

44 Shinshū Ōtani-ha: *Resolution Against the ‘Revision’ of the Fundamental Law of Education (2004) and Comment by the Shinshū Ōtani-ha President on the ‘Revision of the Organ Transplant Law’ (2009)*

Introduced and translated by Ugo Dessì

Introduction

This section introduces two official documents issued by the Shinshū Ōtani-ha 真宗大谷派, one of the two major branches of True Pure Land Buddhism (Jōdo Shinshū 浄土真宗), regarding the Japanese Fundamental Law of Education (Kyōiku kihonhō 教育基本法) and the Organ Transplant Law (Zōki ishokuhō 臓器移植法) respectively.

The first document is a 2004 resolution against the proposed revision of the Fundamental Law of Education that was later implemented by the Japanese government in December 2006. This revision introduced changes to the law such as the addition of references to the “sense of morality” and “love for the country and the homeland.” The Shinshū Ōtani-ha resolution is a strong reaction against this revival of elements from the ultranationalist education system of wartime Japan, and is based on the guiding idea of effective character building. This character building, according to the resolution, can only be achieved by protecting children from the intrusion of the state in education, and defending the secular values in the old draft of the Fundamental Law of Education, against the reinforcing of elements of wartime moral education in public schools.

The second document was issued in 2009, to protest the revisions to the Organ Transplant Law enforced by the Japanese Diet in July 2009, which not only removed the age limit for organ donations, but also recognised brain death as “legal death.” The Shinshū Ōtani-ha text reproduced below argues instead for the (legal codification of the) primacy of the religious sphere over the domain of medical science, based on the idea that life is not something that can be disposed of arbitrarily by human beings. This, it argues, is because life and its definitions lie in the domain of religion, while the postulated equivalence of actual death and brain death is thought to lead dangerously to the objectification or privatisation of life (the guiding idea here being respect for “the dignity of life”).

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These two texts exemplify different, and not necessarily consistent, ways of distinguishing between religion and societal areas related to politics, law, public education, and science, within the same Buddhist context – thus confirming the situational and flexible nature of secularity.

Bibliographical Information

- Shinshū Ōtani-ha 真宗大谷派. “Kyōiku kihonhō ‘kaisei’ ni hantai suru ketsugi 教育基本法「改正」に反対する決議” [Resolution Against the ‘Revision’ of the Fundamental Law of Education]. June 8, 2004. Available at <https://www.higashihonganji.or.jp/news/declaration/0009374>.
- Shinshū Ōtani-ha 真宗大谷派. *Comment by the Shinshū Ōtani-ha President on the ‘Revision of the Organ Transplant Law’* [Zōki ishokuhō kaisei’ ni kansuruugoki nit suite no shūmusōchō no komento 「臓器移植法改正」に関する動きについての宗務総長コメント]. July 6, 2009. Available at <https://www.higashihonganji.or.jp/news/declaration/1223404>.

Translation by Ugo Dessì

Resolution Against the ‘Revision’ of the Fundamental Law of Education

On 20 March 2003, the Central Council for Education submitted a report to the Ministry of Education, Culture, Sports, Science and Technology, stating that “from a perspective aimed at a spiritually rich and robust cultivation of the Japanese people for the new century . . . there is the need to amend the Fundamental Law of Education.”¹

In the same report, there is no sufficient discernment of whether “the decline of self-confidence and public morality, atrocious crimes by juveniles, bullying, nonattendance and dropout at school, classroom breakdown, and the like” are caused by school education or society. Instead, the current Fundamental Law of Education is arbitrarily deemed responsible for these problems, and a ‘revision’ is required that would promote and approve the state’s excessive intervention in the hearts of children and families. In this text, one not only finds the importance of “cultivating patriotism,” “strengthening old-time moral education,” and “revering and dedicating oneself to the country” being emphasised in the name of the “respect for Japanese

¹ UD: Reference is made here to the report “The Fundamental Law of Education and the Basic Promotional Plan for Education in a New Era” (Atarashii jidai ni fusawashii kyōiku kihonhō to kyōiku shinkō kihonkeikaku no arikata ni tsuite 新しい時代にふさわしい教育基本法と教育振興基本計画の在り方について), issued in March 2003 by the Central Council for Education (Chūō Kyōiku Shingikai 中央教育審議会), an advisory panel to the ministry. See http://www.mext.go.jp/b_menu/shingi/chukyo/chukyo0/toushin/030301.htm.

tradition and culture,” but one also finds a call to rebuild education through meritocracy, competition, and the logic of the strong.

Based on our deep reflection on the horrors of the Asia-Pacific War, which cost more than 20 million victims their lives, we have obtained the Japanese Constitution revolving around the three main principles of “democracy,” “pacifism,” and “respect for basic human rights.” The preamble to the Fundamental Law of Education, which was enacted at around the same time, states: “Having established the Constitution of Japan, we have shown our resolution to contribute to the peace of the world and welfare of humanity by building a democratic and cultural state. The realisation of this ideal shall depend fundamentally on the power of education.” The preamble continues by affirming that “we shall esteem individual dignity and endeavor to bring up people who love truth and peace,” and that “education aimed at the creation of culture general and rich in individuality shall be spread far and wide,” thus showing itself as the embodiment of the principles enshrined in the Japanese constitution.^{II}

In recent years, however, we have seen changes such as the enactment of the National Flag and Anthem Law,^{III} the official approval of school textbooks based on nationalistic and utterly distorted views of history, and new educational guidelines and sixth-year elementary school social studies aimed at “nurturing love for the country.” As a result, the government’s excessive intervention in the classroom proceeds at an accelerated speed. We must admit that all these developments point in the same direction – that of constitutional ‘revision.’

Education is an activity that promotes and supports the self-formation of human beings as individuals, and cannot be reduced to the planning and the imposition by the state of a definite image of human beings. Beyond that, children can by no means be considered as something existing for the sake of the state.

The Shinshū Ōtani-ha has deeply repented for its own past war responsibilities, when it forgot its duties as a community of Buddhist practitioners, twisted the words of founder Shinran Shōnin,^{IV} and uncritically and actively cooperated with the [wartime] national policy. In 1995, the Shinshū Ōtani-ha Diet adopted an *Anti-war Resolution* (*Fusen ketsugi* 不戦決議) vowing “to investigate the crimes committed by our religious community, and to spare no effort in preventing these tragedies in the future.”^V

As a community of Shin Buddhist practitioners, here we pass our firm resolution against opening the path to ‘amend’ the Peace Constitution, which would lead to the

II UD: For a comparison of the revised (2006) and original (1947) versions of the Fundamental Law of Education, see the dedicated web page of the Ministry of Education, Culture, Sports, Science and Technology. https://www.mext.go.jp/b_menu/kihon/data/07080117.htm.

III UD: *Kokki oyobi kokka ni kansuru hōritsu* 国旗及び国歌に関する法律 (1999).

IV UD: Shinran 親鸞 (1173–1262) is acknowledged as the founder by all branches of True Pure Land Buddhism.

V UD: Cf. the website of the Shinshū Ōtani-ha, at <https://jodo-shinshu.info/wp-content/uploads/2021/03/58d87898161dd3ef658f763beb9cf4d6.pdf>.

cultivation of citizens who can support a country willing to go to war as a means of settling international disputes, and against a ‘revision’ of the Fundamental Law of Education, pursuing the division of human beings through a meritocracy based on the logic of the strong.

8 June 2004

Comment by the Shinshū Ōtani-ha President on the ‘Revision of the Organ Transplant Law’

With regard to the Organ Transplant Law, in 1997 the Shinshū Ōtani-ha expressed its regret through a “Statement on the Approval of the ‘Organ Transplant Law’ Bill at the House of Representatives”; on the occasion of the [enactment of the law on] ‘Brain Death and Organ Transplantation’ (1999), we expressed our view that this issue once again poses to all of us as individuals the question of the meaning of life and death. As such, the issue should be widely discussed, and it would be desirable to reconsider it in light of the rich meaning of the “dignity of life” (*inochi no songen* いのちの尊厳) and “life and death” (*seishi* 生死) ideas. Our present statement confirms this position.

The issues of ‘brain death’ and ‘organ transplant’ basically revolve around the claim to assessing, in intellectual terms, the way in which human beings are born, live, and die. In this, there is the danger that we end up conceptualising different ‘categories’ of death, and see human organs as ‘parts.’

We have snootily turned ‘death,’ which was originally ‘something to be accepted,’ into ‘something to be decided’ and ‘something that can be decided.’

The True Pure Land Buddhism taught by Shinran Shōnin remains a path considering all individuals as human beings living in sadness and pain, while disclosing true liberation to them. According to this teaching, ‘brain death’ and ‘organ transplant’ are not simply related to the lives and deaths of others, but should rather be understood as something that raises questions of our own individual ways of life, being actually related to the fact that ‘I am here, born as a person.’

Finally, against such expression of the dark side of the human intellect leading to the revision of the Organ Transplant Law, we express our strong wish that a discussion based on the acceptance of human existence might be started, in line with what was suggested by the words of Kiyozawa Manshi:^{VI} “For us there is not only life but also death, we are the combination of the two sides.”

6 July 2009

VI UD: Kiyozawa Manshi 清沢満之 (1863–1903) is a celebrated thinker and reformer within the Shinshū Ōtani-ha branch, and in True Pure Land Buddhism in general.

