

41 The Liberal Democratic Party's Constitutional Reform Promotion Department: *Questions and Answers to the Draft Proposal for Revisions to the Constitution of Japan (2013)*

Introduced and translated by Christoph Kleine

Introduction

In a document entitled “Questions and Answers to the Draft Proposal for Revisions to the Constitution of Japan,” the Liberal Democratic Party's Constitutional Reform Promotion Department explains why, in their view, a revision of the constitution in general, and the religion-related articles in particular, is necessary.

Bibliographical Information

Jiyūminshutō Kenpō Kaisei Suijin Honbu 自由民主党憲法改正推進本部. *Nihonko-ku Kenpō Kaisei Sōan Q&A (Sōhoban)* 日本国憲法改正草案Q&A (増補版) [Questions and Answers to the Draft Proposal for Revisions to the Constitution of Japan]. Tokyo: Jiyūminshutō Kenpō Kaisei Suijin Honbu, 2013; 2, 18.

Translation by Christoph Kleine

Q1: Why must the constitution be amended now? Why did the LDP put together the “Draft Constitution of Japan”?

A: Since its foundation, our party has made the establishment of an independent constitution its party policy. In order to break away from the occupation regime, and make Japan a country fit to be a sovereign state, we have made many proposals for constitutional reform. [. . .]

The current constitution was enacted during the Allied occupation, based on a draft directed by the Allied Command, and within the limits of its understanding. We believe that the constitution, which was enacted while the sovereignty of the State of Japan was restricted, does not reflect the free will of the people. [. . . p. 2–18 . . .]

Christoph Kleine, Leipzig University, Research Centre Global Dynamics, KFG 2344, “Multiple Secularities – Beyond the West, Beyond Modernities”; Leipzig University, Faculty of History, Art and Area Studies, Institute for the Study of Religion

Commentary

Clarification of the prohibition of religious activities by the state and others (Article 20 (3))

The common interpretation of the prohibition of religious education by the state and local authorities is that it prohibits the teaching of a specific religion, and does not include religious education as a general education. In order to clarify this in the article, the wording was changed to “particular religious education” [i.e. teaching about a specific religion].

Furthermore, the second sentence was added with reference to Supreme Court precedents, excluding from the prohibition of religious activities by national and local authorities those that “do not exceed the scope of social rituals or customary acts.” Thereby, problems such as the use of public funds to pay Tamagushi¹ fees at ground-breaking ceremonies will be solved in practice.

I CK: Tamagushi 玉串 (literally “jewel skewer”) is a form of offering consisting of a sakaki tree branch decorated with strips of paper, silk or cotton. Tamagushi are ritually offered to kami (spirits or gods) by parishioners, shrine maidens, or priests at Shinto shrines, on various occasions.