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The Rise of Totalitarianism and Its Influence on Educators and Intellectuals in Prewar Japan

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Abstract

This essay examines Japan’s prewar thought suppression and totalitarianism through the metastasization of the concept of Kokutai (National Ideology of the Empire), adoption and implementation of the 1925 Public Security Preservation Law (Chian’iji-hō), and the rise of fascism. The largely simultaneous growing autonomy of its military also helped set Japan on a course that eventually would lead to devastating defeat. The suppression of thought and of non-traditional ideology intensified in the early Shōwa era, in spite of the liberalizing prosperity of the short-lived “Taishō Democracy.” The seminal Takigawa Incident was directly caused by governmental manipulations at the Kyoto Imperial University in 1933, the year Japan seceded from the League of Nations. Japanese imperialistic fascism generally was hostile to the cultivation of ‘knowledge’ and ‘intelligence’ in the Western sense. It manifested itself in increasingly intensive thought control and government-promoted anti-intellectualism that steadily was manipulated by the rising power of the military.


Introduction

Prewar and wartime Japan experienced official suppression through various policies and measures against what were deemed “dangerous thoughts” and anti-state and anti-war ideologies. Today, Article 19 of the Japanese Constitution guarantees that “freedom of thought and conscience shall not be violated,” but the Meiji Constitution had no such provision. Freedom of one’s inner, private conscience was not protected. Control over one’s thought and punishment for ‘thought crime’ was implemented frequently by totalitarian government authorities.
A series of incidents that occurred in succession through 1932 and 1933 clearly prepared the way for a militaristic absolutism theoretically centered on the Emperor. But, the virtual identity of the Emperor was being essentially usurped by the authorities who governed in his name. The elimination of domestic criticism was deemed necessary to that end. State authorities' suppression of anti-government behaviors by the Japanese public after the Manchurian Incident became more pronounced after the coup d’etat known as the 2.26 Incident. Freedom was a privilege for the few, and the irrational ideology of Imperialistic fascism was impressed into the Japanese national consciousness, such subsumed into the Kokutai ideology. Fundamental individual rights were not recognized. This examination focuses on the related issues of the suffering and damages inflicted on Japanese intellectuals and educators by the government of prewar Japan.

**Literature Review:**

Previous investigations have provided a useful grounding for my research. Okudaira Yasuhiro in his *Chian’iji-hō shō-shi* (Chikuma Shobō, 1977) describes the situation of the Japanese government promulgating, revising, and implementing the Public Security Preservation Law (promulgated in April 1925) as the legal foundation for suppressing organizations that opposed autocracy. Okudaira’s is a significant work that deals with the control of speech. It addresses the process chronologically, and clearly spelling out that law. The measure remained in effect for twenty years, and Okudaira elaborates how it was being revised and applied for the convenience of the authorities. Okudaira does not merely interpret the various provisions of the law itself; he insightfully explains how prewar Japanese society was regulated in consonance with denial of freedom of expression.

Two articles by Prof. Nishiyma Shin are especially valuable regarding the Takigawa Incident: “Takigawa jiken ni tsuite” (On the Takigawa Incident) (*Kyoto daigaku daigakubunsho kenkyū kiyō*, vol. 7: 2009) and “Takigawa jiken saikō” (Reexamination of the Takigawa Incident) (*Kyoto Daigaku daigakubunsho kenkyū kiyō*, vol. 11: 2013). They provide a useful summary of the activities of those who were instrumental in the incident, and they elaborate upon the issues regarding the Education Ministry’s dismissal of professors. These articles deal with Professor Takigawa’s book *Keihō dokuhen*; doing so in relation to the concept of and the fostering of statist ideology already had begun to be reflected in Article 1 of the 1918 University Ordinance.

An article entitled “Chishikijin no kokka ishiki” (The View of the State by the Intellectuals) by Ishizeki Keizō in *Nihon no jishizumu II: Sensō to kokumin* [Japanese Fascism II: War and the People] is useful in understanding the concept of tennō kiitsu (The Nation United by the Emperor), a notion that was divorced from the reality of human life, one of the principle academic exponents of this idea was Prof. Nishi Shin’ichirō (1873-1943) of the Hiroshima Bunri University.

In order to understand the development of Japanese nationalism in prewar Japan, political historian Kimura Tokio’s *Nihon nashonarizumu no kenkyū* (A Study of Japanese Nationalism, 1972) is a detailed reference that many readers will find useful.

**Prelude to the Takigawa Incident**

In 1892, legislative Diet member Hasegawa Tai (1842-1912), representing himself and thirty-three other members, had submitted a proposal to the fourth Imperial
Congress. The proposal argued that the Imperial University placed in Tokyo was too comfortable with its privileged status, and both faculty and students were sitting self-assuredly in a position of academic monopoly. The intention of Hasegawa and his supporters was to create another highly competitive institution, so that the two schools should be able to stimulate each other. They assumed that it eventually would generate a climate more conducive to scholarly initiative and productivity. But, this proposal did not immediately materialize due to the imminence of the first Sino-Japanese War (August 1894 - April 1895).

In 1877 the Japanese government had created Tokyo University as the first such in the country; it became the Imperial University nine years later, and was the highest educational institution in modernizing Japan. Five years after the resolution was brought to the Diet, the Kyoto University was established in 1897, and its law school in 1899. This meant that law schools existed in both the Tokyo and the Kyoto Universities. Publications such as Kyōkujiji (Education Times) and Nihonjin (The Japanese) reported expecting that a real competitive spirit would be generated between the two institutions. But all the fruits of the promise were not to be materialized in prewar Japan.

To gain further perspective on the affair surrounding the Takigawa Incident, let us digress to the Sawayanagi Incident. Sawayanagi Masatarō (1865-1927) was an education official of the Meiji and Taishō eras. He played a central role in the liberal education movement known as Taishō Liberalism, and became the president of the Kyoto University. He clashed with faculty members over the dismissal of seven professors soon after he became president. The Education Ministry accepted the authority of the faculty, which led Sawayanagi to resign his post. 4 Many Japanese publications, including Ienaga Saburō’s Daigaku no jiyū no rekishi (History of University Freedom), touch upon the Sawayanagi Incident. The Sawayanagi Incident was of great importance to Japanese academic history and is well-known for establishing the autonomy of Japanese universities. In 1913, two months after Sawayanagi was installed as the president of the Kyoto University, he forced seven professors to submit resignations. Prof. Niho Kamematsu (1868-1943), the head of the College of Law, confronted President Sawayanagi on July 13, 1913 and stated that the dismissal of a professor requires agreement by the faculty. On August 2, 1913, Professor Niho brought Sawayanagi a supporting opinion paper signed by law school professors. In the resulting scandals, Sawayanagi was forced out of the university in spring 1914. 5 The Sawayanagi Incident determined who had the power to hire and fire within the university, and that authority belonged to the faculty.

The government by using its legal authority already had established a severe “dangerous thought” suppression system based on the Public Security Preservation Law of 1925, aimed at suppressing the Communists and others who opposed the Imperial system and capitalism. The measure later was applied to all anti-government activities as well as to the ideologies of social democracy and liberalism.

The following excerpted statement was delivered by the Law Faculty head Miyamoto Hideo (chaired, May 1931-July 1933) at the Kyoto University student assembly on May 26, 1933:

The mission of a university lies fundamentally in the quest for truth. The quest for truth depends solely upon the freedom of research by a professor. There is nothing to dispute about the fact that freedom of research by a university professor entails freedom of thought and the freedom of speech. Academic freedom consists of
a professor being able earnestly to discuss a theory that derives from serious consideration. The measure the government has taken regarding Professor Takigawa's suspension from office completely ignores the duty of university professors, and thereby it obstructs the execution of the university mission. This is one of the reasons that have forced us to resign.

In the operation of a university system, it is essential to secure the university from this threat to freedom of research. Procedurally, the most fundamental concern is that there should be no possibility to allow the government to have any jurisdiction to influence the position of a professor. For this reason, a question of whether or not a professor should resign should be considered by obtaining a detailed letter from the university president, and when the president explains the reason for the dismissal or promotion, there must be advanced agreement by the faculty. This is a part of what is called the autonomy of a university.6

We need to see how this crisis arose. By the early 1930s the Japanese government had targeted for suppression of many individuals, including some leftist and some merely liberal scholars. Takigawa Yukitoki, a professor of criminal law at the Kyoto University, was dismissed from his post in 1933, having been perceived as a Marxist by Education Minister Hatoyama Ichirō of the Saitō Makoto cabinet (1932-1934).7 The content of Takigawa's lecture “Tolstoy’s Interpretation of Criminal Law Reflected in Resurrection” delivered at the Chūō University Law Department became a politically sensational issue, and was regarded anarchistic by some members of the Department of Education and the Ministry of Justice. It is generally known that in Japan Resurrection (Russian: Воскресение) is the third most well-read novels by Leo Tolstoy (1828-1910) after War and Peace (1865-69) and Anna Karenina (1878). Takigawa was labeled a Communist. In reaction to this government action, as we have just seen, the law professors of Kyoto University submitted letters of resignation, and students of three imperial universities, namely Kyoto, Tokyo, and Tohoku, began a sizeable protest movement.

Marius Jansen describes the relationship between the Kyoto University and the Education Ministry as follows:

After intense pressure and prolonged negotiation the ministry agreed to accept three resignations, one of them Takigawa's. Academics, clearly, were fighting rearguard actions and were anxious to avoid direct battle in a conflict they knew they could not win. There are additional things to note. One is that the spread of education and inflation of institutions had served to weaken the position of the university professor as compared with his more exalted Meiji predecessors, and another is that it was unusual for embattled faculty members to enjoy the united support of their colleagues.8

In 1933 this incident began with an attack by Kikuchi Takeo (1875-1955), a member of the House of the Peers (Kizokuin) at the National Diet, against the content of the lecture given by Professor Takigawa. Not only the Education Ministry, but the Justice Ministry as well believed him to be promoting anarchism, which they found to be an evil comparable to Marxism. This incident by itself did not become a major national issue, but it soon sparked the Court Officers' Communization (Sekka)
Incident. Takigawa, having been an examiner for the national bar examination, was bitterly criticized as essentially an instigator in the communication of officers of the law courts. Kikuchi Takeo denounced Takigawa's book *Keihō dōkūhon* (Criminal Law Reader). Possibly influenced by Kikuchi, Education Minister Hatoyama Ichirō, as we have seen, also viewed the book as 'dangerous thought,' regarding it as a violation of the duty to "cultivate the national ideology." This duty had been specifically stipulated in the university regulation called *Daigakurei* (University Ordinance) established by Imperial edict in 1919.

In April 10, 1933, the Ministry of Home Affairs decided to ban Professor Takigawa's two publications *Keihō dōkūhon* (Criminal Law Reader) and *Keihō kōgi* (Lecture on Criminal Law). On the following day, April 11, the national police headquarters prohibited sale and distribution of his book *Keihō dōkūhon*. On April 22, the Ministry of Education demanded that Kyoto University president Konishi Shigenao (1875-1948) let Professor Takigawa resign from his post. In response, as we have seen, the Kyoto University Law Department protested the action, calling it a violation of academic freedom and creed; however, the Ministry of Education dismissed Takigawa on May 26 of the same year.

**Political Background for the Rise of Militarism**

The economic panic that originated at the New York Stock Exchange in October 1929 brought an unprecedented depression. The economic crises of capitalism spread widely around the world, and it severely affected Japan as well. But Japan's growing nationalism that had become the instrument of Imperialism did not slow down. This nationalism rather gained momentum and took on an increasingly offensive and even invasive nature. It dashed toward the establishment of fascism. This coupled with ultranationalistic statism escalated toward the Manchurian Incident (1931) and subsequent much larger conflicts.

In 1930, a stormy undercurrent of political skepticism preceded the arrival of war and fascism. The people's uneasiness toward party politics grew as a number of bribery scandals were exposed under the leadership of Tanaka Giichi (1864–1929), who was prime minister from April 1927 to July 1929. The Great Depression had influenced Japan since the spring of 1930, and the Hamaguchi Osachi cabinet (July 1929–April 1931) was occupied with issues related to the UK-US-Japan London Naval Conference on arms reduction. The cabinet was unable to take effective appropriate measures to counteract the economic depression. In November of that same year 1930, Prime Minister Hamaguchi was shot and injured at the Tokyo Railroad Station by a right-wing extremist, Sakyōya Tameo, who opposed the London Naval Arms Reduction Conference.

The assassination attempt on Hamaguchi was followed by the March Incident (*Sangatsu jiken* 1931), a failed attempt by Sakurakai, a secret society. Kōiso Kuniaki (1880–1950), revolutionary young military officers and a right-wing leader and pan-Asianist Ōkawa Shūmei (1868–1957) tried to establish a military government under the leadership of the war minister, Gen. Ugaki Kazushige (1868–1956). Ugaki withdrew from the *coup-d'état* attempt before it was carried out.
In January 1931 Japan’s Kwantung Army occupied Jinzhou Province, the seat of the Chinese government of Zhang Xueliang (1901-2001). In the following month, the Kwantung Army advanced to Harbin, a strategic position in northern Manchuria, and almost all of the regions of Manchuria came under Japanese Army control. A plan for the nominal independence of Manchuria was advanced by negotiation among the Japanese cabinet, the Central Military Command, and the Kwantung Army.

The whirlpool of political strife concentrated on the London Naval Conference. In the midst of a serious economic problems, a portion of the railway tracks of Imperial Japan’s Southern Manchurian Railway at Liutiaogou, in the northern suburb of Mukden (today’s Shen-yang), was bombed by unknown individuals in September 1931. A prevailing view on the cause of this attack is that the Japanese military staged the incident as a pretext for war. This marked the beginning of the Manchurian Incident and the first step toward the so-called Fifteen-Year War.

Political developments in Japan facilitated the government’s rapid slide into fascism and militarism. Initially, the Inukai Tsuyoshi cabinet’s (1931-1932) foreign policy veered toward a proactive stance toward international diplomacy. War Minister Araki Sadao tried to take charge of the Manchurian occupation regime, which had increasingly been strengthening its own autonomy since its establishment in 1931 under the control of the Kwantung Army. With the government under such political and social circumstances, the Manchurian Incident broke out. On September 18, 1931, taking advantage of a Southern Manchurian Railroad blow-up incident taken place at Liutiaogou located in the suburb of Mukden (Fengtian) of north-eastern China, Japanese Kwantung Army launched a military operation, which became the outbreak of Manchurian Incident. This incident is regarded as a plot in order to make an excuse of starting a military operation trying to expand the interest of the Kwantung Army in Manchuria. The Kwantung Army expanded the battle line in spite of the Japanese government’s non-expansion policy at the time of this incident. The Japanese government was not able to contain the incident, but was dragged onto the side of the instigators, some young officers of the Kwantung Army. The Great Manchurian Empire was established in the territory of Manchuria with a scheme fabricated by the Kwantung Army and the subsequent backing of the Japanese government.

The Public Security Preservation Law and Kokutai

In Japan the suppression of the liberal ideology intensified from the beginning of the Shōwa era (1926-1989) in spite of the liberalizing democratic propensities that had emerged in the preceding Taishō era. From late 1920s the government began an overt campaign to suppress communists. The most boldfaced action was the establishment of the Public Security Preservation Law, ostensibly enacted to maintain public order. Among its provisions:

Article I. An individual who organizes a society for the purpose of altering the Kokutai or denies the system of private property and those who join such an association in sympathy with or join the society will be sentenced to imprisonment or confinement for no more than ten years. . . .
Article II. Individuals who have held a meeting in order to carry out an activity with the intent of pursuing the purpose as in the preceding Article I shall be sentenced to imprisonment or confinement for no more than seven years.

Article III. An individual, who incites the execution of an activity intended for such a purpose as stated in the first paragraph of Article I, shall be sentenced to imprisonment or confinement for less than seven years.

Article IV. An individual who incites a crime that brings about a disturbance, or an act of violence, or an individual who inflicts any harm on a life or person or property shall be sentenced to imprisonment or confinement for no more than ten years.

Article V. An individual who provides or promises the monetary or other means shall be sentenced to imprisonment or confinement for no more than five years.

Article VI. If an individual who has committed the crime [described] in the previous three articles surrenders (himself), the penalty shall be reduced or exonerated.

Article VII. This law [also] shall apply to any individual who has committed the crime outside this legal enforcement area.

Kanpo [Official Gazette] No. 3797, April 22, 1925

By an organization that had the purpose of “altering the Kokutai or abolishing the private property system” the authorities simply meant “communists” or “socialists.” In later amendments, and distance was placed between notions of Kokutai and capitalism. Kokutai assumed greater importance. The politically charged and unifying Kokutai ideology swept Japanese society as demonstrated in the Education Ministry’s 1937 publication of a document entitled Kokutai no hongi (Fundamentals of Our National Polity). Kokutai, with its mystic ideology, justified outrageous conduct, and, in the end, led Imperial Japan into a protracted and devastating war.

The Public Security Preservation Law promulgated in April 1925 was first applied later that year and in early 1926 in the Kyoto Student Association Incident (Kyoto gakuren jiken). It took the form of robust suppression of leftist activities by the Student Federation of Social Science (Gakusei shakai kagaku rengōkai) at places such as Kyoto University. The law was expected to prevent robbery, violence, or terrorist activities that Communist Party members or anarchists or other left-wing activists were suspected of planning to carry out challenges to the established system.

In 1928 this same law was amended to apply not only to members and supporters of the Communist Party, but also to participants in the workers’ and farmers’ unions and proletarian movements. In its actual application, the law was applied to all endeavors or individuals deemed sympathetic to socialism or Marxism or anarchism.
In the April 16 Incident (Yonrokuichi-jiken) of 1929, the government arrested more than 600 suspected Communists, many of whom were tried and found guilty. In 1935 the leadership of the Communist Party was directly targeted and completely crushed. Thereafter, the law was used to exact control over religious organizations and academic circles, functioning as an instrument to suppress any popular dissent and firmly to establish the Imperialistic fascist policy.19

A semi-feudalist and militaristic nation-state with some resemblance to the Prussian-style, quasi-constitutional, monarchical system gradually was formed in Japan. At the same time, political power, centered on a doctrine of imperialism, attempted to undermine the Freedom and Civil Rights Movement that had flourished since the Meiji period (1868-1912).20 After experiencing the Sino-Japanese War (1894-95), the Boxer Uprising (1900) and the Russo-Japanese War (1904-1905), many Japanese began to embrace grandiose and inflated expectations for Imperial Japan.21

The Genri Nihonsha (Fundamental Japan Society, 1925)

In the midst of the government’s powerful tactical suppression of dissent and in the context of pervasive confusion and lack of ideological leadership, those espousing any lingering sentiments of Taishō Democracy lost their sense of direction and momentum. The expansion of ultra-nationalism and ultra-racism became more pronounced through the influence of fanatic rightist theorists such as political philosopher Kita Ikki (1884-1937), Inoue Nisshō (1886-1967), Ōkawa Shūmei, Minoda Muneki (1894-1946) and Mitsu Kōshi (1883-1953).22 Minoda together with ultra-nationalists Mitsu Kōshi and Matsuda Fukumatsu (1896-unknown) established an organization, Genri Nihonsha, in 1925. Minoda became its chairperson and by 1927 he had become the leader of the academic watchdog organizations. Those who supported the Genri Nihonsha included the aforementioned Kikuchi Takeo and Miyazawa Yutaka (1884-1863) of Rikken Seiyūkai (Constitutional Political Friends Party).23

Radical Political Organization and the Military

Inoue Nisshō (1886-1967), a Nichiren Buddhist priest and a right-wing activist, became the leader of the organization Blood Brotherhood Band (Ketsumeidan, 1931) which engaged in what was essentially a terrorist activity known as Ichinin-issatsu-shugi (One-person, one-killing concept).24 The idea was to save many people by killing one “unwanted” prominent figure such as a politician, a zaibatsu financial clique leader, or a member of the privileged class. Inoue planned and ordered his followers to kill more than twenty individuals who, as the Blood Brotherhood saw it, desired to act only in their own self-interest and did not consider the national defense and the prosperity of the people.25

In May 1932, the young Imperial Navy officers led a coup d'état with the collaboration of some Imperial Army officer cadets. A number of young officers of the Imperial Navy armed themselves and barged into the prime minister’s official residence and assassinated Prime Minister Inukai Tsuyoshi, who was regarded as the central figure of the movement to defend the Constitution. This incident, known as the May 15th Incident, was funded by Ōkawa Shūmei, who operated the Ōkawa Academy. After the
death of Inukai, many of the members of other previous democratically inclined cabinets were silenced by pressure or natural mortality. Sympathizers among the naïve poor and uneducated public, young military officers and soldiers began to support fascism at the grass-roots level. Those regarded as “communists” or “anarchists” became the victims of government authority. Subsequently socialists and liberals were similarly treated. In the name of “national emergency,” control over speech, thought and education was intensified and impelled the nation further into militarism. 26

Control Over Education

The Hamaguchi Cabinet and the second Wakatsuki Cabinet (April-December 1931) promoted the “Policy of Industrial Rationalization” (sangyō gōrika seisaku) of 1929 in order to protect and enhance the consolidation or cartel of companies, which also limited the prerogatives of free enterprise. 27 Following industry, the next targets of control were schools and higher education. All of this was an attempt to convert the Japanese people into obedient Imperial subjects, and Japanese educational processes were increasingly conscripted into a system that would supply the malleable young human capital who would serve the accelerating national drive toward mechanization and industrialization. A workforce and polity susceptible to regimentation were deemed necessary in the face of the world economic crisis that threatened Japan’s industrial production process. The world economic crisis threatened Japan’s industrial production process. The situation of Japanese factories in the 1920s is illustrated in Chushichi Tsuzuki’s The Pursuit of Power in Modern Japan 1825-1995:

A series of labor strikes broke out in spinning-mills. Some of the discharged weaving girls were sent home under pressure to the rural communities from which they had come. Their village masters, parents, or village policemen, whom the company had alerted by letter, sometimes sent the money for their tickets home. 28

When many Japanese teenagers who could not find employment after completing their schooling began to spill out into the streets instead of entering factories, the crisis came to the schools and communities. In response, school guidance policy was reestablished.

In the late 1920s and the 1930s, the government used the Public Security Preservation Law and its authority to exercise increasing control over “undesirable” educators. In 1928, forced to leave Imperial universities as Marxist thinkers were Kawakami Hajime (1879-1946) from Kyoto, Sakisaka Itsurō (1897-1985) from Kyushu, and Omori Yoshitarō (1898-1940) from Tokyo. 29 From the early months of 1933, arrests of “communistic” teachers increased dramatically. One example is the case of the widely reported “Teachers Communication Incident,” which took place in Nagano prefecture. The government exaggerated panic about teachers’ communization and began to silence them by ousting all the teachers who had expressed any criticism of the government and the status quo or those who embraced liberal notions. 30

“Communized” Educators

Seeking to fashion a compliant population to harness their homogenizing goals, the government began to lay the foundation of militaristic education. The suppression of
speech and thought spread to liberalism as well. Then, in May 1933, came the Takigawa Incident. This had been immediately preceded in January 1933 when individuals such as Minoda Muneki and Mitsui Kōshi of the Genri Nihonsha distributed a pamphlet entitled The Incident of Communization of Legislative Officers and the Communistic Professors of the Imperial Universities. Some ultra-right-wing activists including Minoda demanded that the Department of Education remove “communized” professors including Makino Eiichi (1878-1970), Minobe Tatsukichi (1873-1948), Suehiro Gentarō (1888-1951) of Tokyo University, and Takigawa Yukitoki of Kyoto University as adherents of “dangerous thought.”

A fearful government then concluded that the “communization of the legislative officers” was a consequence of the ideologies of some law professors. Even mere “liberals” were attacked as communists. In concert with the authorities’ position, Kikuchi Takeo of the House Peers and Miyazawa Yutaka of the House of Representatives (Shūgiin) demanded of the government at the 64th Meeting of the Imperial Diet (1933) the dismissal of “communized” professors of the Imperial universities, and attacked Professor Takigawa’s Criminal Law Reader as an anarchistic publication. The National Diet accepted the proposition that those professors should be relieved of their posts.

Year after year, thought suppression intensified, with real or attributed Marxism, a label applied to those arrested. Yamada Moritarō (1897-1980), a Marxist economist and a Tokyo University professor who had been unceremoniously dismissed as a Communist sympathizer in 1930, subsequently became well known by announcing his Nihon shihonshugi bunseki (Analysis of Japanese Capitalism) in 1934. He was later arrested in the Communist Academy Incident of 1936. Hirano Yoshitarō (1897-1980), a law scholar and a peace movement activist, had studied Marxism at Frankfurt University from 1927 through 1930. After returning to Japan, he was arrested and deposed from his post at Tokyo University, alleged to have violated the Public Security Preservation Law. He received a guilty verdict with a suspended sentence.

The Emperor Organ Theory Incident

Here, the concept of the Emperor Organ Theory (Tennō kikansetsu) needs to be briefly explained. This is a theory of interpreting the Emperorship in relation to the Meiji Constitution. It is largely represented by Minobe Tatsukichi, a constitutional scholar who started to teach comparative constitutional history at Tokyo University from 1902. The characteristics of this theory was that it recognized the fundamental concept of the Imperial sovereignty in which the sovereignty originated in the Emperor, but at the same time it opposed the notion that the authority of the Emperor is absolute and infinite. The sovereignty is not for the personal gain of the Emperor himself, but it is for the interest of the nation. Therefore, it is assumed that Japan as a nation-state maintains a legal person status by which the people can receive the profit of the nation. And the state is the main body of the sovereignty; the Emperor represents the state as a legal person and is the supreme organ that exercises the governing authority according to the stipulations of the constitution.
The Home Ministry banned some newspapers, pamphlets, and handbills considered inconsistent with the nation’s territorial expansion that had increasingly taken on a life of its own. In January 1928 the Japanese Communist Party members participated in the first general election campaign as Labor-Farmer Party (Rōnōtō) candidates, but they were defeated in the general election taken place in the following month. The Labor-Farmer Party was banned by the government in April. It was banned, but continued to operate illegally. The Public Security Preservation Law was amended to include death penalty in June 1928. Such domestic background led to the issues touching upon the Emperor Organ Theory, which served as the theoretical underpinning of prewar constitutionalism. It positioned the Emperor at the center of the system of the Meiji Constitution. Right-wing leaders tried to destroy the Emperor Organ Theory by calling the constitutionalists “communists,” and succeeded in transforming legitimacy-by-constitution into totalitarianism-by-militarism.

Together with the rise of military fascism, the Kokutai Clarification Movement (Kokutai meichō undo) emerged while academic freedom was further repressed. Military leaders, too, began to attack the Emperor Organ Theory as an anti-Kokutai ideology. In 1938 publications including “Theory of Social Policy” (Shakai seisaku genri, 1931) and “Criticism of Fascism” (Fashizumu hihan, 1934) authored by Prof. Kawai Eijirō (1891-1944) of Tokyo University were suppressed. In February of the same year, other Tokyo University faculty members including Ouchi Hyōe (1888-1980) were arrested. They were dismissed from their positions the following year (1939).

Communized Court Officers

The “Court Officials Communization Incident” (Shihōkan sekka jiken) was a mass arrest that took place during 1932-1933 when more than ten court judges and court staff in different parts of Japan were arrested, for allegedly having violated the Public Security Preservation Law. Among them were five court-related individuals including Judge Ozaki Susumu (1904-1994) and four other judges of the Tokyo District Court. Under the military government, Ozaki was imprisoned for violating the Public Security Preservation Law for opposing Japan's invasion of China. He had become a judge of the Tokyo District Court in 1929 at the age of 25 and became a member of the revived Communist Party in 1932. In October 1932 in the process of investigation of the reconstituted Communist Party, it was assumed that some members of the Justice Department were influenced by a "revolutionary" movement. Ozaki was identified as having conducted fund-raising activity as a Communist Party member, and he was arrested together with the secretaries of the Court in November 1932. Ozaki was sentenced to a six-year term of imprisonment.

It was then widely reported as a serious issue that the Communist Party was influencing the judicial branch, penetrating the courts. Many intellectuals were punished for reasons, sometimes true and sometimes not, that they contributed funds to the Communist Party or received the Sekka newspaper published by the Communist Party or dealt with a Communist Party member in finding a place to live.
In late 1932 an Assembly for the Directors of Court Officers was established; it dealt with “dangerous thought” issues. From each district the government gathered judges and prosecutors to handle such matters at the appellate court and thereby enforce thought control. Besides court officers, around this time emerged people in various fields, including elementary school teachers, soldiers, and some young members of the peerage (kazoku) who began to affiliate with revolutionary movements after having been awakened by the contemporary social phenomena that threatened the privileged social status of the political rulers. Discomfited by the social current, the Justice and Home Ministries began to employ mass media to promote a statist ideology, simultaneously adopting policies and tactics to stop the spread and acceptance of countervailing publications and activities that were deemed violations of the Public Security Preservation Law. The government employed a massive campaign targeting the threat of communization and attempted to protect the status quo by cultivating a sense of eminent danger.

Conclusion

After the inception of the Public Security Preservation Law in 1925, Kokutai-nationalism was incorporated into the ideology of a militarized totalitarian state in the 1930s. To stamp out democracy, it progressively suppressed all freedom of the working masses, crushed any notion of a free press, of rights of assembly and freedom of thought and speech. It destroyed constitutional politics and drove Japan into fascism, wars, and an ultimately redemptive catastrophe.

The Ministry of Education attempted to carry out an educational reform in order to unify the national sentiment known as Kunmin ittai (unification of the Emperor and His people). It was 1937 when the booklet Kokutai no hongi (“Cardinal Principles of the National Structure”) was distributed.

The Takigawa Incident ultimately was one of the most portentous conflicts between the Japanese government and a university in prewar Japan although its resonating consequences would take military defeat and many years to emerge. The initial “victory” by authority became the precursor for further suppression by the encroaching totalitarian system in Japan and became the starting point of a series of measures against liberalism by Imperial fascism, which tried to standardize the thoughts and lives of the people.

Article 23 of the present Japanese constitution spells out “Academic freedom is guaranteed.” This foundational assurance of scholarship and academic pursuit was established in postwar Japan not only at the insistence of the Allied occupation authorities; it also was based partially upon the historical precedent of the Takigawa Incident of 1933 among other circumstances in which freedom had been violated by the direct intervention of state authority.

Potentially useful future research considerations may be in-depth investigation into how the Public Security Preservation Law influenced the people of territories that Japan formerly controlled, such as Korea, Taiwan, and parts of mainland China. Researchers also would do well to explore the freedom and ideological aspects of Japan’s higher education in the postwar and today’s Japanese society.
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Kokutai, an extra-legal ideology, fundamentally refers to national polity (seitai), but in general the expression is used to mean "national character" or the polity under which the emperor governs the country. Kokutai is translated into variously as national polity, national body, national structure, national essence, and the like.

2 The official announcement of dismissal (Menkan hatsurei) of the seven was issued by Sawayanagi.
3 In Germany in the late nineteenth century, Prof. Niho Kamematsu (1868-1943) studied the principles of law. He returned home in 1900 and became a professor of Kyoto University.
4 This is quoted in the article Daigakujichi no hakajiru shi: Kyodai-Takigawa Jiken (‘A Grave Marker of University Autonomy: Kyodai-Takigawa Incident’) by Shiota Shōbe (in my translation).
5 Saitō Makoto (1858-1936), admiral and statesman, replaced Inukai Tsuyoshi (dealt later) who had been assassinated in May 1932. Saitō himself was assassinated during the 2.26 Incident.
7 This “Court Officers Communication Incident” is known in Japanese as Shihōkan sekka jiken.
8 Takigawa Yukitoki was the son of a former samurai family from the Okayama domain.
9 Katō Yaejiro, a Christian and a master mason, and son of a Yale graduate, was barred from public office for five years by Allied authorities following World War II, and later was ousted from public office once he had been permitted to assume it. But, he became prime minister for various periods in 1954, 1955, and 1956.
10 Sakyo Tameo belonged to Ketsumoidan (Blood Brotherhood Band).
11 Ugaki Kazushige graduated from the Military Academy and the Army War College, and became vice war minister in 1932. He had been appointed war minister previously, in 1924, and then governor general of Korea in 1927. He was promoted to full general and again became war minister under the Hamaguchi cabinet in 1929, but he resigned his post as war minister after his involvement in the March Incident of 1931. Ōkawa Shūmei was an activist in the nationalistic movement and an ideological leader of fascist elements during the Taishō and early Shōwa periods.
On September 18, 1931, taking advantage of a Southern Manchurian Railroad blow-up incident taken place at Liutiaohu located in the suburb of Mukden (Fengtian) of north-eastern China, Japanese Kwantung Army launched a military operation, which was the outbreak of Manchurian Incident. This incident is regarded as a plot in order to make an excuse of starting an operation trying to expand the interest of the Kwantung Army in Manchuria. The Kwantung Army expanded the battle line in spite of the Japanese government's non-expansion policy by this incident.

The Public Security Preservation Law (1925) was established in order to punish organizations and quell activities that had the purpose of changing the spirit of Kokutai or denying the concept of private property ownership. The law was promulgated, and consequently the suppression against the students known as Gakuren Jiken (Students Alliance Incident) was carried out by the government in 1930. This law was abolished by an Imperial Edict in October 1945. Miles Fletcher in his article "Intellectuals and Fascism in Early Shōwa Japan" (Journal of Asian Studies, Vol. 39, No. 1, November 1979) discusses in detail Japanese "fascism" in relation to the fascism of 1930s in Europe.

I translated Chian'i-i-hō into English as I am unaware of any official or other translations. This law subsequently was changed twice. In 1941, the law was amended to expand prohibition to any disrespectful conduct toward the State Shinto (state religion established as a government policy in Japan during the Meiji Restoration and lasted until the end of World War II) or the Emperor.

This April 16 Incident refers to the arrests associated with the second generation Communist Party; it may be correctly referred to a series of arrests made in 1929. In a broad sense, before World War II, the period until the Communist Party Central Committee was finally destroyed in March 1935 by the arrest of Hakamada Satomi (1904-1990) who was the last member of the central committee, but in a narrow sense, it may also refer to the period until the organization was temporarily destroyed by a mass arrest of the Communist Party members at the April 16 Incident of 1929. In prewar Japan, the Communist Party was not recognized by the government, and it became a regal organization in 1945.

The Freedom and Civil Rights Movement (Jiyū minken undō) was a political movement that opposed the politics based on clanism (hanbatsu) and demanded the freedom and rights of the people. This led to the opening of the Diet, the reduction of the land tax, the revision of unequal treaties between the Western powers and Japan, the guarantee of freedom of speech and assembly, and more.

The Boxer Uprising (Giwadan no ran) took place during the closing period of China's Qing Dynasty. It began as an anti-foreign movement by a secret society called Yi-he-tuan (Giwadan) and spurred widespread bloodshed after the Dowager Empress declared war on Western countries in 1900. However, within two months after the declaration of the war the Western powers and Japan gained military control over the capital Beijing (then Peking) and the Forbidden City. Inevitably the Qing Court had to pay huge reparations.

Minoda Muneki graduated from the Tokyo University's Department of Religion and taught at Keio University and at Kokushikan Academy (the predecessor of today's Kokushikan University).

The Genri Nihonsha, a right-wing organization, was founded in 1925 by Minoda Muneki and journalist Mitsukawa Kametarō (1888-1936). They published a bulletin called Genri Nihon.

On Ichinin-issatsu-shugi, see Marius B. Jansen. The Making of Modern Japan. (Harvard University Press, 2000), pp. 601-602. This Blood Brotherhood Band was reestablished as a new organization with the name of Defend-the-Country Band (Gokokudan) in the postwar era.

In February 1932 Onuma Shō, a member of the Ketsumeidan, assassinated Inoue Junnosuke (1869-1932) the leader of the Minseitō party and former minister of finance. In the following month Hishinuma Gorô (1911-?) shot and killed Baron Dan Takuma (1858-1932), the chairperson of the Mitsui holding company.

In 1936 Japan experienced a coup d'état; known as the 2.26 Incident, it was organized by young officers of Imperial Way Faction (Kōdōha). Some of these Army officers were influenced by Kita. See Watashi tachi no Takigawa Jiken, p. 18.

In 1931 by establishing the Strategic Industries Control Act (Jiyū sangyō tōsei hō), the government protected and fostered the monopolistic business conglomerates while checking free competitions in the fields approved as key industries.

Kawakami Hajime was a Marxist economist at Kyoto University. He resigned his professorship and played an active role in the Communist movement. After formally becoming a member of the Japanese Communist Party, he was arrested and sent to prison. He translated a part of Karl Marx’s *Das Kapital*. Sakisaka Itsurō (1897-1985) also was a Marxist economist and socialist thinker. Sakisaka graduated from the Department of Economics of Tokyo University in 1921. He embraced Marxism after reading that theorist’s works in German while he was a student at the Fifth High School (Dai-go kōtō gakkō). Omori Yoshitarō attended the First High School. Omori is known to have read Russian literature in English translation as well as Kantian, neo-Kantian, and Nishida philosophy. He became a Marxist in college, inspired by Kawakami Hajime.

In the Nagano prefecture, on February 4, 1933 the government started a wholesale arrest of teachers who were regarded as Communist Party sympathizers. By April of the same year, 138 teachers from 65 schools had been arrested in that jurisdiction. This is the so-called 2.4 jiken (February 4th Incident) or *Kyōin sekka jiken* (Teachers Communization Incident).

Kikuchi Takeo later criticized Minobe Tatsukichi’s Emperor Organ Theory.

In July 1936, a year after Sakisaka Itsurō began a methodological criticism on Yamada Moritarō’s *Nihon shihonshugi bunseki*, Yamada was arrested together with those associated with Kōza-ha (a Marxist group) or other left-wing cultural organizations. This arrest incident was called *Komu-akademi jiken* (Communistic Academy Incident).

In February 1928, the first general election was carried out, but the government of Yoshida Giichi, having a sense of danger in the activities of socialistic political parties, carried out a wholesale arrest on suspicion of violating the Public Security Preservation Law on March 15, 1928. Approximately 1,600 individuals affiliated with the “Second” Communist Party (Dai-niji kyōsan-to, referring to the Communist Party of the period when it was made illegal) and Labor-Farmer Party were arrested. The March 15th Incident, commonly referred to as 3.15 Incident [San-ichi-go jiken] of 1928, was a manifestation of a drastic suppression of Japan’s Communist Party.

After World War II, in 1950, Ozaki Susumu again became an attorney, and served as the secretary general of the Japan Lawyers Association for Freedom (est. 1921).

The Japan Communist Party had launched a mimeograph newspaper called *Sekki* (today’s *Akahata*) in February 1, 1928. It became a letterpress newspaper in April 1932.

An account on police measures toward the ideological suspects of political crime is clearly described in Chapter 4, “Brutality and Torture” in Richard H. Mitchell’s book *Janus-Faced Justice*.