



August 1985

We seek the entire world's support in enacting this law

Fundamental of Buraku Liberation Act Presented

With the expiration in two years of the Law on Special Measures For Regional Improvement Project, the central executive committee of the national Buraku movement which seeks the establishment of the Fundamental of Buraku Liberation Act (Chairman Kohshin Ohtani, Chief Priest of the Jōdo-Shinshu sect, Honganji Temple) presented to the public on May 24 a proposal for the law in an attempt to cast light the demands of Buraku liberation.

The bill was compiled beginning last March by this committee after much research, discussion and deliberation by people from various fields.

2

The draft states that the solution to Buraku problem is the most important in the carrying out concretely the spirit of the Constitution of Japan and that it is the responsibility of the people as well as the government.

This bill has 14 articles. Article 1, which states the objective, emphasizes the importance of solving

the Buraku problem. It reads, in part, "Considering that the discrimination against Buraku violates the dignity of human-beings and that its existence cannot be socially approved..." Also in Article 2, concerning the responsibility of the government and local public bodies, it clearly distinct from those of local communities.

Article 4, on the aims of the policy, seeks to eliminate discrimination by promoting the following three basic policies: 1) establish enlightened public consciousness on the Buraku problem, 2) prevent generation of Buraku discrimination, and 3) improve the social and economic status of residents of Dowa districts.

This bill is more concrete form of the report by the Council on Dowa Projects announced 20 years ago by the government. Since 1967 when establishment of this law was first called for, preparation for this bill were undertaken in correspondence to the expansion of movement activities.



At the 1st Central Gathering to demand Administrative Promotion on Buraku Liberation and Establishment of the Fundamental of Buraku Liberation Act

Contents

- Fundamental Law presented(1)
- "Door Slams on Outcast"(4)
- Free from discrimination on sex, but(6)
- Discriminative experience Part VI(7)
- Refuse being fingerprinted(8)



3

From now, we are ready to tighten and enlarge the bonds between workers in various fields and promote national movements toward establishing the law. Slide shows and texts have been prepared for such purposes.

We ask the world — to the subscribers of B.L. News and to all those who are taking part in eliminating discrimination and establishing

human rights — for understanding and support in collecting signatures, making collective resolutions, bringing out appeals, etc.

We are determined to increase action within and without our nation towards human rights and peace and the elimination of discrimination by realizing our current aim of establishing the Fundamental of Buraku Liberation Act

Fundamentals of Buraku Liberation Act(draft bill; May 24, 1985)

Article 1. (Aim)

The present Law, considering that the buraku discrimination violates human dignity and, thus, socially unacceptable, and based upon the ideals embodied in the constitution of Japan for guaranteeing every citizen of Japan the enjoyment of fundamental human rights, clarifies the obligations of the central government, local public entities and citizens regarding the complete and immediate solution of buraku discrimination, and stipulates the objectives of measures to be implemented as well as basic items needed for the accomplishment of such objectives, in order to contribute to the progress of democratic, discrimination-free society,

Article 2.(Obligation of Central Government and Local Public Entities)

1. The central government has the obligation to endeavor to attain complete and immediate solution of the buraku discrimination problem by implementing necessary measures encompassing all policy areas in order to achieve the aim contemplated.
2. Local public entities have the obligation to endeavor to attain immediate solution of the buraku discrimination problem observed within their areas in order to achieve the aim contemplated.
3. The central government and local public entities must mutually cooperate to ensure that measures

for the solution of the buraku discrimination problem are smoothly implemented,

Article 3.(Obligation of citizens)

All citizens, while understanding the purpose of this Law and mutually respecting fundamental human rights, must endeavor to cooperate in the smooth implementation of measures by the centralgovernment and local public entities to solve the buraku discrimination problem.

Article 4.(Objectives of Measures)

The objectives of the measures for the solution of the buraku discrimination problem shall be directed at ensuring the residents concerned of Dowa areas (those areas where stability and improvement of the living environment, etc, are hindered due to historical and social reasons; the same shall apply hereinafter) the conditions which allow them to enjoy the fundamental human rights guaranteed by the Japanese Constitution such as the right to equality by establishing a correct understanding of the buraku discrimination problem among citizens, by preventing buraku discrimination incidents from occurring and by endeavoring to improve the social and econmic standing of the residents concerned of Dowa areas.

Article 5.(Diffusion and Promotion, etc., of Knowledge Regarding the Buraku Discrimination Problem)



The central government and local public entities must endeavor to diffuse and promote knowledge concerning the buraku discrimination problem and to spread and enhance ideas about human rights through educational, cultural and public relations activities, etc., in order to establish a correct understanding of the buraku discrimination problem among citizens.

Article 6.(Promotion of Human Rights Protection Activities)

The central government and local public entities must endeavor to improve organizations for protecting human rights, to promote human rights consultation activities, etc., in order to strengthen activities for protecting human rights with respect to the residents concerned of Dowa areas.

Article 7.(Regulation on Buraku Discrimination, etc.)

The central government must take necessary legal measures such as regulating family background investigations conducive to buraku discrimination and regulating buraku discrimination in employment relations in order to prevent buraku discrimination incidents from occurring.

Article 8.(Relief System for the Victims of Buraku Discrimination)

The central government must take necessary legal measures, including the organization of the human rights committee, in order to establish a relief system for the victims of buraku discrimination.

Article 9.(Dowa projects Measures)

The central government and local public entities shall take measures regarding the projects mentioned in each of the following items in order to improve the social and Dowa standing of the residents concerned Dowa areas.

- (i) To improve the living environment in Dowa areas;
- (ii) To promote and improve social welfare and public health in Dowa areas;

- (iii) To promote agriculture, forestry, fishing and small- and medium-industries in Dowa areas;
- (iv) To promote employment and stabilize the job situation for the residents concerned of Dowa areas;
- (v) To enhance the school education as well as social education of the residents concerned of Dowa areas;
- (vi) Other items necessary for the improvement of the social and economic standing of the residents concerned of Dowa areas.

2. Measures for the above items must be planned and implemented comprehensively and systematically in a mutually supportive manner.
3. The government must take the necessary fiscal measures for the implementation of the items listed in the first paragraph.

Article 10.(Consolidation of Administrative Organization)

The central government and local public entities must endeavor to consolidate administrative organization for the promotion of measures to solve the buraku discrimination problem.

Article 11.(Survey)

The government must investigate the conditions regarding the buraku discrimination problem including the actual conditions of Dowa areas and announce the result every five years.

Article 12.(Report)

The government must submit before the Diet every year a report on those measures already taken as well as the measures to be taken for the solution of the buraku discrimination problem.

Article 13.(Buraku Liberation Deliberation Council)

The Buraku Liberation Deliberation Council (hereinafter referred to as the "Council") shall be set up at the General Affairs Agency.

2. The Council shall investigate and deliberate on important items with respect to the buraku discrimination problem upon consultation from



the Prime Minister and other ministers concerned.

3. The Council shall be able to communicate its opinions to the Prime Minister and other ministers concerned with respect to the items specified in the preceding paragraph.

Article 14.

The Council shall consist of no more than 20 members.

2. The Council members shall be appointed by the

Prime Minister from those individuals of learning and experience with respect to the buraku discrimination problem.

3. The Council members shall be part-time.
4. The items necessary for the organization and management of the Council, except for those specified in the preceding paragraphs, shall be determined by a ministerial ordinance.

(Supplementary Provision)

1. The present law shall become effective as of the date of its promulgation.

Door Slams On Outcast

Kazuo Ishikawa puts in a 44-hour week at a shoe factory. He has been promised lifetime job security and gets to work in a matter of minutes. But he doesn't look forward to a payday. And he never takes a vacation. Because the shoe factory he works for is in Chiba Prison.

It is in prison that Ishikawa has spent 22 of his 46 years of life— convicted of a crime which he and many others claim he did not commit.

At 3:30 P.m. on May 1, 1963, Yoshie Nakata, a 16-year-old student at the Irumagawa branch of Kawagoe High School in Saitamaken, set off on the long cycle ride back to her home on the eastern outskirts of Sayama City.

She never arrived. Four hours later her brother Kenji found a note in the door saying that she had been kidnapped and demanding that a member of the Nakata family hand over a ¥200,000 ransom at midnight on May 2.

The police bungled their attempt to net the kidnapper at the rendezvous spot. On the morning of May 4, they found Yoshie—dead and buried in a shallow grave on local farmland.

Following the barrage of criticism from the mass media over its mishandling of the affair, the prefectural police headquarters was now under intense pressure to find the culprit. For only a month earlier, the Tokyo police had been publicly savaged for making a similar blunder in a kidnap-murder case involving a young boy.

By Tim May



Sakae Menda, who was condemned to death but was found unquilty through retrials, appeals for the innocence to Ishikawa at the assembly of Sayama Case

But this time the police had a sitting target. Yoshie Nakata's corpse had been discovered near a "buraku"—one of the 6,000 ghettos in which Japan's three million outcast "burakumin" ("hamlet people") are segregated.

Known as "eta" (pollution-abundant) and



"hinin" (non-persons) before legal emancipation in 1871, today's "burakumin" still suffer intense discrimination, especially in employment and marriage. Popularly regarded as somehow physically, psychologically and even racially "different" from majority Japanese, their ghettos are seen as natural breeding grounds for vice and crime.

Still desperately fumbling for an authentic lead, defense lawyers argue, the Saitama-ken police clutched at this straw of prejudice to tether their "burakumin" scapegoat: Kazuo Ishikawa, a 24-year-old poorly educated day laborer with an unfortunately tenuous alibi.

On May 23 Ishikawa was arrested on totally unrelated minor charges of theft and assault. Since Japanese law enables the police to detain a suspect for as long as 23 days the Saitama-ken interrogators now had the time they needed to subject him to intensive grilling.

But it was not until June 23, following a second arrest, that Ishikawa finally gave up protesting his innocence and yielded what they were after: a "confession" to the kidnapping rape and murder of Yoshie Nakata.

According to Masahiro Hinamoto, chairman of the Sayama Case Retrial Defendant's Secretariat, "Ishikawa later stated that the reason he decided to make the 'confession' was that a police officer had convinced him that 10 years if he admitted to the crime."

Last May 19, four days before the 22nd anniversary of Ishikawa's arrest, lawyers, academics, writers, Buraku Liberation League activists and representatives of other groups working to establish his innocence, converged on Sayama City to survey the wooded "scene of the murder" and to review the evidence.

At the head of the procession was 59-year-old Sakae Menda, released in July 1983 after spending over 34 years behind bars on trumped-up charges of killing a faith healer and his wife and seriously injuring their two daughters.

"In my own trial," commented Menda in a private interview, "the 'confession' was the name of the game and I think this was also true in Ishikawa's case.

"To make sure that they got the 'confession' they wanted," he emphasized, "the police exploited the fact that Ishikawa could barely write. They simp

ly doctored what he had dictated in order to fabricate the 'confession' which suited them. And what we have seen today at the alleged 'murder scene' flatly contradicts that 'confession' "

Menda was referring to evidence uncovered during the unsuccessful 1981 appeal to the Supreme Court: the testimony of a farmer, Takeshi Onagi, that at the alleged time of the murder, he had been working on a plot of land only 20 meters from the grove (see photo) where Ishikawa "confessed" that he raped and murdered Yoshie Nakata.

"If Ishikawa had really strangled the girl to stop her screaming for help at the place and time indicated in his 'confession,' " argued defense lawyer Taketoshi Nakayama, "something would have been heard or seen by Onagi, if not by the residents of neighboring houses. Onagi's testimony, along with other evidence contradicting the 'confession,' had been concealed by the police."

Nakayama went on to recite a long litany of facts totally at variance with the police version of events.

The footprints found at the rendezvous spot and around the grave did not match those made by Ishikawa's own jikatabi (split-toed sneakers).

The type of earth found on the shovel which Ishikawa allegedly used to bury Yoshie's body was quite different from the soil around her grave.

Although Ishikawa stated in his "confession" that he had used rope to lower Yoshie's body headfirst into a sweet-potato pit, there were no marks around her ankles.

Examination of the "murder scene" revealed no traces of blood—despite police testimony that there was a 1.3-centimeter cut on the back of Yoshie's head.

"The item which does most to discredit the police," added Nakayama, "is the stark fact that there is not a single fingerprint on any of the evidence they have presented."

A visit to Ishikawa's home revealed further indications of police duplicity.

Ishikawa stated in his 1963 "confession" that, after using Yoshie's fountain pen to write the ransom note, he hid it on a lintel in his house.

On May 23 and June 18 detectives ferreted their way around every nook and cranny of the four-room building. Without finding the pen.



Shortly after the second search, Ishikawa's mother was washing clothes in the bathroom when she heard someone enter the house via the kitchen. She slid open the door to find a policeman in Kazuo's room. During a third search on June 26, a fountain pen was discovered on the lintel over the entrance.

"It had a gold cap and so the police could hardly have missed it during their first two searches," said Satoshi Yasuda, a Buraku Liberation League representative, pointing to the sunshine filtering through a skylight above the lintel.

"The pen contained blue-black ink," he added. "But Yoshie had always used light blue ink in her diary. And the nib itself showed no signs of ever having been used."

Examination of the ransom note has yielded further crucial evidence in support of Ishikawa's innocence.

The kidnapper inked out the original date for the rendezvous with Yoshie's family, finally settling on May 2. Both the Urawa District Court and the Tokyo High Court accepted police testimony, based on Ishikawa's "confession" that he wrote the ransom note on April 28 and that the original rendezvous date on it was also April 28.

But enlargement of the inked-out date has subsequently revealed it to be not April 28 but April 29. In a "confession" to crimes as serious as kidnapping, rape and murder, why should Ishikawa have bothered to lie about such a trivial matter as the date on the note?

The biggest bomb in this arsenal of evidence blasting the bottom out of the prosecution case is the handwriting on the ransom note. The competently scripted kanji and kana on the letter, deliberately

written in varying shapes, are evidently the work of an educated hand.

As a Kyoto University handwriting analyst has demonstrated, they are totally different from the crudely and sometimes incorrectly formed characters on the May 23 alibi report laboriously penned by Ishikawa—a scaffolding worker with only fifth-grade education who didn't possess the literacy required to write such a letter, let alone his own dictated "confession"

But despite the battery of data substantiating his claim to innocence, Kazuo Ishikawa will go on turning out shoes for some time to come.

At 9 a.m. on Tuesday, May 28, he was informed that his appeal to the Supreme Court for a retrial had been unanimously rejected—on the ground that "the new evidence presented by the defense, such as the experts' opinions on the hand writing, is not sufficiently positive to justify an acquittal."

"The Supreme Court simply shut the door on us," commented lawyer Nakayama. "Instead of conducting an on-the-spot re-examination, they just had a superficial look at the documents.

They have really betrayed our hopes for a fair hearing."

(The Daily Yomiuri)

Against the dismayed step that the Supreme Court of Japan dismissed the special complaint of the Sayama Case on May 27, 1985, some organizations abroad, like the Society for Endangered Peoples Austria, already entered vigorous protests to the Supreme Public Prosecutors Office of Japan. The Buraku Liberation League encourages the further support for this case to as many as people in the world.

Convention on the Elimination of All Forms of Discrimination Against Women Ratified, But.....

Twenty Self-Governing Communities Discriminate Against Females

Although the Equal Employment Opportunity Act was established to do away with sexual discrimination in employment, the result of an investigation of 47 prefectures, 10 cities designated by government ordinance and Sendai City made by the Ministry of Home Affairs clearly indicates that 20 communities,

one - third of those investigated discriminate in employment.

Ministry plans to instruct such communities to not use discriminative phrases, such as "men only" or "mainly to men," from lists of employment requirements of 1986.



Such phrases are mainly found in the introduction of first degree civil service examinations for high school graduates.

Their reason for shutting out women "As for high school graduates, girls obtain higher grades in the exams. If we maintain this system, our offices will soon be filled with only women." Because of such re

jection, there are only a few female workers.

A 1983 Ministry of Labor investigation indicates only 21.6% of the whole investigated local bodies hire women.

By contrast, there is "inverse discrimination" in Nagano Pref, where only females are employed, to do mostly medium level jobs, primarily clerical.

"At that time ,I was..."

Relating my experiences of discrimination, Part(VI)

In the military -At the enticement

Having lost my father when I was still a child (age 7), I started at 17 to work at an industrial guild handling deer skins in Osaka.

In September 1944, at the age of 21, I joined the military and was soon sent to China.

"Don't hide it!"

It was a month after defeat when I encountered Buraku discrimination. We were stationed in a small village 8km. from Pukou near the Yangtze River. A close friend and comrade pointed to someone and said, "You know, he looks like he's from the fours." He used the word 'fours' in disdain, like 'piddling' or

'uncouth' or 'unclean.'

My blood started to boil but I stuck to words.

After returning to Japan, we had a reunion. Realizing that hiding the truth would make me feel worse, I gave my card with occupation and location to all the comrades present.

Fighting unitedly

A case of discrimination occurred during 1947 and '48 concerning the construction of a new junior high school. The P.T.A members of two elementary schools both acted on a lure? The case occurred when Elementary School had a better playing field.

The opposition P.T.A. members acted to petition. They gathered sympathizers by saying, "If a junior high is built there, children will have to reach the school by going through a poor environmental district." They were referring to the town of

of a school?" We also made protests to the P.T.A. and told them to come and meet with us. A denunciation meeting was held in our temple with the mayor and police superintendent participating. After severe protests, the P.T.A. members apologized and said they would withdraw the petition. I was 25 years old at that time.

There are many other cases that I handled but these two experiences actually "changed my life."

What I learned from each of these examples is that we must not hide the truth and that we must unite to fight against discrimination.

Being chair of the youth association at that time, I stood up against this and complained to the municipal assembly. "Must we be talked about in such a discriminatory way even about construction

Accountant, Osaka Headquarters of B.L.L.
Chief of Branch



Revision called for of the unconstitutional, inhumane Alien Registration Law

Over 400 Foreign Residents Refuse To Be Fingerprinted

Resident foreigners in Japan number 841,000 of which 370,000 are required to renew their alien registration within the year.

In the period from July through October, about two-thirds, or 260,000 foreigners, will need to renew their status.

This alien registration system is however, inhumane and even discriminatory in several aspects.

Hotly debated are the following four issues.

1. Fingerprinting requirement.
2. Requirement that the alien registration certificate must be carried at all times.
3. Requirement that the registration certificate must be presented upon inquiry by police.
4. Criminal punishment (maximum One-year imprisonment on the fine of 200,000 yen) for violation of the above-listed regulation.

The fingerprinting requirement is especially harshly criticized for its irrationality and in humanity. The reasons are as follows:

1. Only criminal Japanese are fingerprinted.
2. No verification of fingerprints is done in paper transactions for foreign residents at city, town or village offices. The central government has no such system, either.
3. Koreans, who account for 80% of foreign residents in Japan, have mostly settled in Japan (80% of them are second, third and fourth generation).

Because they are descendants of those who were forcibly relocated to Japan under

Japanese colonial rule, special consideration is necessary in categorizing them as "foreign residents".

4. It is against the stipulation of Article 14 of the Japanese constitution and Article 7 of the International Covenant on Civil and Political Rights.
5. Other nations which require fingerprinting for foreign residents have the fingerprinting requirement for their own citizens and define one's nationality by birth-place. Japan is the only nation where fingerprinting is required for foreign residents while Japanese citizens are not and where one's nationality is defined by one's blood relationship.

As of June 29, 337 foreign residents have refused to be fingerprinted (361 Koreans, 8 Americans, 3 Chinese, 2 French, and others) and more than 800 local assemblies have sent resolutions to the central government asking for the revision of the Alien Registration Law.

In the Justice Ministry's directive of May 14, however, the government has reaffirmed its determination to prosecute and punish those who refuse to be fingerprinted.

No attempt for the revision of the Law by the government seems to be underway.

Moreover, the Manager of the Foreigners Affairs section of the Osaka Prefectural office recently made a discriminatory statement which deeply hurt the feelings of foreigners. He said, "If you cannot abide by the law, you should return to your own country".

The revision of the Law is keenly awaited.

Introduction of New Publication

Buraku Liberation Research Institute published *White Paper on Human Rights in Japan — From the Viewpoint of the Discriminated Against*.

This is a good guide book to understand various forms of discrimination in Japan from the viewpoint of the people discriminated against.

Contents:

Preface

Part I : Seeking Peace and Human Rights

Part II : Discrimination and Human Rights in Japan

Part III : Appendixes

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