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Ms. Myriam Schreiber (Lawyer, Belgium)

newly elected as president.

IMADR's 2nd General Assembly Held in Bangkok.

IMADR (The International Movement Against All Forms of Discrimination and Racism) had its Second General Assembly and related meetings (the 3rd board of directors' meeting, symposia, meetings for the promotion of friendly relations, etc.) in Bangkok, Thailand during the period March 17 to 20, 1990.

72 representatives of member organizations, individuals from various countries, and many researchers and activists participated in the meetings.

Through discussion, the following activities for 1990, 1991 and 1992 were adopted :

- 1) the anti-apartheid movement ;
- 2) obtaining consultative status

with UN ECOSOC (UN NGO registration) ;

- 3) establishment of a Human Rights Information Center in the Asia-Pacific region.

On March 18, elections were held in the general assembly. Myriam Schreiber, a Belgian lawyer, was elected president ; Professor Kinhide Mushakoji of Meiji Gakuin University was chosen as Secretary General ; and, Mr. Saichiro Uesugi (ex-President of IMADR) was chosen as Honorary President. Mrs. Schreiber expressed her renewed determination in saying that she will do her best to realize IMADR's objective of strong solidarity with the world's minorities.

On March 19, a symposium titled "Aid for Development and Human Rights" was held at Chulalong-

korn University under the joint auspices of the university faculty of law and representatives of IMADR. Thai human rights activists, aid for development agency representatives and other experts attended.

In response to questions raised by Mr. Mario Jorge Yutzis (an Argentine director of IMADR), Mr. Sueo Murakoshi (a Japanese director of IMADR), and Thai experts, discussion concerning the importance of development aid and environmental protection was held. At the same time it was also confirmed that importance must be given to protecting human rights,

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particularly the human rights of minorities.

On the morning of March 20, the participants were divided into three groups and visited slum communities in Bangkok. Afterwards, they exchanged

views. In the afternoon of the same day, the participants had friendly meetings with representatives of human rights organizations and an urgent assistance center for women and children.



A lot of students are unexpectedly unconcerned.

Only 10% are conscious of the problem.

University Students' View of Buraku Discrimination

Prof. Takeshi Tamiya of Kansai University published an interview reporting on his research about "University students' consciousness of Buraku discrimination" in bulletin No. 19 of his seminar. There were various views, such as unawareness, anti-discrimination and pro-discrimination among the students. The professor made a survey of 80 students belonging to his seminar. He interviewed each of them for about 40 minutes and asked them their

knowledge, experience and comments about the Buraku problem or Dowa education. From this group 61 persons' responses were selected and the professor divided these responses into 6 categories and analyzed them.

(1) Discrimination must be eliminated for the respect of human beings (6 students)

They showed consideration for the discriminated people and they have well known the existence of



Buraku and actual situations of discrimination. They sympathize with the struggle of the movement against discrimination.

(2) Through education knowledge about Buraku was gained, but there is no interest in any active participation for the elimination of discrimination (11 students).

They seemed not to have been deeply impressed by the Buraku matter. They have no interest in taking part in this problem.

(3) There is no consciousness about "Buraku" among the young generation. Therefore, it is not good to make them feel this consciousness (10 students).

They have nothing to do with Dowa education. They incline to shift the responsibility of discrimination onto the older generation, and there is a strong tendency to blame the liberation movement, Dowa education and the administration for the cause of discrimination.

(4) There is a feeling of dislike of Buraku people among students' families and their friends. Hearing about it, they have thought that it is difficult to solve Buraku discrimination (12 students).

They do not feel familiar with this problem. They feel it to be gloomy and depressing. They have considered this important matter to be something easy to solve.

(5) If people are not conscious of the existence of Buraku then there is no discrimination. Therefore, Dowa education is ineffective (14 students).

This view justify indifference and ignorance.

(6) People say the "Buraku" is a terrible place. Therefore, I decline to marry or otherwise acquaint myself with people from the Buraku.(8 students).

They have strong discriminatory feelings toward Buraku people. They do not understand the discriminated people's pain and suffering. They assume a contradictory. They say it is difficult to solve discrimination but on the other hand, they themselves discriminate against Buraku people.

After analyzing the results of his research prof. Tamiya has pointed out the following :

One must accurately understand the relation of cause and effect.

There is a need to learn the real situation of the Buraku and to place themselves in the discriminated people's place. These are very important.

Through Dowa education an ethical attitude has been growing. This is a certain result. However, it is most important to convey not only knowledge about the Buraku but also to convey Dowa education, sincerely explaining why Buraku discrimination should be abolished.

Activities Related to the International Day for the Elimination of Racial Discrimination

A symposium on the question of Apartheid staged.

The symposium was held on March 10, 1990 and sponsored by the Campaign Committee for the International Day for the Elimination of Racial Discrimina-

tion. The Committee consists of the Japan Anti-Apartheid Committee, the Buraku Liberation League, and other groups. The symposium was attended by



200 people, among them were 50 members of the Buraku Liberation League.

Panelists were Mr. Jin-ichi Matsumoto (an editor of the Asahi Newspaper/Foreign News Desk), Professor Akira Kusuha of Kougakuin University, Mr. Bae Jun Do (National Liaison Conference to Combat Against National Discrimination) and Mr. Yasuo Ushijima (Japan Anti-Apartheid Committee).

Mr. Steward Ngenja from the Soweto Civil Society of South Africa also participated in the symposium. He reported on the severe situation of children and old people in the homelands of South Africa, and appealed for worldwide solidarity in order to establish a new South Africa without discrimination.

Anti-Apartheid Rally

On the "International Day for the Elimination of Racial Discrimination" (March 21, 1990), there was a rally in Osaka calling for the abolition of apartheid. About 1,000 young people, students, labor union members, the Buraku Liberation League, and other youth organizations under the auspices of IYY (International Youth Year Conference, Osaka Liaison Office) participated.

Mr. Jerry Matzila, a representative of ANC Japan

In addition, Mr. Jerry Matzila (a representative of ANC Japan in Tokyo) reported that there are still about 3,000 people in detention in South Africa, and that more than 300 of them have been sentenced to death. He explained that it is difficult to talk to the South African government under these circumstances. He also stated that for mutual understanding, it is absolutely necessary for the national police and the military to withdraw from the homelands and to abolish the National Public Order Act. In conclusion, he stressed that a Japanese economic sanction on South Africa and large support in Japan are requested.

in Tokyo, made a brief address and appealed to act concretely for the abolition of apartheid. After the rally, participants demonstrated through Midosuji Street, appealing to citizens for the "abolition of the apartheid system", for a "welcome of Mr. Mandela's release", and for the "ratification by the government of the International Convention for the Elimination of Racial Discrimination".

A Counterargument to the Report Submitted by Japan under the Int'l Covenant on Civil and Political Rights (11)

Article 23

(1)

The Constitution of Japan which was newly born after WWII provides that marriage and family system should be based on individual dignity and the equal rights of both sexes.

In accordance with this new principle, the old family system and laws, characteristics of which were represented by male line orientation and wives without capacity, were completely revised to the current family laws which were principally based on the

equality between men and women.

The current laws, however, are not entirely satisfactory in the light of the circumstances such as drastic reform after the war and the subsequent change in the situation surrounding families, increased number of working women, growth of concern about human rights, and improved international standards of human rights, in particular, the birth of the Convention to Eliminate All Forms of Discrimination Against Women (Japan's ratification in 1985).



Therefore, further examination and consideration are required as to the following points :

(2)

Difference between men and women in the marriage age

The right of both sexes to marriage after they reach a certain age is recognized under the Civil Code.

However, there is a difference in the marriage age, that is, 18 years old for men and 16 for women. The reason for the difference is based on women's physical characteristic of possibility of pregnancy, and the idea that domestic life is the most important factor for women and education or vocational training is not necessary for them. Marriage is a conjunction of independent personalities of a man and woman, and requires mental and economic capabilities to enable the maintenance of an independent family life. A difference in the marriage age between men and women leads to rationalization and fixation of stereotyped role of sexes. Therefore, it should be abolished as soon as possible.

(3)

Freedom of choice of name

Provision is made that a couple should have the same family name by choosing that of either husband or wife.

In reality, 98% of women choose husbands' names. In the male-line oriented family system under the old family laws, members of family were supposed to bear the same surname. Therefore, women had to abandon their own surnames upon marriage and change to the husbands'. The present situation is a reflection of the old idea which is still prevailing, and women are forced to change their own names. Now that more women are working and that the marriage age is becoming older, it is inconvenient and disadvantageous to discontinue to use the same name as before marriage, as many women point out.

(4)

Family registration system to aggravate discrimination

The family registration in Japan is a unique system. Under this system, names of a couple and their children having the same family name are collectively entered in the family register, which provides information concerning one's native place and family rela-

tions. This family registration was one of the laws which served to protect the family system under the old family laws. Today the object of the law has been changed, but discriminatory consciousness rooted in the family registration system has not been eliminated yet. For example, upon marriage, lineage or pedigree is given greater importance rather than the personality. Also the family register provides all information concerning personal relations such as a record of divorce, and whether a child is legitimate or illegitimate, true or adopted. These mentioned items in the family register are utilized in marriage or employment and often lead to discriminatory treatments.

Besides the family registration, there is a resident registration system in Japan which has caused similar problems. Recently a case was brought to the court by parents who claimed correction of discriminatory treatment in the resident registration in which their child born out of wedlock had been entered as to indicate illegitimate (a child born in wedlock is entered as "eldest son" or "second son", and "eldest daughter" or "second daughter" in order of birth, whereas one out of wedlock simply as "child").

(5)

Time-limit within which to remarry for women

Only women are not allowed to remarry within 6 months after divorce. This time limit is thought to have been designed primarily to prevent confusion over paternity of a child. There are cases, however, where there is no possibility of pregnancy in the previous marriage, for example, when a husband is missing or imprisoned. In such a case, the time-limit is unnecessary. Also, at the present level of medical science, it is possible to prove whether a wife is pregnant or not, and whether she is spayed or not. Then there is not much institutional significance in setting time-limit only for women. The system should be reconsidered also to eliminate old, feudalistic moral sense that a faithful wife should not serve two husbands.

(6)

Inequality in Property

The Civil Code of Japan adopts a separate property system for a couple.

This principle is a reflection in the property ownership of the independence of personality of wife and husband. But since the income of wives, whether



they are working or not, is considerably small, the reality of far from being equal. Although provision is made for the distribution of property upon divorce, there are only few cases of equal settlement in reality, because the mechanism of the separate property and domestic labor of wives are not justly valued. There has been much argument for revision of the law to co-ownership, in order to solve the problem. Legislative revision has to be considered at least as to a house and household effects that are needed for marriage life, so that his disposition can only be done with the consent of the other spouse regardless of the holder.

Average acquisition of property for wives upon divorce is 3 to 4 million yen in value. The average expense of bringing up children is 30,000yen a month for one, and 50,000 for two.

In consideration of the circumstances that a wife takes over all the children in many cases of divorce, but that employment opportunity is very limited for women after divorce and that public assistance is not sufficient, mother and children after divorce face various difficulties.

Article 24

There is only enumeration of laws in the report and children's present condition is not stated. The biggest problems in regard to children are :

1) A substantial recession of the child welfare policy and 2) Violation to child's human right.

(1)

A substantial recession of the child welfare policy.

A characteristic point of this policy is to emphasize parent's responsibility for children and to reduce the public responsibility as much as possible.

Working mothers with child who is going to compulsory education are increasing and the ratio is over 50%. However, the most problem in nursery school matter. There is no adequate nursery school in the neighbourhood. For expensive fee it is difficult for children to enter. This is the present condition.

Compared to international level numbers of nursery school are favourable but since 1986 under an excuse of reduced children's population, public nursery schools and kindergardens have been integrated and the capacity is decreasing all through Japan.

Child care is regarded as basically private matter

and therefore, an official expenditure is controlled accordingly and raising cost of public charge plan including nursery school fee, is announced.

According to the Report, Child Allowance Law and the Child-Rearing Allowance Law revised in 1985 and 1986.

Child Allowance Law aims the guarantee of income for only a mother and her child family but according to the revised provision the standard of the benefitted families are limited compared to the previous. (under ¥300 million per annum). In case of divorce, if husband's annual income is over ¥750 million, the allowance is not provided.

Children's figures who are getting economical help from divorced father is only about 1%. The Ministry of Health and Welfare reported it. This means that the duty for dependents has been neglected. Therefore, from the point of child welfare government should introduce some watching system of the duty.

In the revised Child Allowance Law in addition to the limit of income, providing period, the amount are also limited. That is, period of allowance is till entering elementary school. An applicable children are from the second child. The amount is ¥2,500 for the second and ¥5,000 for the third per month. The revised law is made depends on the idea of grade-up income standard and emphasis of parents' responsibility. However, contrary to this, high expense for education or housing loan, etc. have put pressure upon the family life. Authority should reconsider the above actual condition.

(2)

Children's human rights violation

"Children are respected as an individual human-being and member of our Japanese community and grown-up in good circumstances".

This is a clause in the Children's Charter made in May 5, 1951. In memory of the Children's Charter the 5th of May is named as "Children's Day" every year. However, it is great doubtful whether spirit of the Charter is made the best use of it in the community or not.

For the recent past several years, phenomena such "Child who refuses to go to school", "Child's suicide", "Bullying" etc. are big social problem.

"Bullying" is not simple matter among children



but lynching by a group regularly and continuously, by way of "violence", "violence by words" for example, "Die!", "You are a kind of bacteria!" and "ostracism", "robbing of money or thing".

"Suicide" and "Child who refuses to go to school" problem.

According to the report by Ministry of Education (September, 1986) Number of suicide shows the highest in the past mentioned below :

In 1985 : 14 primary school students
110 junior high school students
144 high school student

committed a suicide.

"Child who refuses to go to school" is increasing year by year and the number reached to 2,402 in primary school and 29,694 in junior high school.

Educational guidance clinic, like that are asked for help from parents over 9000 cases about this subject. This matter occupies 43% of all consultation which the clinics have received.

"Bullying" is a kind of fundamental human right consciousness in adult community in Japan and at the same time a warp brought from high developed industry and economy.

Phenomenon of "Child who refuses to go to school" proves that a school itself is not enjoyable place for the children any more.

As another remarkable phenomena, corporal punishment by teacher and very hard control to students under school regulation are social problem.

In 1986 according to Ministry of Education, number of teacher who gave corporal punishment to the students and got punishment as a result are 167. These figures showed the highest in the past. How-

ever, it is only a part. The reason why the teacher gives corporal punishment are as follows :

Disobedience to school regulation, Insincere about practice of sport event, Bad attitude to the teacher at the time of lesson, Under average test result, For beaten sport game, etc.

How do teachers do corporal punishment? In addition to slapping, teachers kick and beat with bamboo sticks (sword) reported the Ministry of Justice.

Among teachers and parents, there is a trend to affirm such doing by teacher as a kind of "love of whip" or "hard training" on behalf of parent" and some people say if the degree of corporal punishment is not so hard it is acceptable.

In school education law, "Corporal punishment" is prohibited clearly. Between law and front in school split up.

Concerning "School regulation", some schools forced the students wearing unified white underwear and the teachers checked them. Some schools forced to all student close-cropped hair style. A pair of socks with pattern is prohibited. Angle of raising students' hands and an angle of bowing are fixed. etc. etc.

When a student refused the rule, he was not allowed to attend at his graduation ceremony and his photo was allowed to insert in the memorial photoalbum. This example was reported in April 1988 by newspaper.

Under the circumstances the Ministry of Education at last started to make guidance manual for the teacher and in it students' participation is stated.

BL Newsletter Bound in One Volume Entitled "Buraku Problem in Japan"

BL Newsletter, Nos. 1 to 50 have been bound in one volume and issued as a limited edition. This volume includes issues covering the period January 1981 to August 1989.

The following are some of the topics listed in the volume's index : Survey report of the Buraku reality,

Discriminating case, Governmental trend for Dowa administration, Sayama case, Literacy work, Discriminatory experience, International solidarity.

We are sure this publication will help you understand the recent Buraku situation

The price is ¥ 3,000 (postage extra).