



LDP DRAFT OF "NEW" DOWA PROJECTS/REGIONAL IMPROVEMENT
LEGISLATION -- A NEW NAME ON AN OLD FACE

We are finally entering the last stage of our year and a half struggle for the reinforcement and revision of the Law on Special Measures for Dōwa Projects. In last autumn's extraordinary session of the Diet, we campaigned very hard and were rewarded by the Diet resolution that there is need for a budget and a new law on Special Measures for Dōwa Projects. We also collected the written statements of agreement to this proposal from the Diet policy chairpersons of each party. We must now make certain that the new law is drafted and enacted during the current ordinary Diet session, in accordance with the resolution and statements of support. As the current law expires at the end of March, we must push for immediate action or face a period with no Dōwa projects.

The most critical issue at hand is the content of the new measures. According to the Asahi newspaper (7 Jan 1982), the LDP government reached a decision on the new measures on January 6 and announced the contents of the new policy. It also stated that the new draft of the measures would be presented at the next ordinary session of the Diet, including an unconditional expiration date three years hence.

The new bill is basically as follows:

1) Dōwa (integration policy) Projects should be changed to Projects for Regional Improvement.

2) A clause should be inserted stating that the projects will ensure that the conditions within the Buraku will be brought up to the level of the surrounding areas, but will never exceed the conditions of the surrounding areas. This will be ensured through judicious management.

3) Certain special measures, such as subsidies or the flotation of loans, should be dealt with in the same manner as under the present Law on Special Measures for Dōwa Projects.

4) The objectives of the projects will be enumerated by government ordinance.

In reference to the three-year expiration date, it is reported that the government estimated that



if they continue to enact the measures at the 1981 pace, they could deal with all remaining Dōwa projects in the next three years, at an estimated cost of 800 billion yen.

In examining the copy of the proposed legislation that we recently received, we find that it satisfies almost all of our requests, although there are some points which appear more disadvantageous than in the present legislation.

We find it very difficult to understand the necessity of changing the name to Projects for Regional Improvement, although the contents are nearly identical to the previous legislation. It seems unreasonable to change the name. Although we do not prefer "Dōwa" but would rather see some other term more clearly expressing Buraku Liberation, such terms as Dōwa Administration and Dōwa Education are fairly well-understood nationwide. People know that Dōwa implies the Buraku problem, and therefore we accept it as an administrative term. Now the government insists on altering the name of the new legislation to Regional Improvement, which seems to weaken the stand that the laws are designed to eliminate discrimination against Buraku. This name-changing will make it more difficult to get the people's cooperation for such things as citizen awareness activities, essential for the elimination the people's discriminatory consciousness.

What is lacking in the present law, as well as in the thinking of the LDP government, is the very basic concept that they attack the anti-Buraku discrimination itself as soon as possible. It is true that the improvement of the Buraku environment is essential to eliminate prejudice against the Burakumin (and yet, even this is passively done), however, it is urgently necessary to guarantee equal educational and employment opportunities for the people of the Buraku. Constructive efforts must be made to overcome the prejudice of those citizens and businesses who still possess anti-Buraku opinions. In this light, we strongly request the revision and enforcement of the present Law on Special Measures for Dōwa Projects.



In reference to the unconditional expiration date, we feel that it is very odd to have a fixed expiration date, as the character of the discrimination against Burakumin is not of a nature that can be completely reformed in such a short, specified time. Therefore, the law must not have this expiration clause, but must continue in effect until we have overcome discrimination against the Buraku. Of course, concrete measures and projects should be planned with certain, short-range deadlines.

We are afraid that the government's new legislation will deal with just those projects remaining unfinished under the soon-to-expire measures. This is taking a very materialistic approach to the problem--reform the exterior--as opposed to the the wholistic approach needed--change the thinking of the prejudiced element in society. Indeed, we can't even be certain that the government will complete all the projects left over the next three years if we consider their attitude in the past and the increasingly tight financial straits of the local governments. It goes without saying that the local government's views will bear great influence in terms of the naming of the new bill, its execution, character, contents and expiration.

We have many questions we must ask ourselves about the pending legislation. First, the issue of naming is important. What the new legislation is called will have an impact on exercising what is now termed Dōwa Administration in the future. Second, the contents of the measures are of the utmost importance, such as the fixed expiration date. The people's nationwide struggle has persevered for a year and a half to gain this opportunity. Let's exert even more energy and make certain that the most just, Buraku liberating legislation possible is enacted.



A NEW YEAR'S LETTER FROM KAZUO ISHIKAWA

Again this year, as usual, we received a New Year's letter from Mr. Kazuo Ishikawa. And again this year, it was written from his prison cell. As in the letter he extends his greetings and thanks to all of you, his supporters, we would like to share the letter with you here. It is a message from the heart of a kind, patient man unjustly jailed yet exhibiting no rancor, but rather interpreting his prolonged incarceration as his fate, in the religious sense.

I can't help confessing my heartache at facing my nineteenth new year within these four walls. Again last year my greatest desire passed me by, although the Buraku Liberation League launched an all-out effort in support of my case. But I also feel sorry for my supporters, my brothers and sisters, who are struggling so hard throughout Japan, if all I have to offer at the promising beginning of the new year is complaints, so I am instead rather optimistically interpreting the fact that I have not been released as being due to a lack of seriously cultivating my spirit on my part. But I have made up my mind that I'll never see in a twentieth new year in prison, which greatly encourages me at the beginning of 1982.

Here again, I'd like to express my deep thanks to the Central Committee of the Buraku Liberation League and all my other supporters for all their efforts over the past year. And I'd like to ask that they all continue, and that through their efforts and leadership the courts will finally come to recognize my innocence.

I wish the Buraku Liberation League and all supporters another prosperous year.

Kazuo Ishikawa

JAPAN'S REPORT BEFORE THE CCPR REVIEW COMMISSION--
"SUCCINCT, LACONIC -- TELEGRAPHIC, IN FACT"

As of 1981, the International Covenant on Civil and Political Rights (CCPR) had been signed by 68 nations. The UN Human Rights Committee was set up five years ago to monitor the adherence of the signatory states to the rights set forth



in the covenant. To do this, it holds review sessions at which signatory states present government-prepared defenses of their civil and political rights records. At the 14th review session, held in Bonn, West Germany from the 19th to 30th October 1981, the 18-strong review committee heard the reports of Japan, Morocco and the Netherlands.

We have recently received the official summaries of these meetings, at which the Japanese human rights record was reviewed. The Japanese government's prepared report proved disappointing to the reviewing panel on several counts, its vagueness and brevity being the two general shortcomings most frequently cited. Stated committee member Petrovich Movchan, "It is extremely succinct, laconic -- telegraphic in fact."

In an attempt to gain a more exact understanding of the current Japanese civil and political rights situation, question-and-answer sessions addressing specific CCPR clauses and their application in Japan were held. Unfortunately, space does not allow us to reprint the dialogue in its entirety. Many serious human rights issues were raised, such as the rights of Koreans residing in Japan, the status of women and the penal system. Some of the government's most startling assertions dealt with the Buraku problem. We present some of these comments below. The queries of the Human Rights Committee are drawn from CCPR/C/SR.319, and the Japanese government representative's replies from CCPR/C/SR.324, held on the 20th and 22nd October, respectively.

Mr. Opsahl requested clarification of the legal status of the CCPR in domestic law. Were the Japanese courts bound to observe provisions of the covenant? What rights to remedy did a person whose rights have been violated have? Mr. Opsahl said that he would like to

...know more about the structure and operation of the criminal procedures for remedial actions in the case of violations of human rights. Those procedures were simply mentioned in part one, paragraph 3.B, of the report; could any individual who wished to do so lay a complaint or make an accusation and, if so, what were the legal effects? Could an individual



institute a criminal proceedings and were the authorities bound to investigate all complaints and take legal action? If that was not the case, there could be a question as to how effective a remedy that criminal procedure was. With regard to the Civil Liberties Bureau and the 11,000 Civil Liberties Commissioners referred to in part one, paragraph 3.D of the report, he wondered whether only Japanese citizens had access to them or whether aliens, and more particularly those residing in Japan, could also lodge complaints with the Commissioners concerning discrimination, for example. Were the Commissioners full-time employees, how many complaints had they heard, and what means were available to them for reaching a settlement since their decisions were not binding?

Sir Vincent Evans asked parallel questions:

The Civil Liberties Bureau and the Civil Liberties Commissioners mentioned in paragraph 3.D of part one of the report ("General Comments") seemed to play an important part in the protection and promotion of human rights in Japan. It would therefore be interesting to know how the Civil Liberties Commissioners were chosen, whether they were civil servants, what kind of procedures they followed, how cases were brought to their attention, and what powers they had. It would also be useful for the Committee to have examples of cases examined by them....

Paragraph 3.A of the report mentioned remedies in cases of violations of rights. Despite the importance of those remedies for the protection and promotion of human rights, the information given was very brief. Fuller details of the nature of those remedies and the differences between them would therefore be welcome.

At the 324th session, the Japanese government representative, a Mr. Yagi, presented a "clarification" of these points. He explained

that the Civil Liberties Bureau consisted of a central legal affairs office and regional legal affairs offices. It was concerned with the investigation of cases of violations of human rights and the collection of information on them, with the promotion of non-governmental human rights protection activities, with



matters relating to the Civil Liberties Commissioners, and with matters relating to habeas corpus, legal aid to the poor, and the protection of human rights in general. There were 11,000 Civil Liberties Commissioners working to protect the human rights of local residents. Their duties were to prevent infringements of human rights, and, in cases of violation, to take appropriate remedial action; to publicize human rights; to promote non-governmental activities for human rights protection; to investigate cases of violation and collect information on such cases by hearing the persons concerned and submitting a report to the Minister of Justice; and to take appropriate measures such as giving advice to the persons concerned, advice which had proved to be effective in the past.

The Commissioners were appointed by the Minister of Justice on the recommendation of the mayors. They had to be of good character and intellect and well versed in social conditions. Their position was non-remunerative. They served for three years and could be re-appointed. In each city there was a Council of Civil Liberties Commissioners, where the Commissioners exchanged information on their work.

It was a most deceptive clarification. It avoids several crucial facts concerning the Civil Liberties Commissioners:

1) Though law provides for 20,000 commissioners, only 11,300 positions were filled as of December 1980;

2) An annual expense allowance of only ¥14,000 per commissioner renders these honorary positions with impressive titles, as there is insufficient budget for any serious activity;

3) Even supposing that "advice" from these Minister of Justice-appointed commissioners is an "effective" way to deal with solution of instances of human rights violations, where were these commissioners' "effective advice" when Makoto Ikeue hung himself after his bride-to-be's parents refused to give her hand in matrimony to a Burakumin? Or, when the Buraku Lists surfaced again, after the 1970 and 1975 incidents? We could go on, but the point is: "advice," effective or not, has not been forthcoming.

Sir Evans also questioned the government's assertion that there are no minorities in Japan, and raised the issue of a "disadvantaged social group," i.e., the Burakumin.



The Covenant contained numerous provisions concerning the prohibition of discrimination, in particular for reasons of social origin. However, he believed that in Japan there was a disadvantaged social group, such as existed in other societies, called the Burakumin. Perhaps that was more a social problem than a legal one, but he pointed out that, at least in the past, the discriminatory acts committed against that social group had been based on certain traditions. While acknowledging the measures taken by the Japanese Government in recent years to improve that group's situation, he would like to know what remained to be done in that area and whether, in practice, those persons were still discriminated against, with regard to marriage and the education of children, for example. Finally, as it was apparently possible to identify the persons in question from their identity cards, to what extent was the State responsible for that discrimination and what was it doing to remedy it?

Responding to this point on behalf of the Japanese government was Mr. Tomikawa, who

turning to article 27 of the Covenant, said that nobody in Japan was denied the right to enjoy his own culture, to profess and practice his own religion, or to use his own language. The report stated that minorities of the kind mentioned in the Covenant did not exist in Japan because, according to his delegation's interpretation, "minority" meant a group of nationals who ethnically, religiously or culturally differed from most other nationals and could be clearly differentiated from them from a historical, social or cultural point of view. The so-called "Burakumin," who were more properly called "Dowa people" according to Japanese practice, were Japanese nationals and not different from other nationals ethnically, religiously or culturally. Any unequal treatment of those persons derived from unreasonable social prejudices on the part of certain Japanese individuals. The social sphere was a delicate area in which it was difficult for a Government to intervene. Nevertheless, the Japanese Government attached great importance to the Dowa problem and was doing its utmost to remedy the situation.

Leaving aside the puzzling choice of the term "Dowa people" as "proper" term for Burakumin, one is still confronted with two serious problems arising



from this "reply:" the choice of the CCPR article cited, and attributing responsibility for discrimination to "social prejudices."

Indeed, can Mr. Tomikawa's comments even be termed a "reply" to Sir Evans' query when, after Sir Evans has specifically dealt with the Burakumin as a "social group" discriminated against "in particular for reasons of social origin," Mr. Tomikawa studiously avoids the term "social origin" and goes on to cloud the issue by introducing his own definition of "minority." He does this by calling our attention to article 27 of the covenant, while human rights on the basis of "social origin" is dealt with in many other of the CCPR articles. For example, article 26 guarantees "effective protection against discrimination on any ground such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." Defending Japan's record with regards to the Buraku problem according to the criteria set out in article 26 would have been a far more trying task.

Secondly, blaming the perpetuation of discrimination against Burakumin on "unreasonable social prejudices on the part of certain Japanese individuals" is a very weak self-defense, and does not absolve the government of its responsibility, which it wishes to avoid, of more actively legislating measures, as opposed to merely "giving advice." Indeed, it makes the need more critical, since simply allowing things to continue as they are hardly constitutes an "effective remedy."

In the keynote address opening the Committee session, Theo. C. van Boven, Director of the UN Division of Human Rights, appealed for the greater involvement of ordinary people in the processes that protect the CCPR. He suggested that representatives of various groups within the society help draft the report of the state, and that they also be included in the government delegations dispatched to the review sessions.

We agree with Mr. van Boven's enlightened views. Though the government's international reputation may emerge from such sessions more tarnished, the committee will gain a much more accurate view of the degree to which the Japanese



government is -- or is not -- honoring both its responsibilities to its own people and to the international committee as signatory to the CCPR.

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(For further discussion of this issue, please refer to BLRI News #6. Despite the government's claim that minorities do not exist in Japan, Prof. Kim Dong Hon speaks quite eloquently on the rights violations suffered by one of Japan's largest "non-existent" minorities, the Koreans living in Japan. - ed.)

AMERICAN VIEW OF BURAKUMIN

-- As seen at University --

In October 1981 it was revealed that the University library system still catalogued books on the Buraku problem under the subject heading of "Eta," although the Library of Congress had issued a new list of subject headings to all libraries in the United States around 1975, in which "Eta" was replaced by "Buraku people." The chief of the cataloguing section apologized and revised the heading immediately. But this case implies that many other libraries may still be using the discriminatory term "Eta" for the subject. Moreover, why was the Library of Congress still employing "Eta" and not other terms such as "Burakumin" and "Buraku people" as late as 1975? Wasn't their notice of revision too late?

Besides these questions, another big problem is that few universities have such current books as The Invisible Minority (1977) and Long-Suffering Brothers and Sisters, Unite! (1981) (both published by the Buraku Liberation Research Institute, Osaka, Japan), which have been born out of the Buraku Liberation Movement.

Dr. Edwin O. Reischauer of University, author of The Japanese and former ambassador to Japan, said, "There are some scholars of Japanese studies who know something about Burakumin, but it seems Japan's Invisible Race (by George De Vos, University of California Press, 1966), is the only and common source for them. Some feel sorry for



Burakumin and others become confused when they learn of the problem because it seems inconsistent to them that such a minority group can exist in Japan, which has been believed to be a strongly homogeneous country."

An American diplomat who was involved in the leather goods trade negotiations between Japan and the U.S. said, "We felt it indispensable to learn about the Buraku problem to promote the negotiations, but the officials of the Japanese Foreign Ministry just kept silent and would not let us know the details. They were apparently unwilling to refer to the problem itself. I think that this negative attitude on the part of Japan made U.S. diplomats perplexed and irritated when we did come to know of the Buraku problem."

Even to some conscientious scholars and diplomats, the Buraku problem still remains "a skeleton in the Japanese closet." This is mainly because the Japanese Foreign Ministry and Japanese scholars have neglected the problem and kept it away from foreigners. Although this situation is deplorable, it certainly does not mean that American people are not interested in it. If provided with adequate information, most are very willing to learn about it. It is our efforts that are needed now.

LE MONDE FEATURES FULL PAGE ARTICLE ON BURAKU PROBLEM

Le Monde, the world-renowned French daily, featured a full-page article on the Buraku problem and its history in its 13 December 1981 edition. Entitled "Japan's Three Million Invisibles" and subheaded "Japan is not a homogeneous country." It also encompasses racial minorities and a special social group who are victims of a traditional discrimination," the article was authored by François Sabouret, currently a member of the French faculty at Dokukyo University, Saitama prefecture. After completing a master's degree in sociology in France, Mr. Sabouret came to Waseda University to study in 1974. Since that time, he has been diligently educating himself on the Buraku problem. The BLL assisted him in organizing his field-study assessment of the actual situations of Buraku in Tokyo, Nagano,



Kyoto, Osaka and Fukuoka

This is the first time Le Monde, one of the most powerful shapers of international opinion, has offered their readers such an extensive introduction to the Buraku problem. Our thanks to Le Monde and Mr. Sabouret for a job well done.

INTERNATIONAL CONFERENCE AGAINST DISCRIMINATION

In honor of the 60th anniversary of the founding of the Suiheisha, in solidarity with struggles against discrimination throughout the world and for the creation of a climate in which discrimination against Burakumin and all other victims of prejudice can be eliminated, the First International Conference Against Discrimination will be held in Osaka, Fukuoka and Tokyo from 4 to 10 December, 1982. This human rights week is being organized and coordinated by the BLRI, with funding provided by the BLL Central C'ttee



and grants from the local administrations of Osaka, Fukuoka and Tokyo. Invited speakers are coming from the United States, India and Europe. In addition to the Buraku problem of Japan, scheduled speeches will address: the Black rights movement (U.S.A.), discrimination against the Scheduled caste (India), problems of immigrant workers from former colonies (England), the movement against anti-Jewish discrimination (France), discrimination against Roma (Austria), apartheid (South Africa) and the UN Commission on Human Rights. In addition to this symposium, there will be a commemorative meeting in honor of the 60th anniversary of the founding of the Suiheisha and the conference will issue an appeal.

Attendance is welcomed. For further details, please contact the Buraku Liberation Research Institute, 1-6-12 Kuboyoshi, Naniwa-ku, Osaka, Japan 556.

1982 BLRI SCHEDULE

MARCH 1-3	37th National Buraku Liberation League Meeting Commemorative Conference in Honor of the 60th Anniversary of the Founding of the Suiheisha KYOTO
MARCH 27-29	27th National Buraku Liberation Women's Conference MIE
JULY 3-4	4th National Buraku Liberation Research Scholars' Meeting OSAKA
JULY 24-26	26th National Buraku Liberation Youth Conference TOKUSHIMA
SEPTEMBER 13-15	16th National Buraku Liberation Research Assembly OSAKA
DECEMBER 4-10	International Conference Against Discrimination OSAKA - FUKUOKA - TOKYO



DOES YOUR HUMAN RIGHTS LIBRARY CONTAIN THESE TWO BOOKS?

We won't try to hide behind any fancy words. This is a sales pitch for The Invisible Visible Minority and Long-Suffering Brothers and Sisters, Unite! Both are published by the BLRI. If you had a copy of Long-Suffering, you could have checked the relevant passages of the CCPR while reading the article on the Japanese government's report to the CCPR review board, or reread "Ishikawa is Innocent! -- the Sayama Case" after reading his new year's letter. If you had a copy of Invisible Visible, you could have reread the sections on the goals of Dowa legislation after reading the article on the pending new measures. The Invisible Visible Minority, written by I. Roger Yoshino and Sueo Murakoshi, is an excellent primer covering the historical background of both discrimination against the Buraku and liberation activities, dealing with cultural and social obstacles in the path of liberation. Long-Suffering Brothers and Sisters, Unite! deals with the Buraku problem, universal human rights and minority problems in various countries. It is a collection of papers presented at the International Symposium on Human Rights held in Japan, December 1980.

The Invisible Visible Minority is currently undergoing its second printing, and will be available after March 1.

* Here's a handy order form!

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