

## **Chapter 4    Problems with the Abe Cabinet’s Education Policy and Revision of the Fundamental Law of Education**

### **1. Fundamentally changing the Fundamental Law**

At the top of the first pillar of his “Administration’s Plans,” Abe Shinzō put “ establishing a Constitution suitable for a Japan that will open up a new era.” At the top of his second pillar, “A Country of Freedom and Discipline,” he put “sweeping education reforms.” And he made “revision” of the Fundamental Law of Education the most important issue in the “sweeping education reforms.”

At his very first press conference after being installed as the LDP chairman on September 20, 2006, Abe said, “The revision of the Fundamental Law of Education is the most important bill. I will put everything I have into it.” At a special session of the Diet, he stressed his aim to pass this “most important” education bill. Then, together with “revision” of the Fundamental Law of Education, or perhaps simply preoccupied with “revision,” he tackled the “sweeping education reforms.” On September 28, Abe stated the following about “education rebirth” in a speech declaring his convictions to the Lower House:

In order to realize my aims for ‘the beautiful country of Japan,’ the cultivation of children and youths who will shoulder the responsibilities of the next generation is indispensable. Recently, however, children’s morals and desire to learn have declined, and it has been pointed out that this indicates a decline in the educational capabilities of families and communities as well. The purpose of education is to raise citizens dedicated to their aspirations and to create a dignified nation and society.... Aiming towards the cultivation of human beings who cherish family, region, country, and life, who possess humanity, creativity, and discipline, I will grapple with the rebirth of education at once .... First, I expect the early drafting of a Fundamental Law of Education bill .... In order to advance such a policy, I will immediately have the cabinet set up an Education Rebirth Council, which will gather together the wisdom of our land.

The purpose of education as set forth in the current Constitution and the Fundamental Law of Education is premised on the unique value of each individual's existence (“respect for the individual’s dignity”), and for such individuals (human beings), it aims for “achievement of character.” Abe’s purpose of education, however, as made clear in this declaration of his convictions, is “the creation of nation and society,” “the cultivation of talent for the nation and national interest,” and “the creation of human beings who follow national policy.” Further, in *Towards a Beautiful Country*,<sup>1</sup> Abe writes, “The purpose of education is to raise motivated citizens, to create a dignified nation.” Abe’s view of education prioritizes the nation over individuals, and, as with the government’s education bill, it fundamentally changes the purpose of education.

#### *Britain as a model for “revision” of Japan’s Fundamental Law of Education*

What are these “sweeping education reforms” Abe aims for, and how will they change Japanese education? We will examine these matters here.

The model for Abe’s education reform initiative is the education reform initiative of the former British prime minister, Margaret Thatcher. In *Towards a Beautiful Country*, Abe praises Thatcher’s actions as “magnificent education reforms.” He says, “Thatcher...carried out two things in the 1988 Education Reform Law. One was to correct a masochistic, biased education, and the other was to raise education standards .... Both are challenges facing Japanese education” (*Towards a Beautiful Country*). He asserts that the British example provides the model for Japan in promoting education reform. “The Thatcher reforms caused great friction in British society, but it was aimed at a better future. It was a creative destruction, so to speak,” he writes. “These reforms received fierce opposition from teachers in the field,

---

<sup>1</sup> Currently scheduled for release in the US in August, 2007, as *Towards a Beautiful Country: My Vision for Japan*. All notes by the translator.

and a teachers' strike continued for half a year. However, Thatcher did not compromise at all. So, in the end, she pulled off the reforms." It seems Abe is superimposing his own image as a "fighting politician" on top of Thatcher's. Learning from Thatcher, he established the "Education Rebirth Council" under his direct control in the prime minister's office, and he is forcing top-down "sweeping education reforms."

First, here is how Abe explains the way in which Thatcher carried out the "correction of textbooks with masochistic views of history":

In the history textbooks in use in England at the time, there were issues such as 'how racial discrimination came to England.' There was even an illustration showing England as a fat farm animal exploiting Africa. These were not high school textbooks, mind you--they were used in elementary education. They are textbooks that greatly wound self-esteem. Using these kinds of textbooks to educate their children, the British people could not foster self-esteem, Thatcher thought. So, in the 1988 reforms, the standpoint that textbooks should have balanced accounts was adopted. For example, if they wrote about the 'negative' aspect of slave labor in the colonies, they would have to mention that England was a forerunner in abolishing the slave trade (*Towards a Beautiful Country*).

Abe attacked textbooks that wrote about Japan's role as aggressor and perpetrator, saying they had "biased," masochistic historical perspectives. As I have already mentioned, Abe has cooperated with the Japanese Society for History Textbook Reform (Tsukuru Kai). He says, "Present-day education has problems both in structure and content. In terms of content, there is first of all the problem of biased history education and textbooks replete with masochistic views of history.... I think this is gradually being corrected, but at the present time it has not been solved.... Despite the fact that the trade editions of Fusōsha's textbooks sell millions and are supported by the public, their adoption rate in the schools has been abysmal" (Nakanishi Terumasa, ed., *The Path to Correcting Our Education Based on the Thatcher Reforms*). As I

have pointed out, when Shimomura Hirobumi, a former Education ministry official, became vice-chief cabinet secretary and joined Abe's inner circle, he said, "I will make sure that history textbooks based on a masochistic view of history will be corrected through instructions from the prime minister's office."

Abe follows up with this account of the Thatcher reforms' program to "raise education standards" :

In England after the war, the state did not monitor educational content, so it was left up to individuals in the field. Because of that, there were more and more children who could not even count. To address this, the government created a National Curriculum and implemented standardized national scholastic achievement tests. Then, the Ministry of Education created an independent school inspection agency under direct control of the queen, dispatched over 5,000 inspectors throughout the country, and checked thoroughly to see whether instruction was being carried out in accordance with the National Curriculum. As a result, those schools that were found not to be meeting standards were ruthlessly closed. The number of these schools reached over one hundred. Even the education departments of universities that provided teachers to these schools were abolished (*ibid.*).

These Thatcher policies were inherited by Tony Blair's administration. As Abe points out, "Concretely, for example, teachers' authority to discipline pupils causing problems was formalized, and households thought to be a potentially bad influence in their district were placed under 24-hour surveillance. By clearly distinguishing good from bad, the policies emphasized nipping crime in the bud" (*ibid.*).

Taking this as a model, Abe asserts the following about his intended "education reforms":

"In the structural reform of compulsory education, the state first sets the goals and establishes the legal foundations. Then, it expands the authority and responsibility of municipalities and schools, making the initiatives practicable. When there are mechanisms in place to verify the results, the reform is complete" (*ibid.*).

Specifically, these are the sorts of things he wants to do:

Review the ‘educational goals’ of the Fundamental Law of Education...clarify the role of compulsory education...increase the number of classroom hours...fix the content-poor, comic book-like textbooks...and reconsider the official Course of Study.... We will implement and announce the results of nationwide scholastic achievement tests....We will take steps to aid those schools that have poor test results, and if there continues to be no improvement, we will enforce measures such as replacing their faculty....We will provide parents and guardians with school choice. We will introduce a system of renewing teachers’ licenses...review the system of promotion based on seniority, give preference to enthusiastic and capable teachers...and have the no-good ones resign.... I fervently hope to introduce a school evaluation system like the one implemented in the Thatcher reforms. It will be a tool that the national inspection office can use to evaluate not just academic ability, but school administration, guidance of students, and so forth. In the case of problem schools, the Ministry of Education will be able to order the replacement of faculty members and the privatization of schools (*ibid.*).

In this manner, “the revival of academic ability can be effected in a relatively short time period, but the problem is the decline of morals.” In order to revive morals, “by having young people engage in volunteer activity, we will have them learn the importance of the connections between people...for example, by making a certain amount of volunteer activity compulsory as a prerequisite for entering university.... By changing the time when they enter university to September, they will then have three months for this kind of activity” (*ibid.*).

Abe, who made this proposal during the race for party chairmanship, and who is now prime minister, established in the cabinet secretariat an “Education Rebirth Council” reporting directly to him and including civilian members. He has decided to promote education reforms such as the introduction of a school voucher system, a teacher’s license renewal system, a school evaluation system, university terms that begin

in September to allow half a year of mandatory volunteer activities, correction of masochistic history education, and correction of radical sex education and “gender-free” education.

The school voucher system is one in which parents have the freedom to submit vouchers to the schools of their choosing, and the education budget is distributed to schools according to the number of vouchers they receive. Tied in with nationwide scholastic achievement tests and publication of their results, the school evaluation system, and the freedom to choose schools, the intention here is to encourage even more competition in education. With the school voucher system, income disparity is directly linked to educational disparity, disparity among regions and disparity among schools will be consolidated, and the already increasing disparity in education will be further exacerbated. This is the denial of equal educational opportunity.

Because of this neo-liberal educational policy, children, teachers, schools, and families will be thrown into the tumult of intense competition. Already, Japanese education has incorporated the principles of competition, and baneful effects have manifested themselves. In 1998 the U.N. Committee on Children’s Rights admonished Japan to remedy the “stress of its highly competitive education system” and the “exposure of children to developmental obstacles.” Since the Japanese government and the Ministry of Education ignored this admonition, in 2004 the U.N. Committee on Children’s Rights judged that “there was not adequate follow-up,” and once again admonished Japan to remedy the situation. The Abe administration’s “education reforms” pay no attention to the U.N.’s advice, and instead are based on even more competition in education than before. This is not the “reform” of education but its destruction.

The “revival of morals,” which Abe’s education reforms stress the most, represents the introduction of patriotism into education. Abe says, “I think fostering a love of country and the desire to improve it is something that should definitely be included [in the bill to revise the Fundamental Law of Education].... When the nation is threatened with crisis, if there are none ready to sacrifice their lives, the nation will not stand ” (public symposium sponsored by the Reverence for Yasukuni Conference). To make the goal of education the creation of human beings who will offer their lives for the nation is the same as the Imperial

Rescript on Education's [1890] prewar and wartime foundation for education: "In a crisis, offer yourself up for the public good with loyalty and courage" (i.e., in a state of emergency or war, die for the emperor). The goal of Abe's "sweeping education reforms" is the creation of people befitting a "country that wages war." That kind of education now appears possible, as the government strives to repeal the current Fundamental Law of Education and actualize the government's proposed fundamental law of education at any cost.<sup>2</sup>

As stated above, Abe praises the Thatcher administration's education reforms in Britain, and he wants to make them the model for his own education reforms.

The Central Education Council's (Chūkyōshin) president Torii Yasuhiko and successive education ministers have applauded this. Former education minister Kawamura Takeo said that thanks to the Thatcher education reforms, England's textbooks with masochistic views of history had been revised. In his *Five Proposals for Revising the Fundamental Law of Education*, former education minister Nakayama Nariaki also praised the Thatcher reforms. Groups intent on reforming-for-the worse<sup>3</sup> the Fundamental Law of Education and attacking current textbooks such as the Japan Conference, the Japanese Society for History Textbook Reform (Tsukuru kai), and the Citizens' Education Watchdog Group have all taken the Thatcher reforms as their model.

In October 2004, with LDP Lower House member Hiranuma Takeo as chief representative, Lower House members Furuya Keiji and Shimomura Hirobumi, Upper House members Kamei Ikuo and Yamatani Eriko, and the Democratic Party's Lower House members Matsubara Jin and Ryū Hirofumi formed the "British Education Research Group," and they investigated the Thatcher education reforms. Abe writes, "In the fall of 2004, when I was chief secretary of the party, the LDP dispatched the Education Research Group

---

<sup>2</sup> The Fundamental Law of Education was revised and went into effect in December of 2006.

<sup>3</sup> This awkward translation attempts to capture the spirit of the compact term routinely used in Japanese to contest the assumption that every use of the word "reform" signals improvement by changing the second character in Sinojapanese "kaisei" (改正) to "kaiaku" (改悪). In English, systems are "reformed" and laws "revised," but "kaisei" is used for both in Japanese, and "reform" will be used here to preserve the irony.

to England. It was thought that the British experience would surely be useful to Japan's education reforms" (*Towards a Beautiful Country*). This research group sent Abe's comrades to England at Abe's own suggestion.

The research group submitted a report to the LDP general meeting in December, and Abe, Furuya, Shimomura, and Yamatani published in the magazine *Seiron* (Jan. 2005) a round-table discussion about its contents entitled "Education with masochistic views of history, declining academic ability, truancy...to overcome 'left-wing educationitis' we must learn from the Thatcher's reforms! The duty to revive education lies with the state." Serving as moderator was Kabashima Yūzō, secretary-general of the Japan Conference. Furthermore, in April 1995, Abe's confidant Nakanishi Terumasa Nakanishi Terumasa oversaw the publication of *The Way to Straighten Out Education Based on the Thatcher Reforms*, compiled by the British Education Research Group.

It is speculated that Kabashima served in the "master role" in advocating for Abe's claims. In April 2004, the Japan Conference published a book entitled *England's Education Reforms Beginning with Revision of the Fundamental Law of Education*. The author, Kabashima, is secretary-general of the Japan Conference, and since his college days he has participated in right-wing movements with Abe's adviser Itō Tetsuo, Saitama Education Committee member Takahashi Shirō, and former Lower House member Etō Seiichi, an ally of Abe who had fought privatization of the postal service and who was unseated in 2005. Kabashima accompanied the aforementioned British Education Research Group as a guide. Now, let us look at what happened to British education and textbooks after Thatcher's education reform law according to this book (quotations without references are from this book).

The British education law enacted in 1944 was not "revised" for over 40 years, until the Thatcher administration revised it in 1988. More accurately, the Thatcher administration left the 44-year-old education law as it was and passed an Education Reform Act. Kabashima introduces the core of the reform act as follows:

It fixes the principle of the [1944] education law, that is, the view of entrusting educational content to the independent judgment of teachers.... The state should establish educational content. The basis of this content is the transmission of traditional values.... Schools maintained by public funding (public schools, as well as private schools that receive financial support from the government) are under the authority of the Minister of Education....It is believed that these fundamental principles will solve the problem of bias in education.

### *How British textbooks changed*

Kabashima states that as a result of the 1988 Education Reform Act, British education “was dramatically improved....The most dramatic change can be seen in history textbooks.” He claims that content criticizing or reflecting on colonial rule and the slave trade was changed to justification, and textbooks thus shifted from depicting “England’s dark history” to “England’s prosperous history,” “from a masochistic to an emancipatory view of history.”

The way of describing colonial rule was changed from ‘the British Empire fattened on colonies’ to ‘England was not the only country with colonial possessions,’ and ‘England the murderous nation’ was changed to ‘colonial rule brought benefits to India.’ For the slave trade, ‘black slaves forcibly dragged away’ was changed to ‘England was not the only country to engage in the slave trade,’ and ‘black slaves sacrificed for England’s development’ was changed to ‘England abolished the slave trade before Lincoln’s Emancipation Proclamation.’ Pertaining to monarchy, ‘Queen Victoria, who ordered the exploitation of Asia and Africa,’ and ‘a class society with a queen who defends racial discrimination at the top’ became ‘the Victorian reign which built the foundations of the modern nation of England.’

At a round-table discussion for the journal *Seiron* (Jan. 2005), it was stressed that the focus of Hiranuma's British Education Research Group was history textbooks.

Quite unlike Japan's system of examining and accepting textbooks, British textbooks are independently published, and teachers choose them of their own accord. Moreover, there is no obligation to use textbooks. Given this situation, the 1988 Education Reform Act established a National Curriculum and stipulated that for the years of compulsory education, "nationwide tests would be administered at ages 7, 11, 14, and 16 ...Teachers and schools with pupils who fail to meet academic standards would be investigated." Textbooks were created based on the National Curriculum, and since "teachers' responsibility would be pursued" as a result of the nationwide tests, "teachers began to request textbooks whose content was based on the National Curriculum." Thus, as Kabashima puts it, since they could not sell biased textbooks, textbook publishers "inevitably had to create textbooks consistent with the National Curriculum."

"The results of graduation exams in English, mathematics, and science for elementary schools (age 11) and middle schools (age 16) were published in the *Catalogue of Nationwide School Results*...and every major newspaper published *School Rankings*, which became references by which parents and students chose schools." Since these nationwide exams are linked to the freedom of school choice implemented by the Thatcher reforms, schools with low rankings "have difficulty attracting students, their budgets decrease, and this leads in the end to school closures." In this manner, the neo-liberal reforms have plunged schools into fierce competition.

It is not just children and schools that are forced to compete, but teachers as well. The scores of students and schools are deemed to be the teachers' responsibility. "As rewards and punishment, the following measures were introduced one after another: (1) monetary prizes for superior teachers (starting in 1999), (2) knighthood for superior teachers (starting in 2000), (3) the establishment of *Guidance in Dealing with Unqualified Teachers* such that teachers who are judged unqualified after two months of auditing would be dismissed (starting in 2000), and (4) bonuses for promotions and talent (starting in 2000)." In Japan these initiatives are already being implemented, beginning with Tokyo and Kyoto (monetary prizes), ahead

of the reform-for-the-worse of the Fundamental Law of Education.

Moreover, in 1997, Blair's ruling Labor Party passed legislation providing for "parenting orders"<sup>4</sup> based on the Education Reform Act .

“This law stated that protecting children from crimes and misdemeanors was up to parents, not the state, society, or schools. The law says the following about parents' duties and responsibilities to their children:

(1) Parents of children who have committed crimes must accompany their children to and from school, and they must oversee them at home.

(2) The fine for violating this law is 1,000 pounds (about 200,000 yen), and non-payment will be punished by imprisonment.

(3) So that children not commit further crimes and that they attend school regularly, they are required to participate in [weekly] counseling and guidance sessions for a period of [from three] up to twelve months.”

'Parental orders' apply to truancy cases as well. In May 2000, a court ruled that the parents of 15-year-old girl who habitually did not attend school 'are not fulfilling their duty to make their daughter go to school.' It fined the 46-year-old father 250 pounds (45,000 yen) and the mother 150 pounds (27,000 yen). In England, the responsibility for making truant children go to school is seen to lie with the parents.”

Truant children have any number of problems, but to have the state ordering parents to make their children go to school is intolerable. How can we say that Kabashima and his colleagues, who find this marvelous, are qualified to talk about education?

In the above-mentioned round-table discussion held by *Seiron*, Yamatani showed her high regard for the British “parental orders” when she said, “I most certainly want to include provisions in the revised

---

<sup>4</sup> It is unclear what single act this passage refers to, but the Labor government has expanded the purview of "parental orders" and "antisocial behavior orders" through education and youth justice legislation. To gain a sense of their effect, see [http://www.directgov.gov.uk/en/EducationAndLearning/Schools/YourChildsWelfareAtSchool/DG\\_066966](http://www.directgov.gov.uk/en/EducationAndLearning/Schools/YourChildsWelfareAtSchool/DG_066966)

Fundamental Law of Education that make clear respect for traditional culture, the importance of education in the home, cultivation of moral and religious sentiments, and the nation's responsibility for education.”

Kabashima and Abe sum up the points above as follows:

“One focus of the argument over revising Japan's Fundamental Law of Education is whether to include the word ‘patriotism,’ but in England they have begun to introduce education pledging ‘loyalty to the state’ .... The 1988 Education Reform Act, which contained the *Establishment of the State's Rights and Responsibilities Regarding Education*, and which sprang from the plan for a national curriculum devoted to history education that would foster a sense of belonging to the country and religious education centered on Christianity, was a kind of ‘education revolution.’ And based on this principle, history textbooks have changed, the home has changed, young people's consciousness has changed, citizens' consciousness has changed, and the Labor Party has also changed greatly. It makes one realize how great was the influence of revising the fundamental law of education.”

If England has indeed become what this book describes, then the consequences of changing the Fundamental Law of Education in Japan on children, teachers, schools, homes, and society is chillingly clear.

In the LDP organ, *LDP Monthly* (Dec. 2004), Abe's close adviser Yagi Hidetsugu writes about the Imperial Rescript on Education in this way: “The original intent of the phrase, ‘in a crisis, offer yourself to the public good with loyalty and courage,’ was to express the duty of citizens to be loyal and to defend their nation based on the principle that ‘every citizen is a soldier.’” Printing the entire Rescript and paraphrasing it in the vernacular, he goes on to assert the following:

Both England and the United States carried out audacious education reforms in the 1980's, with an eye towards improving the quality of their citizens. The prosperity of these two countries today must be seen in the context of those reforms. Scholars have since remarked that what the Thatcher administration did was to create ‘a nation of guaranteed quality’ .... Our country should also

guarantee the quality of its citizens, review its educational philosophy, and, specifically, make bold revisions to the Fundamental Law of Education.

What Yagi wants to say is that precisely because the U.S. and Britain proceeded boldly with education reforms, they became “powerful countries” able to carry out the invasion of Iraq despite international criticism, ignoring international law and the U.N. in the process. Japan should learn from this, he says, and revise its Fundamental Law of Education, and train the people as citizens of “a powerful country,” “a country that wages war.”

Thatcher’s education reforms, which Abe takes to be a model, have already been criticized from every corner. *The Weekly Diamond* (Sept. 2) wrote the following:

It is characteristic of Mr. Abe to add centralized power and principles of competition to patriotic education. He is mistaken, however. Thatcher’s reforms did not improve fundamental academic ability, but they did widen the disparity in educational opportunity, leading to a crop of expulsions and drop-outs, and increased crime .... Abe does not write about these facts. Is he lazy or does he distort? His shallowness is regrettable.

Why Abe does not write about these facts could be due first, to the fact that Kabashima wrote only about what was convenient for his group, and secondly, to the fact that the British Education Research Group only investigated those things that were convenient to them, particularly what would be useful for “revising” the Fundamental Law of Education. For instance, they failed to investigate publishers’ freedom to publish and teachers’ freedom to adopt textbooks, the variety of textbooks being published today, and how those “textbooks with masochistic views of history,” which they criticize, are still being published and how they continue to be used. All they had done when they visited publishing companies was to repeat questions about “textbooks with masochistic views of history.”

Regarding what *Diamond* points out as a lack of academic improvement, the *Red Flag* (Sept. 17, 2006) says, “The International Academic Proficiency Survey’s results for England (2003) show a large decline since the previous test (2000). (In science, it fell from fourth to eleventh place; in reading comprehension, from seventh to eleventh place; and in mathematics, from eighth to eighteenth place.) *The Daily Telegraph* reported that ‘England is slipping out of the world’s education league.’”

Also criticized were Abe’s claims about history education and textbooks that had been “liberated from masochistic views of history” by the Thatcher reforms:

Professor Tsuchiya Takeshi of Aichi Teachers’ College, who is familiar with history education in England, points out that ‘the Thatcher reforms started the idea of “recapturing the pride of Britons.” In the field of history education, we do not see the teaching of a single historical perspective with this goal in mind. Rather, beginning with the premise that there are many ways of thinking, the emphasis has been on having children read various materials and develop their own perspectives on history.’ As a concrete example, Mr. Abe mentions the history textbook with the ‘illustration showing England as a fat farm animal exploiting Africa,’ criticizing it as ‘wounding the self-esteem’ of children. Thatcher corrected that, he says. According to a different researcher, however, ‘The reality is that the textbooks at issue were used in elementary schools in districts with high immigrant populations, like London, but it is a mistake to say they were used throughout the country’ (*ibid.*).

Furthermore, in regard to the form of school administration, British education policy expert Ōta Naoko, associate professor at Shuto (Metropolitan) University, Tokyo, explains that “in Britain, parent representatives are chosen in elections, and they hold a great deal of authority in school administration. It is different from Japan, where school involvement is merely formal, and where teachers are transferred frequently. If we really are going to look to Britain, it would be unfair not to bring up this aspect, as well” (*ibid.*).

In addition, movements to reconsider these changes have already begun in Britain. “In Wales, which enacted nationwide academic testing just as in England’, the Welsh assembly abolished testing at age 11. They had already done away with testing at age 7, and they have stopped publishing the results” (*ibid.*).

As Tokyo University associate professor Katsuno Masaaki, who has research experience in Britain, points out, “Even in Britain, the ‘home’ of these reforms, new language about ‘a child’s joy in learning’ has been added to government documents. For teachers, too, the practice of reviving specialties is being reconsidered. In Japan, however, they are implementing education reforms that make the goals of the state a categorical imperative. I fear that the work of education will be damaged” (*ibid.*).

Thatcher’s Education Reform Act does not repeal the 1944 education law with provisions that the state will not interfere in teachers’ autonomy to select educational content; rather, it is dedicated to maintaining educational requirements. This point is fundamentally different from the Abe administration’s plan to revise the Fundamental Law of Education. The Abe administration only brings up the parts that are convenient for them, and they exploit them in order to revise Japan’s Fundamental Law of Education. Abe praises Thatcher’s reforms as “constructive destruction,” but what Abe aims for is simply “destruction of education.”

## **2. Problems with the willfully promoted revision of the Fundamental Law of Education**

Prime Minister Abe has presented the education reform bill to the special session of the Diet as the most important bill, aiming to pass it during the session at any cost.

Abe says the current Fundamental Law of Education, like the Constitution, is “a remnant of the postwar order,” and in order to be released from its “spell,” the Constitution and the Fundamental Law of Education that were imposed by the occupation forces must be revised. The current Fundamental Law of Education, Abe says, “is extremely inorganic, a sort of ‘global citizen’s’ writing. So, it does not smell like Japan ... Children are granted rights, but there is no mention whatsoever of how to incorporate concepts like

duty and the public. I feel that many of the problems arising today are the result of this” (Nov. 27, 2004, opening symposium, Reverence for Yasukuni Meeting). He regards the Fundamental Law of Education with hostility, as if it were the root of all evils.

To say, “It does not smell like Japan,” is a way of paraphrasing former Prime Minister Nakasone Yasuhiro’s statement, “It does not taste like Japanese water.” Abe asserts that the Fundamental Law of Education is the cause of “many of the problems arising today” such as the “educational crisis” and the “decline of the labor force,” but not a single scientific, verifiable argument about the cause-effect relationship has been made. Nor can there be such an argument. There is no scientific, verifiable, or logical cause-effect relationship linking ‘many of the problems arising today’ to the Fundamental Law of Education, and it cannot be demonstrated.

Now I will present the biggest problem with the government’s education reform bill sought by the Abe cabinet, the LDP, and the Clean Government Party (Komeito), and discuss actions for blocking the Diet passage of the bill. In addition, for problems pertaining to each article of the bill, please refer to the Booklet published by the *Weekly Friday* (Shukan Kin'yobi), *This is What’s Wrong with Revising the Fundamental Law of Education* (Kyoiku kihon ho "kaisei" no koko ga mondai).

#### *Overall problems with the government’s Fundamental Law of Education bill*

It must be pointed out that there are serious problems with the government’s proposal to reform-for-the-worse the Fundamental Law of Education, even if we bracket the content.

First is the process of drafting the bill.

At meetings of the ruling party’s Analysis Group, all materials distributed and notes taken were collected after the meetings were over, and even committee members did not accurately grasp the substance of the meetings, so that reports within the party were dependent on memory. Deliberations were conducted completely behind closed doors, with lookouts posted at the entrance to the conference room in the Diet

where the meetings were held. Such secret deliberations have drawn criticism from within the ruling party itself, notably from the Japan Conference Alliance members of the LDP's pro-constitutional amendment, hawkish side. In an opinion piece in the *Sankei Shimbun*, the Japan Conference and the Citizens' Education Special Investigation Group took issue with these "closed conferences." The drafting of the bill by the ruling party's Analysis Group could be called a "hijacking" of education by a cadre of politicians.

Next, no legislative rationale has been provided as to why the Fundamental Law of Education needs sweeping "revisions" now. The government's reason for submitting the bill is this: "In light of the changing circumstances confronting education in our country, and in order to establish a foundation for our country's education that will answer the needs of the age, we must revise the entire Fundamental Law of Education." What sorts of education problems these are and how they would be solved have not been clearly explained. The government could not clearly explain the reasons for the "revisions" even to a special committee dealing with the Fundamental Law of Education meeting during a regular Diet session.

The Fundamental Law of Education is a doctrinal law that lays the foundation for education, and it has the same character as the Constitution, which is why it is referred to as the "Education Constitution." Such fundamental laws and regulations cannot be changed for such reasons as "changing circumstances" or the "needs of the age." Nambara Shigeru, then president of Tokyo University and vice-chairman of the Education Reform Committee, a central figure in establishing the current Fundamental Law of Education, stated, "There is not the slightest error in the newly established law of education. No matter what reactionary tempests the age may bring henceforth, it is unlikely that any one will be able to rewrite the spirit of the Fundamental Law of Education, for it is the truth, and to deny it would be akin to trying to dam the flow of history" (*The Writings of Minamihara Shigeru*, Vol. 8, Iwanami Shoten).

The Abe administration maintains that the Fundamental Law of Education was imposed on Japan by the occupation forces, but that is not the case. It is the work of Japan's finest scholars, researchers and intellectuals who, upon reflecting on Japan's war of aggression, directed their passion into producing a basic law (quasi-constitutional) that would establish an education contrary to preparation for war, in which each

individual may flourish as a full human being. At his testimony in the first lawsuit of the Ienaga textbook case in Tokyo district court, Nambara Shigeru responded to the state's attorney's question, "Wasn't [the Fundamental Law of Education] imposed?" by barking back, "It wasn't such a shabby committee. Take a look at the members!" (*Ienaga Textbook Case: Japan's History on Trial, Part II, Evidence Vol. 1*)

That Prime Minister Abe and former LDP chief secretary Takebe Tsutomu blame the Fundamental Law of Education for the Horiemon incident (the Live Door internet and software company's illegal trading incident) and "fake earthquake-proofing" is beneath contempt, but neither are the many "educational crises," such as bullying, truancy, and breakdown of classroom order, attributable to the Fundamental Law of Education. Among those who speak as though these are the result of the education law, virtually none has offered a concrete, rational account showing which provisions of the law have led to these "educational crises." Rather, the greatest cause of today's "educational crises" is precisely the successive government administrations that have promoted policies that go against the Fundamental Law of Education.

### *Severing the link to the Constitution, opposing the spirit of the Constitution*

The administration's bill severs the original unity of the Constitution and the Fundamental Law of Education. The bill leaves the words, "capturing the spirit of the Constitution of Japan," but nowhere in the preamble and all the articles does it capture the spirit of the Constitution.

The administration's bill deletes the words, "Having established the Constitution of Japan," and "The realization of this ideal shall depend fundamentally on the power of education," and it denies that education realizes the ideals set out in the Constitution (sovereignty residing in the people, pacifism, respect for basic human rights, etc.). Furthermore, having altered "we demand truth and peace" to "we demand truth and justice," it severs the connection to Article 9 of the Constitution ("Aspiring sincerely to an international peace based on justice and order").

The administration's bill changes education for the sake of human beings (individuals), as provided

in the Constitution and the Fundamental Law of Education, into education for the sake of the state, and it changes the law securing educational freedom and autonomy into a law justifying education regulated by the state, which is nothing less than a 180-degree shift.

In the current Fundamental Law of Education, the statement that “We shall esteem individual dignity” (Preamble) and “esteem individual value” (Article 1, “The Aims of Education”) are based on Article 13 of the Constitution (“All of the people shall be respected as individuals”). The administration bill deletes “esteem individual value,” but leaves in “esteem individual dignity.” Even though this phrase remains, however, its meaning has been altered. In other words, where the current education law emphasizes the state's providing an education that will “esteem individual dignity,” the bill puts forth “the cultivation of human beings” that will “esteem the dignity of the individual.” “Dignity of the individual” is placed on a par with such virtues as “public-mindedness,” and in doing so, norms to be observed by the state are shifted and transformed into norms/virtues to be observed by individuals. Here, too, the link to the Constitution has been severed.

The administration’s bill deletes the phrase “with a view ...to establish the foundation of education for a new Japan.” The “education for a new Japan” signaled a fundamental change from the prewar Imperial Rescript on Education system that cultivated human capability for the sake of waging war. Deleting these words erases the historical significance of the Fundamental Law of Education as an “education proclamation” that repented the war of aggression.

*Arbitrary picking at the Constitution and current regulations, and other clever tricks*

The administration’s bill is criticized as a “patchwork” product of political compromise. That it surely is. Yet, the bill employs extremely clever tricks. As stated above, even where it retains important provisions of the current law such as “in accordance with the spirit of the Constitution of Japan,” “esteem[ing] individual dignity,” and “education shall not be subject to improper control” (Article 10), etc., the meanings are

completely changed. Even though “education shall not be subject to improper control,” retained from Article 10’s prohibition of state intervention in or control of education, the succeeding clause, “but it shall be directly responsible to the whole people,” has been deleted. The article has been transformed such that the state has free and unlimited authority to intervene in and control education as long as it is lawful. Even the meaning of improper control” has been transformed. The Ministry of Education explains that it is not “improper control” by the state and administrative authorities, but “improper control by partisan forces.” Its assertion is that “improper control” has been exercised by teachers’ union and certain “left-wing” teachers. In fact, this is the same meaning intended by the June 2004 ruling party conference’s Interim Report stating that “educational administration shall not be subject to improper control.”

*The structure of controlling citizens achieved by “Article 2: Educational Objectives”*

The administration’s bill is a “state morality enforcement law,” which makes moral norms established by the state the chief priority of educational objectives.

The bill changes “Article 2: Educational Principle” in the current law to “Article 2: Educational Objectives.” It calls for the state to establish educational content and goals, placing the obligation for achieving those goals upon the citizens. Education is transformed from being “a right of the citizens” to “a right of the state.”

The content and order of clauses 2 through 5 of these “educational objectives” are the same as the in the morals section of the official Course of Study and *Notes from the Heart* (Kokoro no Nōto). As it imposes the state’s particular view of morality, it is thus a state (-imposed) morality enforcement law. State-imposed morality takes precedence over all other academic subjects, giving it the same status and role as the prewar Imperial Rescript on Education’s “moral training.” In giving the Fundamental Law of Education the same practical role as the prewar “moral training,” 99% of children will be taught only to have

“simple hearts” (Miura Shumon<sup>5</sup>) and educated to be obedient to the state.

In addition, the bill prescribes “cultivation of citizens... who will have the necessary qualities” in Article 1, “The Aims of Education.” In Article 5, “Compulsory Education,” it calls for “fostering those fundamental qualities that are necessary for constituting state and society.” These “necessary qualities” are “qualities that the state deems necessary,” and at the heart is “state-imposed morality” as established by the state in Article 2.

Listed in the “aims of education” are the obligations of “loving our country and homeland,” along with “moral fiber,” “public-mindedness,” and “respect for traditions and culture.” With goals comes evaluation, meaning that the degree of achievement of the virtues enumerated will be subject to assessment. Since the heart is not visible to the eye, evaluating its externalized expression will implicate the state and the education bureaucracy in people’s hearts, infringing on freedom of their innermost being (spirit). The “attitudes” the state deems desirable will be forcibly “nurtured” as “necessary qualities” that citizens must adopt. This is precisely a preemptive move with respect to reforming-the-Constitution-for-the-worse.

“Esteeming individual value” has been moved from Article 1, “The Aims of Education,” of the current law to [Article 2’s] “Educational Objectives,” where it is written as “respecting the value of the individual,” but this “value of the individual” that the state must respect is changed 180 degrees into a norm to which each individual must conform.

The patriotism promoted is not patriotism based on the sovereign people’s freedom and independence, but patriotism towards “our country” created historically (by tradition and culture). State-imposed patriotic attitudes influence mental processes throughout the country, so the government’s bill may be called the “law of citizens’ mental unification.”

If “loving one’s country” becomes an “aim of education,” textbooks will also begin to incorporate “patriotic education.” This will have the effect of turning all textbooks into those currently promoted by the Tsukuru kai (Japanese society for history textbook reform). Schools and teachers will be evaluated for their

---

<sup>5</sup> Former chair of the Curriculum Council of the education ministry.

patriotism, and “patriotism report cards” will be legitimated. This, in turn, will become the basis for enforcing ritual observation of the flag (*Hinomaru*) and the national anthem (*Kimigayo*).

What makes this all the more grave is that the “aims of education” are not just for school-based education, but for all education (as confirmed by the Ministry of Education ). The administration’s bill makes the fulfillment of the state’s “aims” compulsory for everything classified as education, as in Article 3, “Lifetime Learning,” Article 7, “Universities,” Article 8, “Private schools,” Article 10, “Home Education,” Article 11, “Toddler Education,” and Article 12, “Education in Society.” Therefore, it is not just children, schools, and teachers, but all people who live in Japan who are obligated to achieve these “aims of education.” In pursuit of these aims, proper character is legally codified as state standards, and individuals are made to conform.

Then, based on Article 2’s link to Article 13, which says, “Schools, homes, local residents, and other relevant individuals should become conscious of their respective roles and responsibilities with regard to education, and as they do so, they will endeavor to establish mutual solidarity and cooperation,” the state’s authority and enforcement power is extended over all the people.

The terms of Article 13 require all the people to be “conscious of their roles and responsibilities” within the framework of the state-imposed “educational objectives” (Article 2). All citizens are directed towards achieving the state-imposed “educational objectives” (almost all of which are state-imposed standards of morality). In addition, educational activities that contradict the state educational objectives will be monitored, with the possibility that they will be forbidden.

Article 13’s “other relevant individuals” is so vague as to be inappropriate for a law. At the special committee meeting mentioned above, then Vice-Minister of Education Hase Hiroshi<sup>6</sup> said, “Relevant individuals include the police and NGO’s.” It is highly likely that these relevant individuals will include not only police and citizens’ groups, but labor unions, research groups, and the mass media. In other words, according to this provision, the police will be able to freely intervene in education under the Fundamental

---

<sup>6</sup> Professional wrestler and LDP-affiliated member of the Lower House.

Law of Education.

Additionally, reporting that goes against the state's educational objectives may come under the scrutiny and direction of the education authorities for being obstructive to education. Furthermore, in connection with Article 12, there is the danger of the regulation and exclusion of citizens' movements by education authorities. For instance, the subject matter of study groups held at public facilities may be restricted by the state's educational objectives in Article 2, and it is anticipated that groups that oppose "cultivating patriotic attitudes," such as those that oppose the Iraq war or the compulsory honoring of the flag and the anthem, will be excluded and unable to use meeting halls. Article 13 connects with Articles 10, 11, and 12, subjecting all home education, toddler education, and education in society to the state's educational objectives.

*How to stop the special session of the Diet from passing the education bill*

In order to prevent passage of the government's bill at the special session of the Diet, the following kinds of actions are deemed important.

I. We must raise our voices from all regions, saying that rather than revising-for-the-worse the Fundamental Law of Education, now is the time to truly make it come to life. Concretely, the following actions are necessary:

A. The administration bill and the Democratic Party's proposal will not just fail to improve education in Japan, they will increase educational disparity, and they will transform the educational system into one that prioritizes the national interest and national policy, in which humans are trained as material for a "country that wages war." In order to realize class sizes of 30 students and a quality education for each child, rather than revise-for-the-worse the Fundamental Law of Education, we should strive to actualize its possibilities. These sentiments should be spread more widely and loudly.

B. From holding conversations with a few people, to organizing study groups and assemblies, we must inform as many people as possible about the advantages of the current Fundamental Law of Education and the problems with the administration bill. The success of large-scale meetings at the prefectural and regional levels is important, but locally there should be at least one meeting in each elementary school district, as well as small meetings of neighborhood associations. In particular, the small study group, as a form that anyone can organize, deserves special attention. They should end up with everyone writing postcards and faxing their Diet members. We should invite acquaintances and actively participate in local meetings.

C. People should send letters, postcards, and e-mail messages to acquaintances, informing them of the problems and aims of the administration bill, and the danger of reforming-for-the-worse the Fundamental Law of Education.

D. Actively write letters to newspapers (both national and regional). Also, cooperate with the efforts of the Anti-Education Bill Revision: Multiple Perspectives Society, or the Stop the Revision-for-the-Worse of the Fundamental Law of Education! National Network to place advocacy ads in newspapers. Help local citizens' groups and teachers' unions place advocacy ads in local newspapers.

E. Actively join local citizens' groups, teachers' unions, and labor unions in distributing leaflets and making street corner speeches.

F. In each region, make appeals to local public figures.

G. Reach out to support local groups and unions that work for peace, human rights, and democracy, such as the Article 9 Association, and spread collective action like a net.

II. At the same time as spreading and raising voices of opposition to reforming-for-the-worse the Fundamental Law of Education, it is important to appeal to members of the Diet. We should strengthen appeals to politicians such as Diet members and regional legislators.

A. Appeal to locally elected Diet members, especially those of the Democratic Party, Clean

Government Party, and LDP. In appeals to Diet members, it is said that handwritten letters are most effective. There is a list of Diet members' contact information at the Stop the Revision-for-the-Worse of the Fundamental Law of Education! National Network homepage ([http://www.kyokiren.net/\\_action/giin\\_yosei](http://www.kyokiren.net/_action/giin_yosei)). Those who do not use the internet can contact the Children and Textbooks National Network 21 office (telephone: 03-3265-7606, fax: 03-3239-8590).

B. Actively participate in lobbying at internal and preliminary Diet meetings and Diet members. Various citizens' organizations and teachers' unions lobby at these meetings. It is an important way to show the Diet members that a majority of citizens oppose their plans. These actions take place frequently, giving many opportunities for participation.

C. Appeal to regional legislators, and use them to get your message to national Diet members. Tell your regional legislator you want to save the Fundamental Law of Education and actualize its possibilities, not to reform-it-for-the-worse it according to the administration's and the Democratic Party's plans.

III. Attend the Diet's special committee hearings regarding the Fundamental Law of Education.

A. We have created a system of attending the Diet's special committee hearings, and have "observed" them as citizens. Take advantage of these experiences, establish an attendance system and sit in, in order to prevent the Japan Conference from hijacking Diet debates as they did with the regular Diet assembly. Keep an eye on Diet deliberations, check to see which members are making what statements, and post them on your homepage.

B. The procedure for attending meetings is as follows:

1. This is mainly people in the Tokyo metropolitan area, but register as an attendee with Children and Textbooks National Network 21.
2. Registered attendees send e-mails or faxes every Friday specifying which day of the following week, morning or afternoon, they would like to attend a meeting.
3. Special committee meetings are held based on decisions made the previous evening by the

committee leadership. When these decisions are made, the executive office submits requests to the Diet members' secretaries to issue attendance tickets to people who wish to attend that day.

4. On the specified day, attendees go to the Lower House meeting place 20 minutes before the start of the meeting. There, a Children and Textbooks National Network 21 worker will distribute the tickets.
5. As a special committee hearing rule, only people who submitted requests for tickets the previous evening may attend. For these requests they require the attendee's name and occupation ("unemployed" or "housewife" is acceptable). So, when registering according to (1) above, give them your name, occupation, and contact information (e-mail address, fax number, or telephone number for those without faxes).

Public opinion opposed to revision-for-the-worse of the Fundamental Law of Education is rising and spreading. Throughout the country, large conventions opposing the move are doing well, and meetings on various scales supporting them are also being held. In a survey conducted by the Tokyo University Academic Fundamentals Research Development Center, 66% of elementary school principals oppose the administration's bill (the *Asahi Shimbun*, Sept. 3, 2006).

As I have already stated, Abe is aiming for "education reform" based on a "grassroots conservative movement." The main organization behind this is the Japan Education Rebirth organization, headed by Abe's close adviser Yagi Hidetsugu. That same organization cooperates with the administration's Education Rebirth Conference, and it holds "Education Rebirth Town Meetings" throughout the country as a "grassroots movement."

We will not lose to Abe and Yagi's "grassroots conservative movement." If we put our all into spreading a genuine locally based grassroots movement, raising public awareness, and if we combine this with renewed appeals to the Diet, we definitely have the chance to send the administration's bill down in

defeat.

I sincerely hope to serve that goal.

**Tawara Yoshifumi**

From *The True Nature of Abe Shinzo* (Abe Shinzo no honsho, Kin'yobi, 2006), translated by Nicholas Albertson, with kind the permission of the author and the publisher.