



BURAKU LIBERATION RESEARCH INSTITUTE  
1-6-12, Kuboyoshi, Naniwa-ku, Osaka City, 556 Japan.  
TEL (06)568-1300 FAX (06)568-0714

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## Toward Legislation of "Fundamental Law for Buraku Liberation"

**National Mayoral Meeting's demand for Dowa Measures after expiration of "Law on Specific Governmental Budgetary Measure Concerning the Projects Designated for the (Dowa) Area Improvement."**

A council for the above law takes a leading part of Dowa measures after the law's expiration and also discussed this matter with other organizations. Among them, the National Mayoral Meeting demanded measure and the Liaison Conference of the Opposition Parties for Dowa Measures submitted a demand draft of the budget for Dowa measures next year.

The matter of Dowa is an important subject concerning fundamental human rights and it must be solved as quickly as possible. Since "The Law on Special Measures for Dowa Projects" was enacted in 1969, local public organizations based on the spirit of a report recommended by the Special Dowa Policy Council, have tried to promote the projects for over 20 years. As a result of the projects certain improvement has been achieved. However, the current "Law on Specific Governmental Budgetary Measure Concerning the Projects Designated for the (Dowa) Area Improvement" will expire in 1992 and since in business, employment and educational matters are quite insufficient, continuous measures will be requested. Further, there are still many serious cases of discrimination which violate human rights. Even if an environmental matters will not be perfectly

completed with the expiration of the current law, the authorities should carry them out totally. In order to carry out the projects, some necessary measures will be strongly demanded regarding a decrease of the financial burden by related local public organizations. For that purpose, an investigation into the current situation of the "Dowa" community should be done and legal measures should be requested as stated below for an early

### CONTENTS

- *Mayoral Meet. Support "Legislation of Fundamental Law for Buraku Liberation". (1) /*
- *Opposition Parties Submitted Rough Estimate for Dowa Measures. (2) /*
- *Political Party, KOMIITO's Speech at BLL Meet. (3) /*
- *Discriminatory Case about Personal Background. (4) /*
- *Literacy Work 25 (5) /*
- *The Term of "Nationality" (7)*



settlement of the Dowa issue, as well as other human rights measures.

Contents of the demand :

- 1) To define that the early settlement of the Dowa issue is the responsibility of the state.
- 2) To strengthen enlightening activities and human rights protection activities. In accord with this, to ensure measures for the eradication of discrimination.
- 3) To take effective steps for environmental improvement of projects in the Dowa commu-

nity.

- 4) To promote and protect Dowa business, employment and educational matters.
- 5) To take appropriate measures for decreasing the local public service organization's financial burden which has been used for Dowa related projects.

May 12, 1991

National Mayoral Meeting, Special Committee for Dowa Measures.

**In 1992 a Rough Estimated Budgetary Demand for Dowa Measure was submitted (preliminary) by the Liaison Conference of Opposition Party about Dowa Measures.**

As is generally known, the current law on Specific Governmental Budgetary Measure concerning the Projects Designated for the (Dowa) Area Improvement will expire effective March 1992. However, there is no legal provision for legal treatment after the law's expiration and there is also no mutual consent between the government party and opposition parties.

A "Yes or No" to the "legal measure" will be decided by the legislative body, and the administrative body has no power in this decision. Therefore, we, the Liaison Conference of Opposition Parties for Dowa Measures would like to ask related parties to submit a rough estimate budget, for the time-being, on the basis of the present law.

We are in agreement with decisions made by the body. But we are afraid that the government party will treat this matter as a prearranged transfer of the present law to general measures.

May 8, 1991

Mr. Makoto Tanabe, Shakaito party  
Mr. Koichi Sakai, Komeito party  
Mr. Hiroshi Nakai, Minshato party  
Mr. Satsuki Eda, Shaminren party  
Mr. Kosaburo Yamada, Rengo party

These two demand drafts were addressed to Mr. Mitsuru Sasaki, Director General, Management and Coordination Agency.



Requesting opposition parties' representatives to Minister of Home Affairs



**Mr. Ishida, Chairman of KOMEITO (Clean Government Party) appealed the solidarity as a guest speaker at the BLL (Buraku Liberation League) Central Committee meeting held on May 13, 1991.**

(Summary of the speech)

Mr. Karel Vasak, a French lawyer and former director of UNESCO Peace & Human Rights Dept. made these remarks about freedom and equality: Freedom is made to make a person free the State and to protect the individual. Equality means that people ask the State for the right to live and for various social rights. He insisted that people should try to realize the ideals of freedom and equality on a global scale, based on cooperation and solidarity. Through historical experiences, I realized that the meaning of human rights is to live like human beings. For that purpose, it is necessary to analyze the relationship between fellow creatures and the relationship between nature and human beings. The authoritarian power is characterized by the fact that if a weak point is to be attacked, the general public is imposed upon and sacrifices are continually demanded of them. The authoritarian character has not changed much. To work against power, people must have intelligence. Freedom is not given automatically, but through the movement of people who are searching for it, an original significance exists. The struggle for gaining freedom and equality will be effective and shine forth. From that point, I recommend the BLL movement to work toward the legislation of a Fundamental Law for Buraku Liberation.

"Our party, Komeito, as a policy for the 1990's chose the theme "Life and existence" at the general meeting held at the end of November 1990. That means, political subjects should be considered from the point of view of human beings. Serious topics such as natural resources, environmental matters, starvation, poverty, the oppression of human rights, etc. must be considered globally. That is to say from the view point of global racialism, the earth is united. Therefore, for the

future of Japan, a spirit of contribution is our duty. We Japanese should find the value of mankind in supporting and promoting under-developed countries. The "Dowa" issue is a symbol of the existence of a concern for human rights in Japan. However, the government or governmental parties have not taken active measures. We find this to be insufficient.

In 1965 and again in 1969, through special legal enactments the environmental situation of the Buraku community has been greatly improved. However, in order to solve this problem thoroughly, legislation of a "Fundamental Law for Buraku Liberation" is necessary. And further, Japan should ratify the "International Convention on the Elimination of All Forms of Racial Discrimination" as soon as possible. Through ratification in the measure, the Japanese constitution will revive its original spirit of peace, human rights and democracy.

As regards the enforcement of the "Fundamental Law" a rearrangement of domestic law is required. In connection with this, the present "Law on Specific Governmental Budgetary Measure concerning the Projects Designated of the Area Improvement" will expire next March. The government will treat this matter in the general measurement after the expiration. This is easy solution and avoids basic discussion. I think the government should not transfer the present law to the general measurement. In line with Komeito party's policy, we appeal for the legislation of the "Fundamental Law for Buraku Liberation" to solve the "Dowa" issue. In the declaration of "SUIHEISHA" (the former name of the Buraku Liberation League) there is a spirit of humanity and brightness of human nature. For the respect of human rights we will act in solidarity with BLL.



## A person in charge of Dowa policy in the city office inquired into the personal background of his son's fiancée

"Mr. A", who is a chief in the welfare department and responsible for "Dowa" measurement regarding whether his son's fiancée was Braku or not. BLL (Buraku Liberation league) Headquarters and the Shizuoka / Shiga prefecture alliance held a fact-finding meeting at the city hall in Shimada city, Shizuoka prefecture on March 28, 1991. Persons concerned participated in the meeting. At first, Mr. A covered up the facts and shifted the responsibility onto his staff-member. He was denounced at his contradiction and, finally, he acknowledged that he instructed a staff-member to investigate if the address of the lady was in a Buraku community.

The incident occurred on February 4, 1991. Mr. B of the welfare office was instructed by Mr. A to check the address of the RINPOKAN (Community hall in the Buraku). Mr. B phoned the city office of Hikone city, Shiga prefecture and asked for the address of 2 Rinpokan in Hikone city. On the same day, at 12 noon, the Hikone city office Mr. A phoned back to confirm his inquiry and to ensure the protection of privacy because the municipality often receives such inquiries from individuals under the name of an office agent. A person in charge of the Hikone city office asked Mr. A the purpose of the inquiry. Mr. A replied that he only wanted to know for personal reasons. The person in the Hikone city office again asked Mr. A, "Please tell me the purpose clearly because being in charge, I have a certain responsibility." Mr. A told him to forget everything that he had said and replied that he would use the name of the address for a special purpose. From Mr. A's ambiguity the Hikone city official felt that there were some problems and decided to visit Shimada city in the evening of the same day and investigate the situation.

In the process of the investigation the following facts were made clear.

Mr. A's 28 year-old son has been on intimate terms with a certain lady for 3 years. A's son is going to marry her near in the future. Mr. A heard that the lady was living in Hikone city, and so he thought

about making inquiries. However, in the fact-finding meeting the contents of a paper submitted from the Shizuoka office were different from the above-mentioned. After the investigation by the Hikone city office, Mr. A also answered the questions made by the Shizuoka city office. At that time he stated that he just wondered if the location of Rinpokan and the Dowa community were the same or not. And he stated that he did not instruct Mr. B to make any inquiries about it. He changed his attitude. Mr. B was absent from the fact-finding meeting due to illness. That means he intended to hide the discriminatory acts and so blame it on Mr. B. His contradiction was severely denounced and finally he acknowledged that he wanted to check if the lady's address and the address of Rinpokan were the same or not and if she was Burakumin or not.

In Shimada city very little study of Dowa matters has been done. Such kind of discriminatory incidents have occurred often in various places in Shizuoka prefecture. BLL Headquarters decided to continue to follow up on them.





## *Governmental ordinance cities should have their own policy*

# **The Term “Nationality” Is Thick Wall Because Of State’s Resolve**

Again this year the Japanese capital, state and local governments could not crack the barrier of the term “Nationality” with regard to employment exams for public services.

Osaka cities expressed the desire to abandon opening the door to foreigners on May 20, 1991. Following this announcement, Kobe city also expressed the same intention. Kawasaki city in the Tokyo metropolitan area has many Koreans. A consultative organization advised Kawasaki city to delete the term “Nationality” but instead of taking this suggestion, the term was included in a list of employment requirements. Why has the situation not improved? what is the reason?

In late January, the person in charge of the personnel affair departments of Kobe city and Osaka city were called by the Minister of Home Affairs and instructed that qualifications for candidacy for examination for public service include Japanese nationality. The contents of this guideline reflect the note exchanged between the ministers of foreign affairs of Japan and Korea i. e., an open door policy is not allowed. In the note, both the Japanese and Korean governments permanently confirmed the legal status and the improvement living of Koreans in Japan as follows. Foreigners cannot apply for employment in positions for a local public body that exercise public

authority or make policy decisions.

In June 1990, Osaka city held a “Research and study meeting engaged in the matter of Nationality” and began to have another look at the matter. The Ministry of Home Affairs also considered the possibility of expanding general clerical posts. In November 1990 Kobe city showed a constructive attitude by considering negotiation with civic movements which insist on abolition of the term.

In line with the instruction by the Ministry of Home Affairs, Osaka city looked for a way to arrange general clerical positions which do not exercise public authority. But because of the difficulties of personnel management this suggestion was refused. Kobe city explained that in the Kansai area there are many Koreans but that the Ministry of Home Affairs did not understand this. However, in local municipalities (except cities ruled by governmental ordinance) abolition of the Nationality term has made rapid progress. In Osaka and Hyogo prefectures, all cities except Osaka and Kobe have abolished the Nationality term.

To date no misconduct or inconvenience has occurred in municipalities which employ foreigners living in Japan. However, large cities ruled by governmental ordinance have powers which are almost the same as the prefectural level. Thus, they have close contact with the Ministry of Home Affairs and

they cannot disregard the state's policy,

Even if it becomes acceptable (apart from the note exchanged between Japan and Korea at the Foreign Ministry level) how do the Japanese authorities explain opening the door to all foreigners permanently living in Japan? If the municipalities shift their responsibilities to the states, then there is the suggestion that municipalities are not independent. According to the suggestion made by a consultative

agent, Kawasaki city showed a strong attitude toward the abolition of the nationality term. Kobe city left some room for future negotiation saying. "For the time-being the term 'Nationality' is not abolished." Osaka city left a "Study and Research Meeting for the Nationality term" to continue to this matter.

How will large cities treat this matter? The Municipalities real work will be demanded on the part of the Municipalities.

Name of Pref.	'80	'81	'82	'83	'84	'85	Name of Pref.	'80	'81	'82	'83	'84	'85
Hokkaido	x	x	x	x	x	x	Kyoto	o	o	o	o	o	o
Aomori	x	x	x	x	x	x	Osaka	o	o	o	o	o	o
Iwate	o	x	x	x	x	x	Hyogo	x	o	o	o	o	o
Miyagi	x	x	x	x	x	x	Nara	o	o	o	o	o	o
Akita	o	x	x	x	x	x	Wakayama	o	o	o	o	o	o
Yumagata	x	x	x	x	x	x	Tottori	o	o	x	x	x	x
Fukushima	o	o	o	o	x	x	Shimane	o	o	o	o	o	x
Ibaragi	o	x	x	x	x	x	Okayama	o	o	o	o	o	o
Tochigi	o	x	x	x	x	x	Hiroshima	o	o	o	o	o	o
Gunma	x	x	x	x	x	x	Yamaguchi	o	o	o	o	o	o
Saitama	x	x	x	x	x	x	Tokushima	o	x	x	x	x	x
Chiba	x	x	x	x	x	x	Kagawa	o	x	x	x	x	x
Tokyo	o	o	o	o	o	o	Ehime	o	x	x	x	x	x
Kanagawa	o	o	o	o	o	o	Kohchi	x	x	x	x	x	x
Niigata	x	x	x	x	x	x	Fukuoka	x	x	x	x	x	x
Toyama	x	x	x	x	x	x	Saga	x	x	x	x	x	x
Ishikawa	o	x	x	x	x	x	Nagasaki	o	x	x	x	x	x
Fukui	x	x	x	x	x	x	Kumamoto	o	o	o	x	x	x
Yamanashi	x	x	x	x	x	x	Ohita	x	x	x	x	x	x
Nagano	o	o	o	o	o	o	Miyazaki	o	x	x	x	x	x
Gifu	x	x	x	x	x	x	Kagoshima	o	x	x	x	x	x
Shizuoka	o	x	x	x	x	x	Okinawa	o	x	x	x	x	x
Aichi	x	x	o	o	o	o							
Mie	o	o	o	o	o	o	Ratio	28	17	47	16	15	14
Shiga	x	o	o	o	o	o		47	47	17	47	47	47

### <Reference materials>

Transition of the term "Nationality" in the case of appointment for public school teachers (elementary & junior high-school)

\* "O" indicates "without regard to the Japanese nationality".

\* Indication of years is the years when employment examination were come into force.

## Petition for the Legislation of a Fundamental Law for the Buraku Liberation

We thank all of you who signed the petition in response to our request in the enclosure of our English newsletter No. 60. We have received many people's approval from England, India, America, Israel, France Philippines, U. S. S. R, Sweden and Denmark, etc.

With effective end of September, we close the

third collection of the petition, and we ask you both domestic / abroad to sign continuously and actively.

Thank you very much again for your cooperation. With best regards.

Buraku Liberation Research Institute