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Title	Illegal missionary work lawsuits and exit counseling for Unification Church members
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Citation	Cultic studies review, 3(3), 183-201
Issue Date	2004
Doc URL	<a href="https://hdl.handle.net/2115/754">https://hdl.handle.net/2115/754</a>
Type	journal article
File Information	CSR_vol3(3).pdf



# **An Illegal Missionary Work Lawsuit and Exit**

## **Counseling for Unification Church Members**

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### **Abstract**

This paper studies the recent cult controversy exemplified by the lawsuits filed by self-proclaimed "victims" damaged by the Unification Church and in reverse by so-called "cult" members who were also proclaimed "sufferers" whose personal right of religious freedom had been violated in deprogramming. To consider the contents of these rulings demonstrates the Japanese religious consciousness in reference to the recent cult controversy, because judges tend to consider in controversial cases of religious troubles the extent to which they deviate from socially accepted norms.

In this paper I first will briefly explain the history of the Unification Church of Japan and introduce legal trials against this religion. Second, I will consider the lawsuits charging the Unification Church with illegal missionary activities, especially the ruling of the Sapporo District Court. And last, I will look at recent lawsuits against deprogrammers filed by ex-members of so-called "cults".

This paper's research methodology is based on 1) document analysis of the referenced cases; 2) interviews with ex-members, the plaintiffs of these lawsuits, and parents and pastors accused by "cult" members; and 3) observation in the Sapporo District courtroom over a period of three years. I must add that I did not have the opportunity to talk with the referenced "cult" members of these lawsuits; rather I carefully read preparatory pleadings written by their attorneys to understand their claims.

### **Introduction: Cult Controversy and the Public Sphere in Japanese religious consciousness**

Cult problems in Japan have been much debated since the Aum Supreme Truth Cult carried out the sarin gas attack in 1995, an event that popularized the concepts of *cult* and *mind control* (Nishida, 1995). Since the 1980s and before the Aum incidents, several new religions such as the Unification Church and the Jehovah's Witnesses had been criticized for their activities and attitudes. The Unification Church had recruited new members without revealing the group's name and actual activities and raised vast sums of money through fraudulent sales of spiritual goods

(Masaki, 1993; Yamaguchi, 1993). The Jehovah's Witnesses had drawn Japanese attention to their refusal of blood transfusion, which in one instance caused a child's death in a traffic accident. Contrary to a general cultural acceptance of a child's subservience to their parents' authority in terms of freedom of religion, mass media and medical workers insisted that a child's right to live should not be entrusted to parents. However, at that time, there was no comprehensive perspective that criticized those controversial religions.

The word *cult*, used by Dr. Margaret Singer when she named Aum as a doomsday cult in Kyodo News Service report on March 24th, 1995 fed into the public anxiety and anger toward those religions. The public considered Aum believers, especially criminals of indiscriminate terrorism, to be insane and "mind controlled" by the group's founder, Asahara.

The attorneys of ex-members also introduced the concept of "mind control" in the early 1990s when they filed a lawsuit against the Unification Church, claiming that the church had illegally recruited and indoctrinated ex-members with the use of social influences, psychological pressure, and coercive persuasion.

Opponents of the Unification Church, Jehovah's Witnesses, and Aum have begun to consider that the use of "mind control" techniques is a unique character of "cults." After the Aum incidents cult critics extended their influence over the mass media. The critics included not only ex-members and missionaries, but also professionals, such as clinical psychologists and psychiatrists. Professionals' interpretation of pathological religious conversion in cults has given authorization for individuals with cult problems to be treated by medical care. For example, the Ministry of Health and Welfare subsidized research by the Japan De-Cult (Recovery from Cults) Council, one of the leading anti-cult movements.

As some western scholars argue (Barker, 1984; Bromley and Cutchin, 1999), few sociologists of religion in Japan, agree about how to explain the conversion of the members of these controversial new religions. Sociologists believe that the anti-cult movement has been facilitated not only by self-claimed victims and concerned professionals, but also by a cultural attitude that opposes religious minorities and multiculturalism. To pursue this matter further (Shupe and Bromley, 1994; Richardson and Introvigne, 2001; Barker, 2002) would take us beyond the scope of this paper, so I will now return to the primary subject.

## **A Look at the Missionary Activities of the Unification Church of Japan**

In 1954 Sun Myung Moon founded the Unification Church (the legal name being the Holy Spirit Association for the Unification of World Christianity) in Seoul, South Korea. An early disciple, Masaru Nishikawa, initiated Japanese missionary activities

from 1959 to 1965. During those days he successfully laid the foundation and cadre and acquired the leadership of the Unification Church of Japan. In 1964 the Unification Church of Japan headed by Chairman Osami Kuboki was authenticated as a religious corporation.

In 1966 the Collegiate Association for the Research of Principles (CARP) was established and the Unification Church's missionary activities were expanded on campuses. Because the organization encouraged student members to dropout of school and dedicate themselves to missionary work, parents criticized it and formed an Anti-CARP Group in 1967, reforming it into Victim Family Meeting by CARP in 1975.

In the 1970s the Unification Church of Japan extended its activities to politics, academia, and the economy. The International Federation for Victory over Communism was established in 1968 to cooperate with Japanese conservative politicians. This group utilized the manpower of Unification Church members for political and election campaigns, and in exchange some politicians helped defend the Unification Church against social criticism. The Professors World Peace Academy, established in 1973, also encouraged the mass media and academics to endorse the aims and activities of the Unification Church. At that time the headquarters of the Unification Church and Sun Myung Moon's family moved to the United States and initiated a propaganda campaign. The cost of these activities was supported by the Unification Church of Japan, which began business activities, such as the well-known selling of flowers and miscellaneous goods.

In the 1980s these financing activities expanded into importing Korean goods, such as Korean ginseng tea, marble urns, and two-storied pagodas. Initially these products were sold through normal business operations, but their sales were gradually coupled with fraudulent sales techniques such as telling customers' fortunes based on their names and appeasing the spirits of ancestors. A corporation called the National World Happiness Liaison Council, which, according to the spokesman of the Unification Church of Japan, was voluntarily created by Unification Church members, took power among several sections of the Unification Church in order to send large contributions of money to the United States and Korea.

In the 1990s the Unification Church's notorious fundraising strategy interfered with its more traditional missionary activities on campuses and streets, and the organization had to develop a more controversial recruitment methodology, which was criticized as "mind control." Added to that, the Unification Church several times held mass weddings that the mass media responded to with sensationalism and criticism. And worse, cult phobia and the anti-cult movement in Japan further

accelerated the Unification Church's downturn of fund-raising and missionary activities.

## **Legal Cases of the Unification Church of Japan: Number and Rulings**

Ex-members of the Unification Church in Japan have filed three kinds of lawsuits:

1. Dozens of property-damage suits against the Unification Church have gone to court. Plaintiffs filed the initial case at the Fukuoka District Court in 1990 and won the verdict at the Supreme Court in 1996. Afterwards the plaintiffs recovered their damages in several suits filed at District Courts and High Courts such as Sendai, Nara, and Tokyo, and won a ruling that the Unification Church should take responsibility as the employer of salespersons who conducted fraudulent sales of spiritual goods. According to a survey by the Lawyers' Liaison Meeting for the damages charged to the Unification Church, the amount of property damages has accumulated to about 88 billion yen (approximately 700 million dollars) from 1988 to the present. ( The Lawyers' Liaison Meeting for the damages,2004) This huge amount of damage figures were collected from the sum of annual consultation statistics of consumer affairs bureau and bar association in each prefecture of Japan. In half of those cases victims sought legal advice for their damages and recovered part of them. Lawsuits against the Unification Church were filed by a handful of victims who were not like to receive some settlement packages from the Unification Church. These rulings and their social impact have forced the Unification Church to stop its fraudulent sales and change its fundraising strategy of collecting donations in a deceitful and coercive way.
2. Some ex-members made allegations at the annulment of their marriages in several district courts and family courts, and they received due recognitions. Unification Church members are required to marry among members in mass weddings performed by Rev. Sun Myung Moon and his wife. Moreover, brides and bridegrooms are matched and marriages are arranged by the Unification Church without considering individuals' preferences. These marriages are believed to be sacred and will therefore result in the birth of children without original sin. Ex-members who had not yet started their married lives when they became disaffiliated from the Unification Church would want to dissolve any marriage contract they entered into through the church. Nevertheless, dissolutions would be difficult in those cases in which the former members already had families, and especially in cases of international marriage, in which cases Japanese court rulings would not be valid in other countries.

3. Ex-members also filed lawsuits for financial compensation, claiming that they were illegally recruited and indoctrinated by the Unification Church. Their attorneys used the mind-control theory and argument to explain that members' affiliation with the Unification Church was created under social and psychological pressure, which was considered a violation of human rights. These lawsuits were beyond the common sense of religion and the law at issue, because there was no such legal precedent and no in-depth data concerning the specifics of the Unification Church's recruitment and indoctrination processes in the Unification Church.

### **Sapporo District Court Case: Contents of Ruling**

On June 29, 2001, the Sapporo District Court ruled in favor of the plaintiffs in a 14-year trial in which 20 former members had sued the Unification Church for coercive conversion and physical and psychological damages. The court ordered the church to pay a total amount of approximately 29.5 million yen in damages, citing the church for recruiting and indoctrination while hiding its true identity, and the fact that some former members were coerced into purchasing expensive items and donating large amounts of money. The same suit had been filed at eight different courts in Japan and this was the second case in which the plaintiff received a winning verdict. The first victory had gone to a former male church member in Okayama.

The court's ruling consisted of four cases: 1) Sapporo District Court compensation claim no.603 in 1987; 2) Sapporo District Court compensation claim no.1929 in 1988; 3) Sapporo District Court compensation claim no.570 in 1990; 4) Sapporo District Court compensation claim no.603 in 1992.

In case 1, the plaintiff's claim demanding compensation from Ark Company, an affiliated company of the Unification Church, was dismissed. In case 2, the plaintiff's claim demanding compensation from the Unification Church for 800,000 yen and 5 percent per year interest since 1988, was upheld. Other claims in the case were dismissed. In case 3, the plaintiff's claim demanding compensation from the Unification Church for 1,100,000 yen and 5 percent per year interest since 1990 was upheld. Other claims in the case were dismissed. In case 4, the claim of 15 plaintiffs demanding compensation from the Unification Church for approximately 2,700,000 yen total and 5 percent per year interest since 1992 was upheld. Other claims in the case were dismissed.

In cases 2 through 4, the compensation was based upon circumstances and the duration of the plaintiffs' affiliation. The maximum was 1,000,000 yen. Most of the compensation to the plaintiffs was for training fees of two- and four-day seminars and several donations to the Unification Church. The total amount of compensation

was one-third of the plaintiffs' claim. The ruling said that the plaintiffs' lives and time could not be considered a total waste while they were in the church, because some of them said they had meaning in their lives and were satisfied at that time.

The Unification Church appealed the 2001 Sapporo District Court ruling to the Sapporo High Court. On March 14, 2003, the Sapporo High Court sustained the verdict of the Sapporo District Court, ruling that the Unification Church illegally recruited 20 members and that it should compensate physical and psychological damages (Compensation Claim number 331 2003). Finally the Unification Church's appeal to the Supreme Court was dismissed in the same year.

We should note that this ruling did not acknowledge the plaintiffs' claims that they were mind controlled. The ruling was made without using the theory of mind control and without referring to the cult controversy in Western countries, cited by the Unification Church.

Instead, plaintiffs were considered to be recruited and indoctrinated in a way that was not socially acceptable. The ruling considered each case and the illegality of individual member's actions, not the illegality of the religious corporation of the Unification Church *per se*. Therefore, the government did not take an action against the Unification Church, which contrasted sharply with the case of Aum and those of other so-called cults. In the Sapporo District Court case, church members were sentenced because of the illegality of their actions in a criminal context.

How did the judge acknowledge the illegality in the recruitment and indoctrination process of the Unification Church?

Two points were cited in the decision.

The church members had recruited the plaintiffs, former Unification Church members, including students and housewives between 1985 and 1991. The students and other young men were invited to view a video of a self-development workshop, and the women were invited to a "culture center," which included such topics as fortune-telling by numerology (using the number of Chinese character strokes in women's names) and tracing family lineage. Not until these women were deeply involved in various workshops were they made aware of the religious content of the workshops and the association with the Unification Church. By that time, they had already committed themselves to continuing the workshops. According to the women, if they had been informed of the church's identity from the beginning, they would not have participated in the workshops.

According to the court ruling, the Unification Church recruiters took advantage of weaknesses in the former members (personal problems, illness of family members, uncertainties about the future, etc.) and fanned anxieties in the recruits that had no

direct connection to the church's religious dogma (the fear of their family becoming extinct, communicating with the spiritual world, curses, etc.), and consequently stirring up their concerns over religious salvation.

The ruling, instead of focusing on whether the former members acted voluntarily or were coerced into action, acknowledged the illegality in the purpose, means, and results of systematic recruiting and indoctrination by the church members.

Although the Unification Church insisted on former members' self-responsibilities entering into the church and the invalidity of applying mind-control theory into their conversion process, the ruling rejected the contention of a mind-control controversy.

The above decision clearly indicated the systematic strategies by the Unification Church in Japan to recruit more converts and indoctrinate more members.

Moreover, it shows the transitional process in those followers who had fallen for the strategy, from introduction, to conversion, to devotion.

In addition, the ruling includes the epoch-making concept that in its missionary activities a religion should teach its ideas as religious reality. Indoctrination of dogma camouflaged as science would unjustly influence individuals' decision-making capabilities. In fact, the Unification Church usually teaches its dogma as a fact that natural science and history have already proved, and it reveals its name and actual activities to participants only at the final stage of seminars. Most participants considered that they should follow the teaching of the Unification Church, feeling it to be natural and necessary. Religious dogma could not be proved and disproved by rational thought and knowledge of historical facts, and so once participants misunderstood that dogma within the frame of reference of incontrovertible fact, they were unable to challenge or undermine the worldview that the Unification Church had constructed. They were robbed of the opportunity to decide for themselves whether they accepted the religious interpretation of nature and history the Unification Church provided.

## **Deprogramming Cases**

In 1998 and 1999 members of controversial religions filed lawsuits against Protestant pastors who had conducted deprogrammings<sup>1</sup> and against the families who had given their consent to a coercive deprogramming that included confinement of members. The plaintiffs' claim that deprogramming is coercive proselytizing and contrary to basic human rights and freedom of religion has been

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<sup>1</sup> In the U.S. "exit counseling" does not imply confinement as does "deprogramming"; however, in Japan this distinction is not routinely made, so the term "exit counseling" is often used where U.S. writers would use "deprogramming."

argued by the Unification Church for decades. However, in Japan no such lawsuits existed accusing a husband and parents who had tried to rescue their children from the Jehovah's Witnesses and the Unification Church, respectively. Before I turn to the controversy of deprogramming, I shall briefly outline one case of the Jehovah's Witnesses and two cases of the Unification Church.

### **Kobe District Court Case: Jehovah's Witnesses**

In 1999 a lawsuit against a pastor was filed in Kobe District Court (Compensation Claim number.3). The plaintiff was a woman who had been a Jehovah's Witnesses for seven years. She lived apart from her husband and son because her husband did not approved of their son being reared in the way of the Jehovah's Witnesses. Yet, she continued to meet her son and teach him her religious beliefs. Her husband consulted with a pastor/deprogrammer who had been accused of trying to disaffiliate the plaintiff from the Jehovah's Witnesses in 1994. Her husband and the pastor then cooperated to confine the woman for two weeks in 1995 in the pastor's lodge. As a result, she disaffiliated from the Jehovah's Witnesses, but later returned to that religion, divorced, and then filed this suit in 1999.

The ruling in the case on March 30th, 2001 ordered the pastor to pay 300,000 yen for psychological damages to the plaintiff and 100,000 yen for legal fees. The deprogramming was judged as a confinement against the plaintiff's will and beyond the duty of the pastor in granting individuals' requests. Because the pastor accepted approximately 925,000 yen in payment (as a donation to his church) from the husband and because he utilized his lodge only for deprogramming, the court determined that he did not take these actions as a volunteer. The judgment also said that the husband could not use his right to keep his young son away from Jehovah's Witness doctrine as a reason for forcing his wife to give up her religious beliefs, and therefore he had no legitimate basis for such deprogramming.

The accused pastor appealed the ruling at the Osaka High Court in 2001. As the grounds of this appeal, his attorneys claimed that the ruling failed to give any solutions to the husband's self-searching: "Then what should I have done at that time to rescue my son and my wife from the Jehovah's Witnesses?" Moreover, the ruling did not consider Japanese families whose members are involved in this religion and face several conflicts, such as child discipline using a whip for corporal punishment and refusal of blood transfusion. The accused insisted on the legality of deprogramming as self-help for the husband in this case. The husband had the compelling reason that he did not want to divorce his wife; and at the same time, he could not accept her rearing his son as a child of Jehovah's Witnesses, and so he conducted a deprogramming with the help of the pastor. Confinement and persuasion by the family could be considered a legal basis of their action on the

relatively flexible premise that their motivation and means were legal, that they were in an emergency situation, and, by comparison, the merit of self-help was more significant than the loss of a family member. The attorneys argued that the actions of the husband and pastor were legal according to any point of this self-help standard.

The plaintiff also appealed. Although she and her attorneys acknowledged the ruling as a certain measure of victory, they argued that the amount of monetary compensation was unnaturally low, favoring the account of the accused, and that the ruling did not fully acknowledge freedom of religion. Referring to the ruling of Nagoya High Court (1998 number 299) that being a member of the Jehovah's Witnesses cannot take away a person's parental authority, and that the teaching of this religion cannot be disqualified as education, they argued that the plaintiff's beliefs and attitude towards her son should not be denied by deprogramming that forced apostasy from a particular religion. As the mother, the plaintiff's parental authority over her son was equal to that of her husband, and the appeal was that the District Court ruling did not sufficiently consider this right. The appeal also included the claim that the state should not intervene in religious and educational matters, if the beliefs it supports are clearly shown to violate others' rights.

The points of this case are: (1) whether the deprogramming by professional deprogrammers, aiming at apostasy from a particular religion, was practiced in an isolated place, and whether the continued persuasion until the wife's decision to disaffiliate with the Jehovah's Witness was legal action as self-help; (2) whether the husband's parental authority had priority over the wife's right to believe in a controversial religion; (3) whether the religious dogmas and attitudes of the Jehovah's Witnesses are harmful, not only to children but also to adults who decide to adopt it. Generally and legally speaking, the judge cannot accept the arguments of the accused on any of those points. And the court does not consider the legality of deprogramming and Jehovah's Witnesses as a whole. To focus on the social problems that generate this issue and judge each incident is beyond the scope of legal institutions. Nevertheless, in this appeal, because the plaintiff complained of the low amount of compensation, the judge in fact took into account the argument of the accused.

On August 7th, 2002, Osaka High Court (Compensation Claim number 1752) sustained the verdict of the Kobe District Court, not only rejecting the plaintiff's claim for additional compensation and but also ruling that the pastor should not have conducted deprogramming with the plaintiff, who had consistently opposed apostasy, even though her husband had asked him for emergency help. Both the plaintiffs and defendants did not appeal this ruling to the Supreme Court.

### **Hiroshima High Court Case: Unification Church**

The ruling on February 22nd, 2002, (Compensation Claim number 98, 2000) ordered parents and a pastor who conducted their daughter's deprogramming to pay 150,000 yen and 5 percent per year interest since 1998 for psychological damages and legal fees. This lawsuit represented the appeal by the accused of the ruling of the Tottori District Court, which had originally ordered them to pay 400,000 yen based on the same reasoning.

In this case, a female Unification Church member had been confined twice for deprogramming. The second time, in 1997, her parents had brought their daughter out from the Unification Church branch against her will and despite church members' opposition, and then had confined her for 14 months to persuade her to disaffiliate from the Unification Church. She once promised apostasy, but then returned to the church and participated in a mass wedding. She migrated to South Korea to live with her Korean husband. After a time she filed this lawsuit.

The points of this case are (1) whether the long confinement for deprogramming was a legal action as self-help; (2) whether the parental right to child custody (the daughter was 31 years of age during the deprogramming) is superior to the child's freedom of religion; and (3) whether the religious dogma and the activities of the Unification Church are harmful to adults who want to continue to participate in them. These points, especially the argument regarding self-help, were constructed in the same manner as those in the Jehovah's Witnesses case, because the attorney was the same person in both cases.

The ruling in this case was a victory for the plaintiff. The accused gave up further appeal, because the high court ruling reduced by an extraordinary amount the monetary compensation awarded by the district court. In fact the plaintiff accepted 100,000 yen for compensation and 50,000 yen for legal fees, which could not cover the necessary expenses of the trial. Also, violent abduction and long confinement could not legitimize the self-help argument, even if the judge had considered the circumstances of deprogramming. At least in principle, the court did not condone programming, but it did regard the cult question as a social problem.

### **Tokyo District Court Case: Unification Church**

A ruling on March 8th, 2002 (Compensation Claim number 7723 1999) dismissed the claim that the accused, the parents and a pastor, must not force apostasy on the plaintiff, their daughter and Unification Church member, and must pay approximately 14,000,000 yen in compensation for her psychological damage in deprogramming. The plaintiff appealed this lawsuit with the complaint that the ruling of the Tokyo District Court did not acknowledge her right of religious freedom.

In this case, a female Unification Church member was confined for deprogramming in 1997 and 1998. She once promised apostasy, but later returned to the church. She then participated in a mass wedding and migrated to the United States to live with her American husband. After a time, she filed this lawsuit.

The points of this case are (1) whether the confinement for deprogramming was a legal action under the right of parental custody (the plaintiff was 31 years of age at that time); (2) whether the pastor was in a conspiracy to conduct deprogramming with the parents and humiliated the plaintiff's dignity in that intervention; and (3) whether the religious dogma and the activities of the Unification Church are harmful to adults who want to continue to participate in them. These points are in some degree different from the cases mentioned above, because the attorney in this case did not adopt the argument of self-help, which had been suggested by a legal scholar who supports "victims" damaged by the Unification Church.

The judge did not admit the claim of the plaintiff who criticized her parents' action as violation of her personal religious right. According to the decision, the deprogramming process between the parents and their daughter with the help of the pastor could be considered not as confinement and persuasion, but rather as a family talk. The ruling considered it sufficient that the parents were deeply concerned about their daughter's life and future as a Unification Church member because they knew the Unification Church was a controversial religion. Other considerations in the ruling included the fact that, given the parents' bitter experience in failing in their efforts to communicate with their daughter and their ages, they could not be expected to go to the United States to attempt deprogramming again. Additionally, the daughter was not in a serious situation that violated her religious beliefs; hence, her claim to secure her religious personal right against her parents was groundless. Also, it could not be proven that the pastor had a conspiracy with the parents and had conducted any violation against the daughter.

This ruling was a victory for the accused, and the first one for the accused and for deprogramming. The court did not deal directly with the issues of personal rights and religious freedom that the plaintiff wanted to discuss; rather, it considered the situation in which the accused conducted this deprogramming and regarded it as a family problem. Of course, we cannot conclude that the court admitted deprogramming as a legal action. If we limit the focus to the deprogramming component, the judge did not admit any violation in its use on a case-by-case basis.

On December 26th, 2002 the Tokyo High Court sustained the verdict of the Tokyo District Court, ruling (Compensation Claim number 1987 2002) to dismiss the claim. The appealing to the Supreme Court by the plaintiff was also dismissed in 2003.

## Response to the Unification Church Criticism of Deprogramming in Japan

In 2003, Antal, a member of the Unification Church and a husband of the plaintiff of the Tokyo District Court Case mentioned previously, harshly criticized Japan in the *Journal of Unification Studies*, saying "State officials have indeed been supporting forcible 'deprogramming,'" and hence "Japan is violating international human rights norms." Antal illustrated the state's "hands-off" attitude toward "religious deprogramming": (1) the police refused to save Unification Church members who had run away from 'confinement' apartments; (2) the prosecutor's office rejected thirteen appeals by Unification Church members, and have just investigated and suspended two since 1988; (3) the civil liberties bureau under the Ministry of Justice did not intend to intervene in appealed issues regarded as "family affairs," and (4) the civil law courts dismissed three damage suits filed by Unification Church members. The only exception was the Hiroshima High Court Case mentioned; however, Antal resented the small amount of compensation money, approximately \$1,000 for illegal confinement of the plaintiff for fifteen months, compared to the Jehovah's Witness case, \$3,000 for seventeen days. He cited the Jason Scott case in the United States, which ordered a professional "deprogrammer" and his alleged conspirator, Cult Awareness Network, to pay \$4,875,000 in punitive damages for just ten days.

Antal questioned why only Unification Church members, "integrationist multi-racial" project participants in mass "Marriage Blessing," were segregated in Japan. He found the answer in "a general state hostility towards a number of new religions, among them the Unification Church," and denounced Japan's attempting "to characterize religious groups as subversive pseudo-religions (hence) that Japan must come under scrutiny by the international community." Actually, as he stated, the Annual Report on International Religious Freedom for 2003 referred to it as a case of "Restriction of Religious Freedom."

(<http://www.state.gov/g/drl/rls/irf/2003/23831.htm>)

His question is very suggestive. We must scrutinize why the state officials, judges, and general public in Japan were critical of the Unification Church. Antal is wrong when he assumes that the Japanese have an ungrounded prejudice against the Unification Church. He intentionally did not mention even once how the Unification Church conducted controversial activities in Japan for 40 years. According to the rulings in the Unification Church cases, this religion has been recruiting members and raising funds in illegal ways. As for the fraudulent sales of spiritual goods by their members, the Unification Church has inflicted approximately \$700 million in damage among ordinary Japanese citizens. Therefore parents and deprogrammers opposed the church for involving their children in illegal activities. These fraudulent

activities are quite unique in exploiting Japanese religiosity and family structure, so we would be misled if we compared Japanese cases with those limited to religious activities in Europe, the United States, and Korea.

In addition, contrary to Antal's understanding of state agencies, Japanese police and judges had not been cooperative with anti-Unification Church movements to intervene in religious matters until the end of the 1990s when ex-members and attorneys produced sufficient evidence to win verdicts against the Unification Church. The Unification Church has been viewed with suspicion because of their illegal activities in the past.

Historically, Japanese religiosity has been a mixture of several historic religions and indigenous ancestor worship. The Japanese are tolerant of new religions, whether they , originated in Japan, in the East, or the West. Nevertheless, the Japanese cannot ignore the problems attributed to the Unification Church.

Thus, it is reasonable to claim that some Japanese parents had no other choice than to conduct "controversial" deprogrammings to rescue their children, even if they knew that their children were over 20 years of age and legally regarded as having the capability of decision-making and free-will.

## **Conclusion**

In the 1990s, religious problems, such as deceitful recruitment and fund-raising by the Unification Church and criminal activities by Aum and other "cults," provoked a cult controversy and a cautious attitude towards religion among ordinary Japanese citizen. An Anti-cult movement, composed of ex-members of such groups, and families concerned with enlisting the help of professionals such as pastors, attorneys, and psychiatrists, severely criticized particular controversial religions for violating human rights. Courts judged certain activities of the so-called "cults" as illegal, separating their social actions from their arguments of sacred rights of religious freedom. In addition, the Sapporo District Court ruling added that in their missionary activities, religions should explain their teachings as religious dogma that is different from scientific truth and historical evidence so as to protect individuals' decision-making capabilities in choosing their religions. Some religious persons and scholars probably regard this ruling as exceeding religious authority, which sets religious truth, virtue, and beliefs over secular views, such as modernism and rationalism. Or they refer to the dark days when freedom of religion was suppressed in the name of public security.

It is true that religions that have challenged established virtues and institutions have caused countless troubles to secular societies. Yet, religious movements are not always harmful to society, and indeed they sometimes initiate cultural and social development.

However, our society has become a sufficiently secularized one in which no virtue is greater than personal rights, self-determination, and public consciousness. Even religious virtue cannot compete with these. The cult controversy originated from the conflicts between some controversial religions and their self-proclaimed "victims." The claims resulting from these conflicts have been accepted among the general public to the extent that courts can intervene in religious matters. Recent court judgments on religious problems are largely different from former ones. So far, the courts have protected the rights of believers of any religion and dismissed governmental intervention in religious matters in accordance with the Japanese constitution. But in recent lawsuits against the Unification Church, the rulings protect the rights to choose beliefs and to disbelieve as well, and they show the rigid limits of missionary activities in the name of freedom of religion. Of course, Unification Church members as well as Jehovah's Witnesses have won verdicts that deprogramming infringes upon the right of belief. Yet, the courts showed deep consideration toward the circumstances under which families and pastors practiced deprogramming. Violent intervention in others' beliefs was considered an illegal action, not only in recruitment by "cults," but also in deprogramming, which has been acknowledged to be confinement and persuasion.

Nowadays developments in reproductive medicine and transplant surgery have provoked new controversies over when human life begins and ends and to what extent the manipulation of human sperm and egg cell can be allowed. As medical technology develops, a new ethical code will be recognized and legitimated. Thus, personal and public rights in medicine will be established not only by medical professionals but also by social discussion of controversial topics.

Similarly, the personal and public rights in religious matters are also being established by the cult controversy in contemporary society and by the many lawsuits filed by ex-members and members of controversial religions. These cases are personal matters; however, the legal rulings and their publicity in the mass media make the rulings topics for public discussion. Compared to medical matters, religious issues seem unimportant among ordinary Japanese people, except for those individuals concerned with and involved in "cult" problems. Yet, "cult" issues will gradually attract public attention so that people recognize them as social problems that should be addressed in public policy.

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