

State Sponsored Censorship as found in the Japanese Education System

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Introduction

Until recently, the Japanese education system was engaged in a heated legal debate that was transpiring in Japan's courts regarding the constitutionality of a controversial function that the Ministry of Education's (MOE) performs. The case involved was of a Japanese textbook author Ienaga, Saburo who sued the Ministry for infringement of his academic freedom rights and freedom of expression as guaranteed in the Constitution. At the heart of the matter, Ienaga sued the Ministry claiming that its policy of mandatory screening of elementary and secondary school textbooks on matters the government considers politically sensitive is unconstitutional.

The topic of this paper is to demonstrate that the MOE's main function of screening elementary and secondary textbooks, as enumerated as the MOE's second function, referred to as *kyoukasho kentei* (教科書検定), is simply a euphemism for state sponsored censorship or *kenetsu* (検閲), as both censorship and screening achieve the same results, namely the suppression of information or data in whole or in part, in this case textbooks, that are deemed morally, politically or otherwise objectionable by an authoritative body. As a result, the Government of Japan, through the MOE and with the acquiescence of the judicial system, endorses the unconstitutional infringement of the freedom of expression and academic freedom, as guaranteed in articles 21 and 23 of the post-war Constitution, with the intention of keeping ideas and concepts out of the Japanese

school system. These ideas and concepts are deemed contrary to the State's view of the kinds of information that it feels is proper and desirable to administer to Japan's youth. Consequently as a result of academic freedom infringement, selective gaps in knowledge on particularly sensitive topics occurs in the Japanese educational system and is perpetuated by the Government of Japan of which, for its own purposes, has decided to withhold from elementary and secondary school students. Possible reasons as to why the government sequesters ideas from the school system will not be discussed as they are not within the scope of the proposed thesis.

Background of the Ministry of Education

In accordance with the Fundamental Law of Education (1947), the Ministry of Education is empowered to carry out policies related to the promotion and dissemination of school education, community education, and scholarly and cultural activities. The main functions of the Ministry of Education in the field of education are as follows:

- 1) Planning and initiating proposals for school education, lifelong learning education, and education, and educational administration and funding.
- 2) Establishing standard courses of study and examining elementary and secondary textbooks.
- 3) Providing financial assistance to local governments and guidance and assistance to prefectural boards of education.
- 4) Exercising jurisdiction over national universities, junior colleges, technical colleges, and other institutions.
- 5) Approving the establishment of public and private universities and junior colleges.
- 6) Providing general supervision and financial assistance to private institutions of higher education.

Current policy stipulates that before a textbook can be used in Japanese elementary and secondary schools¹⁾, regardless if public or

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History of Education in Pre-Meiji Japan and the Establishment of the Ministry of Education

Prior to the Meiji Restoration of 1868, distinctions between ruling samurai and common people were strictly enforced in many facets of society including education. For centuries the education system consisted of two types of schools, terakoya (寺小屋) for non-warrior classes which were small private schools run by one teacher and hanko (藩校) or fief schools for the warrior class. It wasn't until the Meiji Era that efforts were made to modernize the education system by shifting away from the teachings of Chinese classics to those based on Western learning or

yougaku (洋学). Realizing the potential that education could bring about to revolutionize industry and the military, and the possibility of making Japan less of a target for Western colonizing countries, the Reformers set about establishing in 1871 the Ministry of Education as the central organ for educational administration. The administrative model that the Ministry was built upon was taken from France for its characteristically strong central control which appealed to the Meiji Reformers. The Reformers found this particularly useful in order to direct and strictly control the direction that education would take as they were well aware that educational administration and police administration played an important role in maintaining social order in Imperial Japan.

Since the beginning of its Ministry's establishment, Japanese education has seemed to be synonymous with censorship. As means of screening foreign ideas that were permeating throughout Japan via the plethora of foreign books that were being translated at an astounding rate, book 'certification', as censorship was then euphemistically referred to, began in 1886 in the passage of the same ordinance authorizing the construction of Tokyo Imperial University. Such was the concern that Ito Hirobumi, Japan's first prime minister, mentioned that foreign technology imported from the west was "useful" in bringing with it "a train of dangerous ideas³⁾". In 1903, the MOE ordered that all textbooks required its approval if they were to be used in elementary and secondary classrooms. A practice that is still carried on today under the euphemism of screening.

Imperial Rescript on Education of 1890

Curtailing of academic freedom in Meiji Japan began with the introduction of the Imperial Rescript on Education of 1890. The background of the promulgation of the Rescript was prompted by two underlying conditions that Japan found herself facing at the time. The first was the fact that two camps or ideologies began to emerge, after the

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Meiji Restoration of 1868, which were diametrically opposed to each other; the fervent adherents of Japanese nationalism *nihonshugi* (日本主義) and a growing legon of Christians that were beginning to hold positions of power and influence. The Imperial Rescript on Education was designed to squelch the latter. A case in point is the Uchimura Kanzo incident of 1891, who because of his Christian beliefs refused to bow to a copy of the Imperial Rescript on Education that was hanging at his school. Subsequently, he was fired from his teaching post at the First Higher School in Tokyo. Similar incidents took place in Nagoya and Kumamoto. The second reason for its promulgation was designed to shift peoples loyalty from family and clan, to Emperor and nation, in an effort for the state to uniformly determine the interests of everyone. This is evi dent in the Imperial Rescript on Education's opening prologue:

Know Ye, Our Subjects:

Our Imperial Ancestors have founded Our Empire on a basis broad and everlasting and have deeply and firmly implanted virtue; Our subjects ever united in loyalty and filial piety have from generation to generation illustrated the beauty thereof. This is the glory of the fundamental character of Our Empire, and herein also lies the source of Our education.

The promulgation of the Imperial Rescript was not without controversy. Among legal scholars, questions were raised as to whether people were actually obliged to obey it, as it was neither a law nor an ordinance. In academic circles, the Imperial Rescript was interpreted as an abridging of academic freedoms, which at the time was preserved in Article 28 of the Meiji Constitution which recognized religious freedoms with the provision:

This (freedom) is limited to beliefs which do not disturb public order and which do not counsel violation of the duties properly expected of Imperial subjects.

The Rescript thus prepared schools to become the center for official indoctrination, ready for the hands of succeeding governments and whose chief function was to produce properly indoctrinated and trained future bureaucrats and leaders for the state. However, this was to change with Japan's defeat in World War II and her subsequent democratization.

Post War Education and Censorship in Japan

After Japan's defeat in World War II, education was among the first institutions that took priority in which the Supreme Commander for the Allied Powers (SCAP) went about reconstructing the former imperial education system. In consultation with the Civil Information and Education Section (CIE), the Diet passed the Fundamental Law of Education in March of 1947 which, in effect, signaled the end of the 1890 Imperial Rescript on Education, which the Allies believed to be the embodiment of militarism and ultra nationalism that had brought catastrophe to Japan. Academic freedom was guaranteed in Article 23 of Japan's post war Constitution and in Article X of the Fundamental Law of Education, both promulgated in 1947.

In the process of seeking to make Japan a democracy as well as to counter balance the former right wing government's control over the populace, educational reforms were initiated under the Fundamental Law of Education with the goal of removing militaristic and ultra nationalist influences from schools. In the first two years of the post war era, under the guidance of SCAP, centrist and left of center political parties influenced Japanese politics and brought about democratic reforms in the field of education. As a result, educational reforms were introduced to the public school system in an attempt to decentralize and democratize the authoritative control the MOE and the former regime once had over education.

Among these reforms were the decentralization of control of public elementary and secondary schools, formerly under strict control and

State Sponsored Censorship as found in the Japanese Education System guidance of the MOE, which have been turned over to locally elected boards of education. Prefectural boards, which were elected by the people, were established to coordinate the educational program within each prefecture, the certification of teachers and administrators, and the approval of all textbooks. The control that the Ministry of Education formerly exercised was eliminated; now it was to provide only technical aid and professional counsel to the boards, though this was short lived by a turn of events.

Reversal of Course

The face of the cold war began to make itself apparent in Japan even before China's Communist Party "liberated" Beijing in October 1949. It was becoming clear that the pendulum of post war reform in Japanese education once again began to swing to the right. In 1946, SCAP issued orders allowing over three thousand imprisoned communists, prisoners of conscious and union leaders to be released from jail and allowed to re-enter mainstream society as a concrete example of Japan's commitment to democracy. While some former inmates returned to their previous jobs, others became politically active and entered into the field of education as union leaders, teachers and students. Throughout Japan, unions rapidly increased in number and size, and strikes of both economic and political in nature became prevalent. This was not looked upon lightly by neither SCAP nor the Japanese establishment as many of these strikes were organized by the Communist Party, and with war looming ahead on the Korean peninsula, democratic reforms that once began with enthusiasm began to lose their speed.

In retaliation to the strikes, the Japanese government with the support of SCAP, began to restrict the rights of employees of state-owned enterprises in 1948 by annulling their right to strike. By June 1950, the pendulum had swung to the far right once again as Communist leaders were forced to go underground, paralleling their pre-World War II

demise, as SCAP ordered the purge of the Communist Party's central committee of members and editors of The Red Flag, the Communist Party newsletter. And with its tacit approval of SCAP, the political right had once again returned to the fore of Japanese politics. Reversals in reform policies, including those in education, came swift and thoroughly.

Correcting the "Excesses of Democratization"

In education, policies promoting the centralization of educational authority and the dismantling of the Fundamental Law of Education and its reforms began in 1955. Of the three pieces of educational legislation that were proposed and passed by the Diet that year; the Law Concerning the Management and Operation of Local Educational Administration; the Law Establishing an Extraordinary Deliberative Council on the Educational System, it was the Textbook Law which once again reinforced the vigorousness of textbook inspection. This maneuver was very much in line with what the Minister of Education, Kiyose Ichiro, remarked at the time.

"We (the State) must also make as concerted an effort as possible to advocate and nurture among our students feelings of loyalty and devotion to the State⁴⁾".

As a consequence of the Textbook Law that was passed in 1955, the screening process that was imposed on the Japanese educational system then is still very much in effect today. Disputes regarding the extent of academic freedom as guaranteed in Article 23 of the Constitution continues to be played out in courts between textbook writers and the Ministry of Education. Since the passage of the Textbook Law, surprisingly only two authors have filed suit over the textbook censorship system. The following are brief summaries of those cases.

Contemporary Court Cases Against State Sponsored Censorship

On August 29, 1999, in a narrow 3 to 2 vote, the Japanese Supreme Court ruled in favor of an 83 year old historian, Saburo Ienaga, ending a 32 year damages suit against the Ministry of Education. In a landmark decision which stated, “the education minister illegally stepped beyond the bounds of appropriate screening”, the court ruled that the MOE in 1980 and 1983 had acted illegally when it ordered Ienaga to remove one passage in his proposed secondary school history textbook, *The New History of Japan*⁵⁾, where he describes biological experiments conducted by the Japanese Army Unit 731 which claimed as many as 3,000 victims in occupied Northern China during the war⁶⁾. In its ruling the court claimed that Unit 731 did, if fact, exist and killed a number of Chinese through live experiments during the war “had been established beyond denial⁷⁾”. However, in the same ruling, the courts said that seven other passages which Ienaga was ordered to remove, including one which discussed Japanese soldiers raping Chinese women, was legal. It also unanimously upheld the right of the Education Ministry to continue to censor textbooks, which includes the right to eliminate any material that may be deemed objectionable. Ienaga was awarded 400,000 yen.

A second case in point is the Yokohama District Courts ruling on April 22, 1998 in favor of professor and school textbook writer Nobuyoshi Takashima. The court had ordered the MOE to pay 200,000 yen in compensation to Takashima for mental anguish incurred when ordered to rewrite four passages in a modern social studies textcook. Unlike Ienaga’s case which contested the MOE’s authority in revising known facts of Unit 731’s biological experimentation in Manchuria, Takashima quoted from a series of philosophical treatises known as *Datsu-A-Ron* (脱亜論) (Departure from Asia) written by Meiji intellectual and education reformer Fukuzawa Yukichi. In his screened textbook, Takashima asserts

that Datsu-A-Ron provided the intellectual underpinning for Japan's behavior against other Asian peoples during World War Two. Datsu-A-Ron says that Japan must choose the way of 'civilized' western countries, rather than look to 'savage' Asian nations. Takashima goes on to assert that the Japan is still influenced by the effects of Datsu-A-Ron as Japanese people still have a tendency to discriminate against other Asian people. The court ruling allowed Takashima to keep two of the four changes demanded by the Ministry of Education, both of them being two passage on the Datsu-A-Ron treatise. The two other passages which the court did not rule against the Ministry of Education regarded descriptions of the flurry of mass media reports on the death of the Showa Emperor and southeast Asia's reaction to Japan's decision to send mind sweepers to the Persian Gulf during 1991. In its ruling, presiding Judge Yasuo Keida said:

"The standards used in state screening of textbooks were unclear, and the government made an error that cannot be overlooked⁸⁾".

Takashima says that he will continue to appeal the ruling, saying that he wants the two other passages to be declared legal.

Conclusion and Implications

The ruling allowed the court to expose itself to the public, both domestic and international, as an example of the ambiguity in being the arbiter of state sponsored censorship that adheres to practicality rather than policy. According to the judge, the Ministry had no right to rule against Ienaga's prose regarding atrocities committed by Unit 731, as it has been proven to exist and has killed numerous of Chinese. However; on the other hand, the Ministry had the right to edit out Ienaga's prose regarding Japanese soldiers raping Chinese women. Using the same logic, we are to deduce that while the former is indeed a

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The process commonly referred to as screening, certification or approval by Japan's Ministry of Education are euphemisms for censorship by today's standards. Censorship by definition is the practice of eliminating, deleting, or filtering thoughts or ideas in part or in whole by an authoritative body that determines beforehand what a populace shall and shall not be informed of. In Japan's case, the targeted victim is Japan's youth, namely elementary and secondary school children. As a result, not only is textbook screening an abridgment of the educational right to academic freedom, as guaranteed in the Fundamental Law of Education, Article 10 and protected under post-war Constitution Article 23, it also undermines the aims of genuine enlightenment, which is the basis of education.

In looking at Japan's history of education from the Meiji period to modern times, it is evident that textbooks have always had to be approved by a governing body whether by an authoritarian military government, an invading foreign interim government or a democratic government voted into office by a sovereign voting populace. In each case, the governing body had its own reason(s) as to why it felt censorship was necessary for the populace. Consequently, education and scholarship were subordinated to the requirements of those in power and education's values were judge solely in terms of what was immediately useful to the state rather than being looked upon as something intrinsically related to the needs and desires of the people. In this perspective, the concept of developing an education system in which the state uniformly determines

the interests of everyone is the antithesis of enlightenment.

Notes

- 1) Schools that are granted recognition or accreditation by the Ministry of Education are required to have their textbooks examined. This process is not required for schools in Japan which are not accredited by the Ministry. (i.e. international schools, Korean schools, etc.)
- 2) Japanese schools abroad are also expected to adhere to this policy if they want to retain recognition by the Ministry.
- 3) Hane, M. (1992) *Modern Japan: A Historical Survey*, Boulder, Westview. p.189.
- 4) Horio, T. (1988) *Educational Thought and Ideology in Modern Japan: State Authority and Intellectual Freedom*, Tokyo, University of Tokyo Press. p.149.
- 5) Greenfield, K. T. (April 1993) "Erasing History". *The Nation* p.508-510.
- 6) Johnstone, R. (November 94) "The Bones that Haunt a Nation". *World Press Review* p.18.
- 7) October 5, 1999,
<http://ink.yahoo.com/bin/query?p=Japan+textbook+censorship&b=41&hc=0&hs=0>
- 8) October 5, 1999, <http://www.indexoncensorship.org/news/japan80598.html>

Bibliography

- Auchincloss, K. (July 1995) "No Apologies". *Newsweek* p.41.
- Amano, I. (1995). *Education and Examination and Modern Japan*. Tokyo: University of Tokyo Press.
- Beauchamp, E. R. & Vardaman, J. M. (1994). *Japanese Education Since 1945*. New York: East Gate.
- Cutts, R. L. (1997). *An Empire of Schools: Japan's Universities and the Molding of a National Power Elite*. New York: East Gate.
- Foreign Press Center. (1995). *About Japan Series 8: Education in Japan*. Tokyo: Foreign Press Center Japan.
- Greenfield, K. T. (April 1993). "Erasing History". *The Nation* p.508-510.
- Hane, M. (1992). *Modern Japan: A Historical Survey*. Boulder, Colorado: Westview Press.
- Horio, T. (1988). *Educational Thought and Ideology in Modern Japan: State Authority and Intellectual Freedom*. Tokyo: University of Tokyo Press.
- Johnstone, R. (November 94). "The Bones that Haunt a Nation". *World Press Review* p.18.
- Morton, S. W. (1994). *Japan: Its History and Culture*. New York: McGraw-Hill.
- Okano, K. & Tsuchiya, M. (1999). *Education in Contemporary Japan: Inequality and Diversity*. U.K.: Cambridge.

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Powell, B. (July 1995) "Who,s Sorry Now". Newsweek p.38-39.

Thomas, J. E. (1996). Modern Japan: A Social History since 1868. New York: Longman.

October 5, 1999,

<http://ink.yahoo.com/bin/query?p=Japan+textbook+cessnorship&b=41&hc=0&hs=0>

October 5, 1999, <http://www.indexoncensorship.org/news/japan80598.html>