the Western powers during the 1850's. They also observed the need of strengthening the economic and political foundation of the nation and sought the model of development in the experience of the West. For the solution to these questions, the government decided to send a mission to the Western Nations.<sup>48</sup>

Iwakura Tomomi, Vice President of the Council of State and Minister of Foreign Affairs, headed this mission as the Ambassador Extraordinary and Envoy Plenipotentiary. Accompanying him as Vice Envoys were several of the most powerful officials, including Ōkubo Toshimichi, Kido Kōin, and Itō Hirobumi. Ōkubo was Minister of Finance, had been responsible for the abolition of the vestigial privileges of feudalism, and was concerned with strengthening Japan internally after the pattern of the Western modernization. Kido was Councilor of State, had drafted many of the edicts which actually brought about the Restoration, and was in charge of studies on the Western political and educational systems. Itō was newly appointed Vice Chief of the Ministry of Industry, was young, and was eagerly attempting to make his department the dynamic center of Japan's industrialization. The Iwakura Mission left Japan in January 1872, escorted by some fifty subordinates.<sup>49</sup>

The Iwakura Mission arrived first in the United States.

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48. Mayo, pp. 28-31.

49. The itinerary and discussions, in Japan, *Dainihon gaikō*, V. Delineation and evaluation of the mission in English, Mayo, pp. 18-47.

At Washington, Iwakura and the vice envoys discussed the possibility of treaty revision with the United States Secretary of State Hamilton Fish between January and June, 1872.<sup>50</sup>

In the process of discussions relating to the treaty revision, Fish referred to the persecution of the native Catholics in Japan and proposed to include in the new treaty an article for the guarantee of religious freedom. However, Iwakura argued that the stipulation of religious freedom in the treaty would open an opportunity for foreigners to interfere with the Japanese body politic. Kido further maintained that the Japanese government had already ceased to treat Christians harshly and would not deem it necessary to declare the adoption of the principle of religious freedom in the treaty.<sup>51</sup> These Japanese statesmen regarded the treaty arrangement of religious freedom as permission for foreign intrusion into domestic affairs and attempted to eliminate such a concession from the new treaty.

Notwithstanding the Japanese delegates' desire to exclude religious issues in the new treaty, Fish repeatedly insisted that the treaty should include the guarantee of religious freedom, which, according to Fish, was a qualification of a civilized nation. Finally, the Japanese delegation conceded and the treaty draft Iwakura handed to Fish on April 22, 1872, included a provision that guaranteed the non-interference of the government with the foreigners' practice of their religions at their homes and at the properly constructed places of worship.<sup>52</sup> This assured religious freedom of the foreigners but did not guarantee the

50. Japan. *Dainihon gaikō*, V, p. 138.

51. Japan. *Dainihon gaikō*, V, pp. 143, 149, 163.

52. *Ibid.* pp. 149-150, 161-162, 176, 199, 216.

free practice of religion for the Japanese. This article as such was practically identical with Article 8 of the Harris treaty of 1858. Then the United States prepared another draft and Fish presented it to the Japanese delegation on June 8, 1872. It provided that the government of both nations should esteem the freedom of religious belief for the people of both nations. The second Japanese draft, submitted to Fish on July 10, 1872, adopted this provision proposed by the United States without alterations.<sup>53</sup>

These Japanese statesmen judged that the provision of religious freedom was an unavoidable condition for gaining an equal treaty with the United States.

Instrumental in the change of these leaders' religious views was the opinion of Mori Arinori, Chargé d'Affaires at Washington. Through his earlier education and life in London and in a Swedenborgian community in New York, Mori held a sense of the dignity of the individual and laid the esteem and nurturing of individual motivation as the basic need for the new government. He wrote in 1873, a recommendation to Prime Minister Sanjō Sanctomi for Japan legally to establish the principle of religious freedom. The recommendation in part read as follows:

Among the many important human concerns, the one regarding our religious faith appears to be the most vital. In all the enlightened nations of the earth the liberty of conscience, sacredly regarded not only as an inherent right of man, but also as a most fundamental element to advance all human interests.<sup>54</sup>

53. *Ibid.* pp. 199, 216. The present author has been unable to locate the U. S. draft in the U. S. documents. Japanese foreign documents do not include the English version of any of the treaty drafts and say in a footnote that the Japanese foreign ministry does not preserve the English texts of these drafts.

54. Hall, I., 56-58, 62, 90, 106; Mori, pp. 534-546.

Mori advocated the freedom of religion and conscience as the foundation of individualistic values.

Mori's overall views gained the support of Itō Hirobumi and Ōkubo Toshimichi, while being strongly rejected by Kido Kōin and Iwakura Tomomi.<sup>55</sup> Mori's concept of religious freedom based on individualistic values quite possibly influenced Itō and brought Itō to the belief in the adoption of the policy of religious freedom. Itō temporarily returned to Tokyo in order to explain the development of the Washington conference and to obtain a commission of full powers to Iwakura. At the cabinet meeting in the presence of the Emperor on June 30, 1872, he stated that Americans regarded Japan as a savage nation because the Japanese government had infringed upon the freedom of religion by means of an explicit notification prohibiting Christianity and the subsequent persecution of native Christians and that the Americans made it a pretext for not signing an equal treaty with Japan. Itō insisted that Japan, therefore, should withdraw the policy of prohibiting Christianity.<sup>56</sup> Itō, who was to draft the Meiji Constitution in the next decade, held the view that Japan should adopt the principle of religious freedom already in 1873.

The negotiation between the Iwakura Mission and the United States Secretary of State was almost completed at Washington, when the government at Tokyo decided, in view of the possible disadvantages to be invoked from the most favored nation clause

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55. Hall., p. 69.

56. *Itō Hirobumi den*, I, p. 654: Itō and Ōkubo returned from the Washington conference table to Tokyo in order to obtain the fully completed commission of full powers for Iwakura, which the immature Japanese diplomacy failed to provide him. Japan. *Dainihon gaikō*, V, pp. 41-42, 52, 138-140.



which existed in Japan's treaties with the Western powers, that Iwakura should not sign a treaty with the United States alone. The government, while issuing a commission of full powers, ordered Iwakura to organize an international conference for the treaty revision in Europe. With this order Itō returned to Washington and Iwakura told Fish of this proposal. Fish, however, answered Iwakura that the United States could not sign a treaty between two nations except at the capital of either nation and rejected the request for the United States to join an international conference for the treaty revision to be held in Europe.<sup>57</sup> Unsuccessful, the Iwakura Mission left the United States for Europe.

In Europe, Iwakura limited his activities to courtesy visits to kings and queens, and did not attempt to organize an international conference for the treaty revision, realizing its impossibility. The vice envoys continued to investigate the background of the strength of the Western powers. Kido engaged himself in the research of administrative and legal systems of the nations. Itō and Ōkubo energetically inspected industries and generously hired scholars and technicians in various fields of the sciences. Meanwhile Iwakura kept bringing up the topic of treaty revision in the future at the meetings with the sovereigns and high ranking officials of the Western powers. At these occasions he did not fail to include the question of religious freedom in its relation to the treaty revision.<sup>58</sup>

Chancellor of Foreign Affairs of Great Britain Lord Granville, Minister for Foreign Affairs of France de Rémusat, and

57. Japan. *Dainihon gaikō*, V, pp. 63-67, 209.

58. *Ibid.* pp. 220, 223; VI, pp. 89-90, 587-588, 590.

Minister for Foreign Affairs of the Netherlands Gercke d'Herwitjueu informed Iwakura that Japan's attempt to revise the treaty was handicapped by its persecution of Christians. Their advice was reinforced by the mass demonstrations protesting the Japanese persecution of Christians which took place at London, Paris, and the Hague upon the arrival of the Iwakura Mission.<sup>59</sup>

The first hand observation of the deep concern of the Western dignitaries and peoples on the Christianity issue changed the attitude of the Japanese toward Christianity. At these meetings with the dignitaries in Europe, even Iwakura came to affirm that Japan would in the near future adopt the principle of religious freedom.<sup>60</sup>

Responding to the change of attitude among the officials in Europe, the remaining cabinet members in Japan became increasingly lenient on the Christianity issue. Among others, Minister of Finance Inoue Kaoru was the most assertive in adopting more tolerant policies toward Christians. He proposed the release of the Christians in exile as early as February, 1872. This proposal resulted in the Cabinet order of March 15, 1872, which released about 800 apostates from exile, permitted their return to the village of Urakami and furnished them with the travel expenses from state funds. Inoue proposed again in August, 1872, that the government should release all the Christians, even though they did not forsake their faith, on the ground that they too were Japanese citizens and were

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59. *Ibid.* V, pp. 220, 223; VI, pp. 90, 588, 590; Nezu, pp. 109-110; Anesaki, pp. 179-180.

60. Japan. *Dainihon gaikō*, V, 89, 587.

entitled to humane treatment by the authorities.<sup>61</sup> These actions chronologically coincided with Iwakura's assertion in Europe that Japan would tolerate free religious practice.

To meet the departure of the Iwakura Mission from Europe on February 20, 1873, the Grand Council of State ordered the withdrawal of the notification of the prohibition of Christianity. On February 21, 1873, the government notified the ministers of the Western powers of the removal of the signpost on the prohibition of Christianity. Further, on March 14, 1873, the Grand Council of State ordered the *han* authorities with confinement centers for the native Catholics to release all Catholic exiles and to permit them to return to their home village or to register themselves as residents of the location of their choice in accordance with their voluntary decision.<sup>62</sup>

Thus the Japanese government arrived at a tacit permission of the practice of the Christian faith by the Japanese people by the spring of 1873, although it did not yet go so far as to legalize positively toleration or freedom of Christianity. In fact the instruction to remove the signposts explained that the local authorities should remove them because the order was already well understood by the people and the public notification became unnecessary.<sup>63</sup> In summary, the toleration of Christianity was due primarily to the governmental leaders' concession to the pressure from the Western powers. Even so the fact was established that the Japanese stepped a giant stride toward religious toleration.

61. *Segai*, III, pp. 311-315.

62. Japan. *Hōrei*, Meiji 6, p. 64; *Dainihon gaikō*, VI, pp. 590-591, 595-598; Urakawa, II, p. 786.

63. Japan. *Hōrei*, Meiji 6, p. 64.

A second hazard to religious freedom of the early Meiji era was the damage done by the government to Buddhism. The restoration leaders, needing the substance of the cult of the Emperor and finding it in Shinto when they boosted the establishment of the authority of the Emperor, attempted to extract pure Shinto from the eclectic institutions. The separation of Shinto from Buddhism proved to be an immediate vandalism upon Buddhism, because it deprived Buddhists of their long established control over almost all the Shintoistic institutions, the Shinto theories, and implements of worship.<sup>64</sup> In due course the governmental program of the separation implied that the government granted permission for the people to abolish Buddhism and invited such a movement among the civilians. Finally the government tried to use the Buddhist priests and institutions for a national indoctrination program, thus further damaging Buddhism. All these programs functioned as the intervention in the freedom of the Buddhist religion initiated by the government.

During the first year of the new regime, the Grand Council of State and the Office of Shinto issued a number of orders and ordinances for the separation of Shinto and Buddhism and for the promotion of Shinto. To begin with, on April 4, 1868, the Office of Shinto (Jingi Jimukyoku).<sup>65</sup> announced that it would remove from Shinto the contaminations of the foreign religion of Buddhism, and that Shinto thus purified

64. Before the Meiji era, the number of shrines was about 129,000, of which about 120,000 were syncretistic and managed by Shingon or Tendai Buddhists. "The Shrine Question," p. 255.

65. For the change of the name of the offices relating to religions, see Appendix B.

would consolidate the essential body politic of the Empire with the Shintoistic unity of worship and government. Then on April 10, 1868, the Office of Shinto issued an ordinance that prohibited Buddhist priests from administering Shinto-Buddhist shrines and ordered their conversion to the Shinto priesthood or resignation from the positions they held in Shinto-Buddhist shrines. On April 20, 1868, the Grand Council of State ordered the removal of Buddhist statues and ritual items from the syncretistic shrines. The same order included the prohibition of the use of the honorific, the incarnation of Buddha (*gongen*), in the name of shrines and the objects of worship at Shinto shrines to be so defined hereafter. On May 16, 1868, the Grand Council of State specifically instructed the shrines of Iwashimizu, Usa, and Hakozaki, to which the Imperial Household had paid special respect and whose popularity had been nationwide, to abstain from calling their object of worship with the honorific, the great Buddhist savior (*daibosatsu*) and to call it with that of the great Shinto divine being (*ōkami*). On May 25, 1868, the Grand Council of Shinto (Jingikan), the successor of the Office of Shinto newly elevated to the rank equal to the Grand Council of State, repeated the prohibitive order on the Buddhists' administration of syncretistic shrines.<sup>66</sup>

The effect of these orders on Buddhism was immediate and destructive. The majority of the Buddhist priests holding positions at syncretistic temples renounced the Buddhist priesthood and obtained the Shinto priesthood. They gave up celibacy and married or brought in concubines, while starting to eat fish and meat in violation of the Buddhist vow and dispo-

66. Japan. *Hōrei*, Keiō 3-Meiji 1, pp. 69, 77-78, 103, 108.

ing of the Buddhist canons and treasures accumulated over many centuries.<sup>67</sup> The loss of those personnel and implements was tremendous. Even more severe damage was the corruption of the authority and morality of Buddhism.

The separation orders caused the Shintoists to behave violently against the Buddhists. The Shintoists, who had been looked down upon and given only menial functions and naturally had held a deep-rooted hatred against the Buddhists, conveniently interpreted the separation orders as the new government's permission for them to eliminate all the Buddhist influence from the composite establishment and plundered Buddhist accumulation. They broke into Buddhist-administered buildings of superior values, and looted the statues, sutras, and implements of worship.<sup>68</sup>

A well known example is the violence that a devoted Shinto priest and minor government official, Kinoshita Shigekuni, conducted with his followers at the Hiyoshi Shrine and Enryakuji Temple compound in March, 1868. The compound had been administered by the council of Buddhist priests for over a thousand years and the Hiyoshi Shrine was part of that system. Upon learning the governmental separation order, Kinoshita demanded the council of the Buddhist priests of the Enryakuji to hand him the keys of the halls of the Hiyoshi Shrine, and while the discussions at the council prolonged, broke into the halls of the Hiyoshi Shrine, shot through the eyes of Buddhist statues with arrows, brought all the Buddhist implements out of the

67. Undo and Masutani, p. 163.

68. Murakami Senjō et al., eds., *Shimbutsu bunri shiryō*, 5 vols., is the most exhaustive collection of the records of violence. A few cases are described in English in Kishimoto, ed., and Howes, tr., pp. 114-116, and Anderson, p. 35.

halls and burned them.<sup>69</sup> This action is symbolic of the mentality of the Shinto priests in those days. They had been desirous of overcoming the situation in which the Shintoists were in subordination to the Buddhists and took advantage of the governmental authority for their factional revenge. The violence had little to do with the religious conviction of either party. When neither the Shintoists nor the Buddhists had the religious belief to guide their actions, they had little potential to develop the principle of religious freedom.

A very few Buddhists, however, stood in protest. Those few realized that the cause of the violence derived from the governmental policy of separation, believed that such a policy would mislead the nation, and petitioned the government authorities, for repeal of the separation policy. A Tendai priest, Gakuonji Jakujun, who later assumed the archbishopric of the Hieizan Temple and the Tendai sect, paid frequent visits to the authorities during May and June of 1868. He argued that the separation of Buddhism from the Imperial government was incongruous with tradition in view of the fact that the Emperors such as Shōmu and Temmu revered and supported Buddhism to the extent that they established the Tōdaiji Temple in Nara and the Enryakuji Temple in Kyoto. In addition he demanded that even if the government should administer Buddhism and Shinto separately, that body should protect them equally, because the Emperor should never be partial. A Shingon priest, Kōyasan Unshō, filed with the Grand Council of Shinto another petition, proclaiming that Buddhism, Shinto, and Confucianism were

69. Kishimoto, ed., and Howes, tr., p. 114; Anderson, p. 35, Undo and Masutani, p. 170.

reciprocal, that the past Emperors had supported the three religions together because the intellectual development of Shinto was impossible without Buddhism and Confucianism, and that the new government would not violate the precedents established by the Emperors of generations.<sup>70</sup> The protests of these Buddhist priests were based upon the understanding that the government must esteem the traditional discipline of religions and the meritorious Buddhist contribution in the formation of the Imperial and Shintoistic authority. Their concept did not include a desire or expectation of the separation of religions from the governmental system. Consequently, they did not have any possibility of fighting for religious freedom against the government.

Not because the government acknowledged the protest of Jakuonji and Kōyasan, but because the violent application of the separation policy went even beyond the control of the government, the Grand Council of State instructed on May 13, 1868, that the separation orders did not authorize the violation of social orders and that the Shintoists should not pillage.<sup>71</sup> This order stopped the extreme clashes, but some violence against Buddhism occurred intermittently all over the nation until the early 1870's.

In the meantime the orders for the Buddhist-Shinto separation reached the officials of the local government and then they were occasionally reinterpreted into a policy of abolishing Buddhism. For example, the governor of Sado Island ordered the confiscation of all Buddhist temples excepting one temple for one sect. In late 1869, the Satsuma *han* confiscated 1,066 temples

70. Tokushige, pp. 199, 277; Undo and Masutani, pp. 174-180; Anderson, p. 36.

71. Japan. *Hōrei*, Keiō 3-Meiji 1, p. 89.



and secularized 2,964 priests. The Satsuma *han* recast iron bells into guns and bullets, and recruited priests as teachers of elementary schools. In 1871, the Matsumoto *han* closed 73 out of 93 temples in the castle town of Matsumoto, and distributed among the residents a pamphlet which advised them to stay away from offering donations to temples and from conducting expensive funeral ceremonies.<sup>72</sup>

Those local officials, who enforced the liquidation of the Buddhist temples, were mostly well aware of the critical situation in which the nation was placed and the national outline of modernization. They therefore tried to appropriate the accumulated capital in the temples for the purpose of modernization. When they tried to secularize the priests and make them into elementary school teachers or when they brought down the temple bells and recast them into guns and bullets, their aim was not meaningless destruction, but the use of the dormant materials for the cause of strengthening the new state.<sup>73</sup> They found in Buddhism the buildings and the men who could read and write, but not the belief nor the believers. Their evaluation of religion having been minimal due partly to their general Confucian background and partly to the corrupt morality among the priests, they simply believed it beneficial to the people and to the state to abolish Buddhism and to use its resources for the people and the state. They despised religion as a human phenomenon and had no chance to respect the freedom of religions.<sup>74</sup>

72. Undo and Masutani, pp. 174-180; Tokushige, pp. 199, 277.

73. Yoshida, pp. 19-80.

74. Yoshida Kyūichi suggests that the utilitarian motive of modernization drove the local officials to the usurpation of Buddhist temples. Yoshida, pp. 19-20.

The confiscation of temples and the secularization of priests gave an especially severe blow to the Jōdo-Shin sect, because the sect had built its organization upon the strong associational ties among the village- and townsmen and the temple as the center of association; besides, this sect alone had practiced the marriage of priests so that the consequence of being expelled from temples caused multiple damage to the priests of this sect. One expression of reaction against the confiscation was peasant riots. The most noted examples were the riots that occurred in Mikawa (Shizuoka Prefecture) in March, 1871.

With the appointment and upon the arrival of Hattori Jun, a devoted Hirata school scholar who exuded the energy of the restoration and who was eager to realize in the district an ideal reform in line with the new government's scheme of modernization, the local government of Mikawa ordered the confiscation of the Buddhist temples and transformation of these buildings into schools where secular subjects would be taught. Hattori also ordered the secularization of the Buddhist priests and appointed them to be the teachers of these schools. The Buddhist priests of that region thought that the governmental reform program conflicted with the established interest of the autonomous religious association and the transformation of their occupation constituted a forfeiture of their responsibility to the members of the association, and decided to protest against the governor on that matter. When the priests started to march to the governor's office, the villagers accompanied the priests. Upon observing the difficulties in the negotiation, the peasants resorted to violence and harmed a few minor officials. The riot ended when the government's standing army arrived from nearby

provinces, attacked the rebels, and arrested the leaders and executed them.<sup>75</sup>

The uprising proved the strength of the belief and the associational ties among the followers of Jōdo-Shin Buddhism. The Mikawa riot presented a case of a most radical confrontation between the governmental administration and the autonomous association of the people. Although ended in tragedy, these insurrections served to have government officers realize the strength of the common people gathered in the Jōdo-Shin associations.

A second expression of protest from the Jōdo-Shin Buddhists against the confiscation was the petitions offered by the ecclesiastical leaders to the decision makers of the central government. On June 1, 1869, the chief abbot of the Nishi-honganji sect met with the Grand Council of State and demanded that the government order the local authorities to repeal the excessive confiscation of temples, while warning the councilors of the possibility of grave peasant uprisings if the confiscation of temples should continue. The chief abbot of the Higashi-honganji sect did the same on June 2, 1869. The ecclesiastical officers of the Jōdo-Shin sects kept close watch on the bureaucrats of the central government and petitioned and threatened them at every occasion.<sup>76</sup>

The officials of the central government could hardly neglect the protest of the leaders of the Jōdo-Shin sects because the poor and weak government had relied upon the political and financial support of the Jōdo-Shin Buddhists. During the winter of

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75. Yoshida, pp. 19-80.

76. Tokushige, pp. 182-187.

1867-1868 when the forces backing the Shogun at Osaka and the supporters of the Emperor at Kyoto were ready to go into a civil war, Saigō Takamori and Iwakura were almost convinced of the defeat of the Imperial forces, and Iwakura requested the Nishi-honganji leaders to send armed forces to help the Imperial army. This did not occur, but during the winter and spring of 1868, the Nishi-honganji provided the Imperial Court with armed guards. When Ōkubo proposed the establishment of a new capital in Osaka during the spring of 1868, the Nishi-honganji let the court use the regional office of the Nishi-honganji sect as His Majesty's temporary headquarters. Further, when the government decided the transfer of the capital to Tokyo (Edo), the Nishin-honganji and the Higashi-honganji of the Jōdo-Shin sect bore a large part of the expenses.<sup>77</sup> Therefore the early Meiji government could not overlook its indebtedness to the Jōdo-Shin sect.

The central government compromised with the protest of the Jōdo-Shin Buddhists to a minimum degree. While sending troops to suppress the riots and to slaughter the leaders, the Grand Council of State ordered local officers to watch for social unrest and to be reasonable in confiscating Buddhist temples. By virtue of the order from the central government, the Sanuki *han*, for example, repealed the order of the confiscation of Buddhist temples.<sup>78</sup> Another example is that the Grand Council of State granted permission to the Higashi-honganji authorities

77. Taya, p. 153. The donation to the government during 1868 included 18,000 *ryō* in gold and 3,982 *hyō* in rice from Higashi-honganji and 14,000 *ryō* in gold and the despatch of troops for Sarugatsuji lasting three months from Nishi-honganji. Tokushige, pp. 202-208.

78. Undo and Masutani, p. 182.

to send peasants and priests for the reclamation of farms in Hokkaidō in November, 1869.<sup>79</sup>

Partly because of the orders from the central government, responding to the protests of the Jōdo-Shin leaders, partly because of the failure of the radical measures at local level due to the violent resistance of the radicals, and partly because of the decrease of the initial zeal of the officials, the radical actions of destroying and appropriating Buddhist institutions waned toward the end of 1870. The organized and officially supported oppression against Buddhism terminated after two years of vandalism.

The early Meiji movements of the separation of Shinto from Buddhism and the abolition of the Buddhist establishment screened off the corruptions in the Buddhist organizations. The magico-religious and eclectic Shingon and Tendai sects lost many of their temples and priests to Shintoism. The associational and faith-centered Jōdo-Shin sect proved the strongest against the attacks for its abolition. The other schools of Buddhism stood somewhere between these two extremes. The governmental policy which contradicted the freedom of the Buddhist religion met substantial oppositions only from the Jōdo-Shin sect which alone among the Japanese Buddhist schools was founded upon the association of men of common faith. The clergy and laymen of the Jōdo-Shin sect were the only Buddhists who effectively fought against the governmental attempt of abolishing Buddhism and were victorious against the secular violence for the protection of the freedom of their religion.

By 1871, the impotency of the Shintoists was becoming apparent. The separation damaged Buddhism but did not con-

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79. Japan. *Hōrei*, Meiji 2, p. 364.

struct the basis of the spiritual unity of the nation. Although the Shintoists at the Grand Council of Shinto prepared and issued the Imperial Rescript on the Great Religion on February 3, 1870, they did nothing to forward the Great Religion project for nearly two years. The restoration leaders realized that the Grand Council of Shinto achieved little in spite of the abundant state support for the Shintoists. Their disappointment in the Shintoists was revealed in Saigō's statement that the Grand Council of Shinto was an office for people to take a nap. This brought the downgrading of the Grand Council of Shinto to the Ministry of Shinto (Jingi-shō) as of September 22, 1871.<sup>80</sup>

Meanwhile the government leaders came to realize that the Buddhist priests' ability to preach was much superior to the Shinto priests. Hence the leaders, particularly Saigō Takamori and Etō Shimpei, who were still convinced that the governmental indoctrination of national morality was possible and its basis was to be Shintoistic, encouraged the Shintoists to enlarge the scope of the state cult and to mobilize Buddhist and all the other religious teachers in the Great Religion movement. To begin with, the government abolished the Ministry of Shinto and created the Ministry of Religion Education (Kyōbu-shō) on April 20, 1872, with Etō as its head. On May 31, 1872, the ministry instituted a moral instructor system (Kyōdōshoku) for the propaganda of the Great Religion, and appointed both Buddhists and Shinto priests to the new position.<sup>81</sup> By the three point lessons and moral instructor system the Great Religion came finally to have

80. *Ibid.*, Meiji 3, p. 1; Toda and Hori, p. 109.

81. Japan. *Hōrei*, Meiji 5, p. 109; Toda and Hori, p. 111.

the doctrinal substance and the means of manpower for propagandizing it. On June 3, 1872, the Ministry of Religious Education regulated the lessons that the moral instructor should preach. The lessons included these points: Japanese subjects must respect the indigenous gods and love Japan, Japanese subjects must observe the law of reason, and Japanese subjects must respect the Emperor and the authorities.<sup>82</sup>

On October 9, 1872, the Ministry of Religious Education established the Institute of Great Religion (Daikyōin) and on January 10, 1873, dedicated its headquarters building. The institute appropriated the buildings of all the Buddhist temples and Shinto shrines as its subordinate institutions, and ordered all the Buddhist temples to become preaching points of the three principles of the Great Religion on December 25, 1872.<sup>83</sup> These actions of appropriating the buildings of the Buddhist temples and Shinto shrines provided the Great Religion with its establishment of propaganda.

Further, on July 15, 1874, the Ministry of Religious Education ordered that the chief priests of Buddhist temples should have the qualification of moral instructors of the Great Religion. Furthermore, on December 16, 1874, the ministry regulated that the Buddhist priests, irrespective of their position in the temple, should possess the qualification of moral instructors of the Great Religion, and prohibited the practice of religion by anyone but qualified moral instructors.<sup>84</sup> These regulations

82. Japan, *Hōrei* Meiji 5, p. 1288; Kishimoto, ed., and Howes, tr., p. 69, states that the lesson was issued on June 3, 1873, but *Hōrei* records in the entry of the 28th day of the fourth month of the fifth year of Meiji, or June 3, 1872.

83. Japan. *Hōrei*, Meiji 5, pp. 1287-1288; Undo and Masutani, pp. 196-198.

84. Japan. *Hōrei*, Meiji 6, pp. 180, 1189.

completed the measures of religious control to be applied to the religions which would contradict the enforcement of the Great Religion.

Thus the Great Religion became a complete pseudoreligious system with a dogma, clergy, propaganda system, and surveillance measures. All of these meant an invention of a new religion, planned and enforced by the government. It was to teach the dogma of service to the government and of obedience to the authorities, by a priesthood authorized and controlled by the government, at the institutions the state appropriated from the Buddhist and Shinto religions, and under the surveillance of the administrative machinery. The government started to operate this new religion with the expectation of nationwide enforcement.

Most Buddhist priests willingly acquiesced in this project. After suffering badly from the separation and the abolition movements, they found in the Great Religion project a chance to recover their social function and consequently their social position. The majority of the Buddhist schools therefore transferred their ecclesiastical hierarchy readily into the ranks of moral instructors of the Great Religion and thus incorporated themselves into the government-sponsored organization.<sup>85</sup> Thereafter the Buddhist priests started to preach the mottoes of patriotism, rationalism, and obedience at the sacred places of worship where the generations of their predecessors had prayed and preached the teachings of Buddha, the enlightened one.

It was only a few Buddhists who realized that the Great Re-

85. Toda and Hori, pp. 113-114; Undo and Masutani, pp. 196-197.



ligion interfered with the doctrinal, institutional and personal freedom of the Buddhist faith. Those few, again the priests belonging to the Jōdo-Shin sect, started to oppose the government strongly for its promotion of the quasi-religion at the expense of the Buddhists.

As early as a month after the establishment of the Institute of the Great Religion, the Jōdo-Shin sect started a movement for its withdrawal from the institute. The four major factions of the Jōdo-Shin sect agreed that they should withdraw from the institute, and invited the Tendai, Shingon, Zen, Jōdo, Nichiren, and Ji sects to join their action. None of them joined, but the Jōdo-Shin sect proceeded alone and handed a request of withdrawal to the Minister of Religious Education on November 20, 1872.<sup>86</sup> The first reaction, then, was the demand of the institutional freedom of the Jōdo-Shin organization.

Subsequently during January, 1873, a priest of the Nishihonganji faction of the Jōdo-Shin sect, Shimaji Mokurai, submitted a criticism on the three lessons of the Great Religion to the Minister of Religious Education. He maintained that the first lesson was in conflict with the modern Western practice of separation of church and state, that the second lesson failed to emphasize the Japanese national characteristics, and that the third lesson was irrelevant, obsolete, and moulded on the oldfashioned political philosophy of despotism. He, therefore, advised the immediate repeal of the three lessons.<sup>87</sup> Shimaji further recommended the dissolution of the Institute of the Great Religion in July, 1873, and the adoption of the

86. Yoshida, pp. 130-131.

87. *Ibid.*, pp. 114-118.

policy of religious freedom in October, 1873. On April 24, 1874, the regents of the four factions of the Jōdo-Shin sect together petitioned the Minister of Religious Education that the Jōdo-Shin sect be granted independence of preaching and the secession from the Institute of the Great Religion.<sup>88</sup> Thus Shimaji and other officers started the attempt to reform the Great Religion by criticizing its doctrine and finally arrived at demanding their complete independence from any governmental structure. They realized that they should not keep a relationship with the government in order to maintain the freedom of their religious belief.

Correspondingly the government reduced the promotion of the Great Religion. A commentary memorandum dated May 5, 1874, and written by Suzuki Dai, an officer of the Ministry of Religious Education, on the petition of April 24, 1874, recommended to the Minister of Education that the government should stay away from religious matters, that the Shinto leaders in the institute were incapable of competing logically with the arguments of the Jōdo-Shin Buddhists, and that the government should grant the permission of free exercise of religion in case the doctrine proved beneficial to public welfare. Consequently, during October, 1874, the Ministry of Religious Education submitted to the Grand Council of State a recommendation to grant the secession of the Jōdo-Shin sect.<sup>89</sup> The bureaucrats of the Ministry of Religious Education thus came to admit the secession of the Jōdo-Shin sect from the institute.

The Legislative Department (Sain) of the Grand Council of

88. *Ibid.*, pp. 119-120, 133.

89. Ichimura, pp. 109-113.

State agreed to this recommendation during November of the same year. To be noted in this connection is the decline of the faction in the government that promoted the national indoctrination program. Saigō resigned from the government and returned to Satsuma in 1873 and Etō headed an unsuccessful rebellion in Saga and was executed in 1874, due to their disagreement with the other leaders over the Korean policy. Conversely those who rose in power included Kido and Itō who held a favorable view to the Jōdo-Shin sect of Buddhism. It is more than a coincidence that Kido was the one who recommended that the abbot of the Nishi-honganji sect join the Iwakura Mission to study the Western religions for the modernization of their institution in 1872. Nor is coincidental that Shimaji who went to Europe on the abbot's behalf and joined the mission there in 1873 was a close friend of Itō since the days when Shimaji organized the Chōshū priests' battalion to fight against the Shogunate in 1865. This situational explanation would support the change of the opinion regarding the national indoctrination system in the absence of documentary records on the discussions at the Grand Council. In January, 1875, the Ministry of Religious Education conveyed the permission of the Jōdo-Shin secession to the Jōdo-Shin sect leaders.<sup>90</sup>

The secession of the Jōdo-Shin sect from the Institute of the Great Religion practically nullified the significance of the Institute, which was to unify all the religious circles under a single governmental doctrine of the Great Religion. Thus in April, 1875, the Grand Council of State officially instructed the Mini-

90. Yoshida, pp. 135-136; Undo and Masutani, pp. 208-211; Ichimura, pp. 108-109.

stry of Religious Education to abolish the Institute of the Great Religion and to let each sect establish its own institution for religious teaching. On the basis of this instruction, on May 2, 1875, the Minister of Religious Education despatched to the chief abbots of Shinto and Buddhist sects a memorandum which declared the abolition of the Institute of the Great Religion and the permission for the religious organizations autonomously to establish their own places of religious instruction. Thereafter, the Ministry of Religious Education lost its function, and was abolished on January 11, 1877.<sup>91</sup> Thus the Buddhist and Shinto sects were freed from doctrinal and institutional intervention by the government.

However, the government maintained the system of moral instructions, with the accompanying regulation that no one but a qualified moral instructor might engage oneself in the dissemination of religious doctrines and in the practice of religious ceremonies as one's profession. The government used this system as a means of suppressing the birth of new religious doctrines which might prove subversive. The system had an additional function of taming the sectarian Buddhists and Shintoists as they still respected the governmental authorization and were willing to serve the authorities by teaching the people to be docile. Both the administrative authorities and the religious leaders found the system worth keeping even at the time the governmental instruction of the national morality proved a failure.

The trend to push forward the independence of religious bodies for securing their religious freedom, however, became increasingly active with the advancement of time. It was

91. Japan. *Hōrei*, Meiji 10, p. 2; Yoshida, pp. 135-136.

a Nishi-honganji priest, Akamatsu Renjō, who went against the state control of the qualification of religious teachers by the enforcement of the moral instructor system. Akamatsu argued that it was contradictory that he should assume an official position of moral instructor in order to maintain his position as a priest, because holding a government position would not automatically enhance the individual's loyalty to the government nor his loyalty to religious faith. The system, Akamatsu pronounced, produced an inevitable contradiction, was useless, and had better be abolished. Akamatsu wrote these convictions in a petition which he submitted to the Grand Council of State in January, 1881. He worked on the government through the Nishi-honganji contact with Itō. Meanwhile Atsumi Kaien and Suzuki Ejun of the Higashi-honganji requested the government to separate Shinto affairs from religious administration, and to render the business of religious institutions only to the men of religions.<sup>92</sup>

These ideas suited the religious policy of Itō, who, by virtue of his contact with the Western leaders, believed in the separation of church and state as a modern government's principle and who came to formulate the idea of reverence to the Emperor in terms of the core of patriotism rather than in terms of the archaic unity of worship and government. Finally on August 11, 1884, the Grand Council of State ordered the revocation of the moral instructor system.<sup>93</sup> This returned the function of deciding the qualification of religious teachers to the religious organizations and restored the autonomy of religious

92. Ichimura, pp. 118-119; Taya, pp. 153-7170

93. Japan, *Hōrei*, Meiji 7, pp. 142-143

bodies. It thus substantiated the freedom of religious association that had been partially restored by the abolition of the Institute of the Great Religion.

The religious policy of the early Meiji government was characterized by the promotion of Shinto, which accompanied two remarkable programs. One was the prohibition of Christianity, and the other was the separation of Shinto and Buddhism. The first was the inheritance of the policy of the Shogunate, and the second was the antithesis of the Shogunate policy. Both of these were antagonistic to religious freedom.

The demands for religious freedom acted against these policies. The demand from outside attacked the prohibition of Christianity. When Meiji Japan was eager to obtain an equal status with the Western powers, the demand of religious freedom from the Western powers as a bait for an equal relationship was a forceful impact on Japan's deep-rooted rejection of Christianity. The prohibition was gradually loosened. Its repeal became definite by 1873 due to the urgings of the treaty powers. The leaders of Meiji Japan, Mori Arinori, Itô Hirobumi, Inoue Kowashi, and Iwakura Tomomi, through their dealing with the leaders of the Western nations, arrived at the conviction that a modern nation needed the institution of religious freedom. They accepted the concept and practice of religious freedom as originated in the West as a universal principle among the modern nations. The development of religious freedom in early Meiji Japan was a part of the modernization package imported from the West by the restoration leaders. Domestic reaction against the enforcement of the civil government support of Shinto was a minor, and yet not

negligible force that drove the government to give up a major policy contradicting religious freedom. While the ritualistic and syncretistic Shingon and Tendai Buddhists could not withstand the impact of the separation, the Jōdo-Shin Buddhists who had built their associations overcame the policy of appropriating the religious institutions and personnel into a new state religion. The failure of the Institute of the Great Religion and the moral instructor system marked the victory of the force that fought for the autonomy of religious association.

The failure of the two religious programs of the early Meiji government led to the establishment of the principle of religious toleration. The government tacitly admitted the practice of Christianity by 1873 after 250 years of drastic persecution and cancelled the regimentation of the Buddhists by 1875. The early Meiji era prepared the way for religious freedom to be established by the Meiji Constitution.

(To be continued.)