

Affirmative Action Policies Under the Postwar Japanese Constitution: On the Effects of the *Dōwa* Special Measures Policy

Noah McCormack

Abstract

This article examines the background to Japan's *Dōwa*-related affirmative action programs which, based on postwar constitutional guarantees, set about relieving the material and psychological expressions of majority discrimination against Buraku residents. It shows the generally beneficial consequences of these programs, and highlights the overall weakening of discrimination, the improvement of living conditions, and a high level of mixed living and intermarriage. Finally, it considers how the resulting erosion of Buraku-based identities remains contested both by those displaying a continued will to discriminate, and by activists who desire to maintain a Buraku-based identity into the future.

Keywords

Japan; *Dōwa* policy; Buraku issue; identity politics; constitution; welfare

Responding to a new human rights-oriented constitution, and related to deepening interconnections with US security and economic policy during Japan's era of rapid economic growth, the postwar Japanese state, in tandem with prefectural and municipal authorities, conducted a massive—albeit little-known outside Japan—affirmative action program. This targeted *Dōwa* or Assimilation areas, which are usually considered to be synonymous with Buraku areas, and more

particularly, the *Dōwa kankeisha*, or Assimilation-Related Persons, usually considered synonymous with Burakumin, who lived in those areas.¹

The program included measures to ameliorate Buraku housing stock, road and sewage infrastructure, and health and education facilities, all of which were frequently substandard in the 1950s and 1960s. They also included measures to promote the social inclusion of Burakumin through education-related initiatives such as improved teacher-student ratios and the dispatch of support staff, as well as through work-related initiatives such as preferential hiring by local municipalities and large corporations. These affirmative action measures aimed to alleviate the material and psychological expressions of majority discrimination against Burakumin and Buraku areas. Such remedial action was to contribute to the assimilation of this minority, which could only be identified by discrimination and its effects, and not through language or ethnic markers, into an increasingly homogeneous nation.

These objectives have partly been achieved. The material disparities between so-called Buraku areas and regular areas, and Burakumin and non-Burakumin, have been significantly reduced. Education and work-related outcomes are converging or have converged. Intermarriage rates for Burakumin are high. In fact, the very distinction between Buraku minority and non-Buraku majority has become increasingly hard to grasp, due not

only to intermarriage, but also to outflows of people from Buraku areas into other areas, and inflows of non-Buraku people into Buraku areas. Data about mixed marriage, mixed living, improved education and work outcomes indicates that assimilation on a material and social level has been rather successful.

However, even as it becomes increasingly difficult to state with any precision who is a Burakumin, and whether an area is a Buraku, studies also indicate the existence of prejudice and discriminatory attitudes towards Buraku areas and people. These two phenomena, I suggest, may in fact be causally linked. As “real” Burakumin fade from view, literally fantastic images and stereotypes from the past are being re-cycled and circulate detached from everyday reality, especially in cyberspace. I end with a consideration of the possible effects on this situation of the recently passed Law for the Elimination of Buraku Discrimination.

The Postwar Dōwa policy

Growing out of localized and individual anti-discrimination struggles of the late-nineteenth century, a national Buraku liberation organization called the Levelers (*Suiheisha*) was established in the 1920s, mainly to attack discrimination against Buraku residents. Responding to anti-discrimination activism, some state assistance for infrastructural improvements was forthcoming, reaching a prewar peak of 0.1% of the state budget in 1933 for a group at the time totaling perhaps 1% of the population. This prewar program to deal with the Buraku problem is known as the Reconciliation Movement (*Yūwa Undō*).

In the postwar era, activists shifted emphasis from mobilizing in cases of discrimination towards permanent mobilization for an economic and cultural struggle to stabilize and improve everyday living conditions.² These

campaigns culminated in more comprehensive state-backed relief measures, transforming most Buraku areas. This postwar state program is known as the Dōwa or Assimilation Policy, and was centered on the Dōwa Projects Special Measures Law of 1969, and its successor, the Regional Improvement Projects Special Measures Law of 1982. A plethora of prefectural and municipal initiatives, some of which preceded and/or outlasted the state policy, unfolded alongside the central government Dōwa measures.

Central Government Dōwa Policy: A Brief Timeline

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|------|--|
| 1951 | National Dōwa Measures Joint Council established. |
| 1953 | First Health Ministry Dōwa Budget allocations. |
| 1960 | Dōwa Measures Deliberative Committee established in the Cabinet (LDP and JSP joint agreement). |
| 1965 | Dōwa Measures Deliberative Committee Report, “Basic Measures to Resolve the Social and Economic Problems Concerning Dōwa Areas” made public. |
| 1969 | 10 Year Dōwa Projects Special Measures Law enacted. |
| 1978 | Dōwa Projects Special Measures Law extended for three years. |
| 1982 | 5 Year Regional Improvement Special Measures Law enacted. |
| 1992 | Regional Improvement Special Measures Law extended for 5 years. |
| 1997 | Regional Improvement Special Measures Law revised and extended for 5 years. |
| 2002 | Regional Improvement Special Measures Law expires with no subsequent specific state measures. |
| 2016 | Law for the Elimination of Buraku Discrimination passed. |

Key factors shaping Japan’s postwar era, in terms of the Buraku or Dōwa issue, included the new human rights-focused constitution, modernization in the form of industrialization and urbanization, and rapid economic growth. Industrialization drove massive urban migration, depleting rural communities, upending occupational hierarchies, promoting increasing participation in higher education, and massively expanding the area and population of urban and suburban areas. Modernization and growth provided an increasingly large budgetary pie to the state to spend on infrastructural improvements, as well

as initiatives to improve educational and occupational outcomes.

The Constitutional Basis for Affirmative Action

The constitution, with its interdiction of discrimination, provided Buraku activists with a strong legal basis on which to call for government action. Article 11 of the postwar constitution provided that ‘The people shall not be prevented from enjoying any of the fundamental human rights. These fundamental human rights guaranteed to the people by this constitution shall be conferred upon the people of this and future generations as eternal and inviolate rights.’ Succeeding articles expanded on this principle. Thus, Article 13 guaranteed that ‘All of the people shall be respected as individuals’, and Article 14 that ‘All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin.’

This final reference to family origin is thought to have been inserted into the text as a result of representations made by Buraku activists. Specifically, Matsumoto Jiichirō and Tanaka Shōgetsu, who both served multiple terms as Socialist Party Diet representatives, together with Asada Zennosuke, approached Robert Kades and Courtney Whitney in the Occupation administration directly.³ Having an article in the constitution refer directly to discrimination based on social status and family origin was thought vital for resolving the Buraku problem, which was understood to involve discrimination against people and areas seen to have low-status antecedents, and the material effects of such discrimination.

Another constitutional provision of considerable significance for the Buraku problem was Article 24, which stated that ‘Marriage shall be based only on the mutual consent of both sexes [...]’ This measure was

important because intended marriages between Buraku residents and non-Buraku residents often foundered on the opposition of family and relatives. External intervention in prospective marital relationships, the constitution indicated, was illegitimate.

Article 25 was also highly significant in terms of the Buraku problem and postwar affirmative action programs. It stated that ‘All people shall have the right to maintain the minimum standards of wholesome and cultured living’. Although the wartime destruction of housing stock had been a problem for urban populations all around Japan, reconstruction in many Buraku areas had been undertaken haphazardly and often outside the framework of official urban redevelopment plans.⁴ Buraku areas, even in the 1960s, were frequently marked by inferior housing stock, with inadequate or lacking sewage and water facilities, electricity, and road access. Buraku activists claimed that such living conditions were the result of discrimination, which was illegitimate according to Article 14, and that such intolerable conditions needed urgent state action.⁵ Other issues included the fact that residents received vastly less schooling than the national average, well into the 1960s and beyond. This was clearly in violation of Article 26, which promised ‘All people shall have the right to receive an equal education correspondent to their ability, as provided by law’. The right to freely choose an occupation, guaranteed by Article 22, and the right to work, guaranteed by Article 27, were also violated in the postwar era by companies that screened job applicants and rejected those of Buraku backgrounds.⁶

In 1965, a well-known government report commissioned by Prime Minister Ikeda Hayato was presented by the Dōwa Measures Deliberative Committee to his successor, Satō Eisaku. The committee was headed by Kimura Chūjirō, who was a senior official in the Health Ministry with a background in welfare policy

and poverty. Its report basically followed this line of argument made by Buraku activists. It outlined how discrimination against people associated with Buraku areas had limited their opportunities to receive an education, to interact with other members of society, to work, and so on. The physical effects of this situation were visible in substandard Buraku living conditions. The social effects of discrimination were manifested by comparatively lower educational and occupational outcomes, political participation levels, minimal social relationships with non-Buraku people, and income levels well below the national average. Buraku residents were described as affected by psychological isolation and cultural backwardness as a result, while this combination of exclusion and consequent insularity had allowed and encouraged the perpetuation of strong negative prejudices against Buraku and Burakumin. The role of the government was presented as being to improve living conditions, and to strengthen educational support and other welfare services, so as to eradicate the physical and psychological markers of deprivation and exclusion. Over time, the elimination of material disadvantage, in combination with efforts to combat psychological discrimination and foster Buraku subjectivity, should lead to the resolution of the problem.

The human rights guaranteed by the Constitution were prominently cited in this report, and in the resulting law. The 1965 report stated that ‘Buraku discrimination in modern society, in a word, is the violation of the civil rights and freedoms. Freedom refers to freedom of occupation, the right to have guaranteed equality of opportunity in education, freedom of residence, movement, marriage, and so on. The fact that these are not completely guaranteed for Dōwa area residents is, in itself, discrimination.’⁷

The 1969 Dōwa Projects Special Measures Law’s first article framed the matter as follows:

‘Following the principles of the Japanese Constitution that guarantees the enjoyment of basic human rights to all nationals, this law shall clarify the goals of the Dōwa Projects, which the state and regional municipalities are to conduct cooperatively in areas where historical and social factors have been an obstacle to the stability and improvement of the living environment etc., and through the implementation of the special measures needed to achieve these goals, will foster economic strength in these target areas, and contribute to improved stability and welfare in residents’ lives.’

Human rights were seemingly not the only or central consideration, however. Article 5 outlined the Dōwa Projects’ goals: ‘improvements in the living conditions in target areas; the promotion of social welfare; the development of industry; the stabilization of employment; the enhancement of education; the strengthening of human rights protection activities’. That five out of the six goals were related to economic issues is not coincidental, but connected to the rise of economic bureaucrats such as Ikeda Hayato and Satō Eisaku in the LDP governments from the 1960s into the 1970s.⁸ In turn, this can be related to state-directed economic development and anti-communist policy.

The National-Security Basis for the Postwar Buraku Affirmative Action Program

While the constitution provided a basis for the ethical-legal argument that the government was obligated to provide assistance to Buraku areas and residents, the level of assistance that ensued must be understood as a factor not just of political and bureaucratic concern with human rights and economic development, but also of state concern with national security and domestic politics. According to Sasaki Ryōji, in the 1950s, the existence of a Dōwa Measures Special Committee within the Liberal

Democratic Party's Policy Research Section, as well as Buraku-related debates within the Regional Improvement Deliberative Committee, and the first Kishi Cabinet's promise to establish a deliberative committee dedicated to Buraku issues, were all evidence of concerns about public order, and especially perceptions of the risk of "radicalism" in Japanese society.⁹

At the time, it was the Japan Communist Party's aim to realize a united front based on agricultural and industrial workers, bringing together the masses across class and status lines, to constitute the core of a new force to conduct a revolution against imperialism and monopoly capitalism.¹⁰ It was also the Socialist Party's position, that 'there can be no liberation of the workers without the liberation of the Buraku'.¹¹ Sasaki details how the LDP's Special Committee for Public Order Measures, discussing the possibility of the socially downtrodden forming a united radical front, mentioned socialists, communists, anti-base and anti-nuclear activists, anti-constitutional change activists, the Japan Teacher's Union, and the destitute, the unemployed, and the downtrodden as potential candidates for revolutionary activity, and proposed social inclusion and cooptation to minimize this risk. In 1958, the LDP's Diet Member Dōwa Problem Discussion Group produced a document entitled "Recent trends in the Buraku Liberation Movement", in which it noted that there was a real danger of the Buraku movement joining up with the JCP and other oppositional forces to form a unified radical government. Given that the movement was not yet radicalized, there was an opportunity to strike early, it proposed.

In the wake of this report, the Buraku-related budget went from 224 million yen in 1958 to 466.36 million yen in 1959, with quiescent or cooperative "model areas" receiving the major portion of this budgetary uptick. The establishment in 1960 of the Dōwa Measures Deliberative Committee and subsequent

Buraku infrastructural projects were, Sasaki argues, part of the political-bureaucratic establishment's drive to prevent the formation of any unified radical front. The fact that repressive treatment of dissident forces was difficult under the provisions of the new constitution, and that the development of underdevelopment meshed with Japan's strengthening focus on economic growth, were also factors underlying a considerable infusion of funds into Buraku areas.¹²

Active government interest in the Dōwa Measures Deliberative Committee, once its establishment had been announced in 1960, seemed minimal, and it was late in 1961 before 11 bureaucrats and nine civilians were named to the committee.¹³ Although it commissioned the report, Sasaki states that the government itself did not send representatives to the Deliberative Committee meetings, which were basically run by the bureaucracy. Nor did the government respond to questions on the issue. Sasaki's thesis is that the government engaged in Buraku-related development policies to forestall the possibility of Buraku radicalization, and that this conveniently dovetailed with the government's aim of modernization to coopt opposition forces, but discrimination was not its main concern.¹⁴

The Dōwa Projects Special Measures Law and its effects

Four years after the Deliberative Committee report, in 1969, the government passed the Dōwa Projects Special Measures Law,¹⁵ which was extended several times before being superseded by the Regional Improvement Projects Special Measures Law of 1982, which itself was revised and extended several times before ultimately expiring in 2002.¹⁶

The DPSM Law declared that the state would endeavor to improve residential areas, housing, roads, welfare facilities, and so on. It would

also take measures to modernize primary industries in Dōwa areas, along with steps to rationalize and modernize small and medium sized enterprises based therein. To boost employment rates, training and other programs were to be established, along with programs to promote higher education. Finally, steps to improve human rights were also promised. Importantly, the state promised to cover the costs of such programs, allowing municipalities to obtain funds using municipal bonds that the state undertook to purchase (Article 9). The successor to this law, the RIPS Law, was largely the same as the DPSM Law, but with added stipulations that such projects should show consideration to the relationship with surrounding non-Buraku areas (Article 2), and that the central government would cover two thirds of the cost of infrastructural projects conducted in Dōwa areas by municipal authorities (Article 3). There was repeated mention in the law of how it was the responsibility of regional authorities to cooperate with central government authorities, and subsequently, prefectural and municipal government spending in fact increased rapidly, to eventually account for more than double the amount of central government spending.

DPSM Spending

Under the auspices of the DPSM Law, central, regional and local governments spent a total of around 15 trillion yen, mainly on physical improvements, in the years ...?. Sewage systems, roads, and housing were constructed. Community facilities such as meeting places, public baths, medical clinics, and so on were built. Further, at the municipal level, a wide range of affirmative action measures were implemented. Extra teachers and staff were allotted to schools, childcare facilities, and community centers. Funding was provided for school lunches, stationery, school trips, high school costs, after school sports, and job

training programs. Housing rent reductions were granted, as were land tax reductions and exemptions. Cash gifts were provided for births, marriages, and job hunting. Jobs were made available by affirmative action involving both private corporations and local public governments.¹⁷

The Evolution of Government Budgets¹⁸

| Pre-war Yuwa budget | 1920-1941 cumulative total | | Peak year percentage of total budget 1933 | |
|----------------------|---|---|--|---|
| | 22,000,000 yen | | 237,000 yen 0.1% (2.3 billion yen) | |
| Post-war Dōwa budget | Central government cumulative total 1969-2002 | Prefectural government cumulative total (1969-1993) | Municipal budgets cumulative total (1969-1993) | Peak year percentage of total budget 1981 |
| | 4.291 trillion yen | 2.8 trillion yen | 6.9 trillion yen | 0.2792 trillion yen 0.6% of 47 trillion yen |

State and local government affirmative action programs targeting Buraku areas expanded such that up to 0.6% of the state budget and a much greater proportion of prefectural budgets were directed at material and social improvements in Buraku areas. In the 1970s, Kōchi prefecture at its peak was spending 15%, Nara and Wakayama prefectures over 10%, and Osaka prefecture 3.5% of their budgets on Buraku-related projects. In Osaka's Habikino City, total spending on Dōwa-related measures reached an all-time high of 32.2% of all city spending, and 75% of all city construction spending, while in Higashi Osaka City, 21.9% of total city spending and 75.5% of total city construction spending went to Dōwa projects. In Matsubara City, 33.5% of the municipal budget and 76.3% of the municipal construction budget went to Buraku projects.¹⁹

The Targets of DPSM-related Spending

To administer the DPSM Law, some new terminology was invented. Namely, the law was especially intended to bring about material

improvements in *Dōwa* areas. Article 1 of the DPSM Law defined these as ‘areas where historical and social factors have been an obstacle to the stable improvement of the living environment etc.’ As this rather vague definition suggests, the manner in which certain areas became designated *Dōwa* areas was flexible.

In response to a question from Higashinaka Mitsuo, a JCP member of the House of Representatives from 1969 to 2000, about how a *Dōwa* area came to be designated as such, the government answered in 1974 that there was no clear official definition. ‘Local authorities make determinations in the field’.²⁰ In practice, these local authorities were generally dependent on the advice of ‘local stakeholders, organizations, and movements’.²¹ Fundamentally, the dominant factor in many cases was either of the two main associations dedicated to fighting discrimination against Burakumin: the Buraku Liberation League (BLL: *Buraku Kaihō Dōmei*), which had close ties to the Socialist Party or the National Federation of Buraku Liberation Movements (*Zenkoku Buraku Kaihō Undō Rengōkai*, often abbreviated as *Zenkai*, although now it is known as the *Jinkenren*, having expanded to cover human rights issues generally, rather than just Buraku liberation), which had closer ties to the Japan Communist Party. In many cases, these organizations advised municipal authorities about which areas were or were not Buraku.

The conditions for accessing *Dōwa* benefits and assistance for individuals included being a certified Burakumin, and living in an official Buraku, or a *Dōwa* area. As well as guiding local administrations’ determination of areas as Buraku areas, in many areas, Buraku organizations also determined people’s *Dōwa* status. For residents in such areas, if a Buraku organization vouched for one’s bona fides as a Burakumin, it became possible to receive *Dōwa* scholarships, tax reductions and exemptions,

subsidized childcare, and so forth. In some areas, the BLL held a monopoly on such determinations, while *Zenkai* and the LDP-affiliated All-Japan Assimilation Association (*Zen Nihon Dōwakai*) were in the same position in a few locations. Overall, multiple organizations were recognized in many areas, while Tokyo, with no *Dōwa* areas, conducted its own *Dōwa* program of benefits to individuals based on decisions by city office officials concerning “Buraku origins”.

*Dōwa recipient determination in selected areas*²²

| BLL | Zenkai | National Dōwa Association | Non-specific organization | Multiple organizations | Other |
|--|---------|---------------------------|---------------------------|---|--|
| Maebashi City, Gunma; Otsu City, Shiga; Tottori City; Nagasaki City; Kita Kyushu City, Fukuoka | Ibaragi | Kofu City, Yamanashi | Osaka City; Tsu, Mie | Oita City; Okayama City; Kagoshima City, Takamatsu City, Kagawa; Yokohama City; Kochi; Urawa City, Saitama; Saga City, Miyazaki City. | Without any defined <i>Dōwa</i> areas, Tokyo City provided <i>Dōwa</i> benefits to individuals based on self-declarations and an interview concerning origins, ancestors, and experiences of discrimination. |

Generally, living in a *Dōwa* area and being a member of the local neighborhood association sufficed to be recognized as a Burakumin.²³ Thus, migrants from non-Buraku areas were not necessarily excluded from such *Dōwa* benefits. People who moved out of *Dōwa* areas, however, generally lost access to benefits. It should also be noted that these benefits were for *Dōwa* household residents in *Dōwa* areas. The definition of a *Dōwa* household was a household in which at least one person was a Burakumin.²⁴ “Mixed households” were considered simply as *Dōwa* households in these surveys, and the *Dōwa* population presumably includes some percentage of “outsiders”.

Housing Stock Improvements

Much Buraku-related public spending, and subsequently much of the DPSM budget, was spent on the construction of public housing to replace inferior housing stock. In Buraku areas around the country, public funding was used to renovate or rebuild 18,165 houses in the 1960-1969 period, and a further 45,014 houses in the 1969-1976 period.²⁵ In the two cities of Kyoto and Kobe, public housing for over 15,000 households was built from 1953 to 1992.²⁶ In Dōwa areas overall, 27.4% of all houses, and 47.3% of Dōwa household houses were renovated or reformed with DPSM Law-related funding.²⁷ The construction or renovation of existing housing had the effect of providing residential housing of a quality that was reasonable by the standards of the time, and which, measured by floor space per resident, was similar to that enjoyed by the population as a whole by the early 1990s.²⁸

Selected Conditions in Dōwa areas 1992-1993²⁹

| | Buraku areas | National average |
|---|--------------|------------------|
| Homes on roads < 2m width or no road access | 8.8% | 10.2% |
| Homes on roads 2-4m wide | 33.6% | 30.9% |
| Residential land area < 50m ² | 4.7% | 6% |
| Residential land area 50-99m ² | 18% | 17.7% |
| Residential land area >500 m ² | 11.2% | 10.4% |
| 1-2 room housing | 4.3% | 14.8% |
| 7 rooms or more | 28.1% | 21.3% |
| Average room numbers | 5.5 | 4.9 |

Changes in Educational Outcomes

In terms of the non-material effects of the Dōwa policy, national statistics show a notable convergence between Buraku and non-Buraku areas in terms of educational progression. Whereas high school matriculation rates were abysmal in Buraku areas in 1963 at just 30%, compared with 66.8% in non-Buraku areas, they rose rapidly through the period of rapid economic growth, to surpass 50% in 1967, and to reach 87.5% in 1975, when the national

average was 91.9. In just twelve years, Buraku high school graduation rates nearly tripled, to approach the national average. Thereafter, the national average reached a plateau in the mid-to-high 90s, where it has since remained, while the Buraku average reached 91.2% in 1992. Locally, some significant variation still exists between different Buraku areas. In Hyōgo, for example, Buraku area school districts' high school matriculation rates varied between 75%~95% in the first half of the 1990s.³⁰

Educational Convergence: High School Matriculation Rates³¹

| High School Matriculation | 1963 | 1967 | 1971 | 1975 | 1979 | 1983 | 1985 | 1988 | 1990 | 1991 | 1992 | 1995 |
|---------------------------|------|------|------|------|------|------|------|------|------|------|------|------|
| National Rate | 66.8 | 74.5 | 85 | 91.9 | 94 | 94 | 94.1 | 94.5 | 95.1 | 95.4 | 95.9 | 96.7 |
| Buraku Rate | 30 | 51.1 | 72.8 | 87.5 | 89 | 86.6 | 87.3 | 89.2 | 89.6 | 90.2 | 91.2 | 92.4 |

By the early 1990s, the gap between national and Buraku high school matriculation rates had closed to just a few points. The education gap between Buraku area residents and the general population appeared to be largely resolved as a policy issue in terms of secondary schooling. University matriculation rates appeared to be further apart. From a gap of 23.2 percentage points in 1979, when over 37% of youth went on to university nationally whereas in Buraku areas the corresponding figure was just over 14%, the Buraku university matriculation rate inched up to 19.9% in 1991, against 31.6% for the whole population. Today, the national average is well over 50%.

However, these statistics on Buraku tertiary matriculation rates compiled by the General Affairs Ministry cannot be taken at face value, Suginozawa argues, because the figure is based on the percentage of high school students living in Dōwa areas and receiving Dōwa Projects Special Measures Law-related scholarships who went on to university. Since less than half (43.6%) of Dōwa area high school students were receiving this scholarship, and many Burakumin no longer lived in Buraku

areas, it seems likely that the proportion of Buraku background students going on to university is higher than indicated, and that the gap in tertiary education matriculation rates is therefore smaller than it looks.³²

Educational Convergence: University Matriculation Rates³³

| University Matriculation | 1979 | 1983 | 1985 | 1988 | 1990 | 1991 | 1992 | 1994 |
|--------------------------|------|------|------|------|------|------|------|------|
| National Rate | 37.4 | 35.1 | 30.5 | 30.9 | 30.5 | 31.6 | 32.7 | 36 |
| Buraku Rate | 14.2 | 16.5 | 19.1 | 19.3 | 19.7 | 19.9 | 20.8 | 24.3 |

Changes in Occupational Outcomes

Along with living environment and educational outcomes, occupational marginalization was also seen as a major problem when the DPSM Law came into force. This was considered to appear in relatively high percentages of Buraku residents receiving Livelihood Protection (social security), higher unemployment levels, greater concentration of workers in small enterprises, over-representation of Buraku workers in relatively backward industries, and Buraku worker under-representation in white-collar middle-class sectors. Together, these factors meant that average annual income levels in Buraku areas were lower than the national average. Again, by the early 1990s, most of these differences had shrunk considerably.

Buraku and National Employment Rate in %³⁴

| Employment rate | Buraku | National |
|-----------------|--------|----------|
| 1967 | 55.8 | 65.3 |
| 1971 | 64 | 63.5 |
| 1977 | 60.9 | 61.9 |
| 1985 | 58.3 | 61.4 |
| 1993 (Nat:1992) | 60.6 | 63.9 |

In terms of the overall employment rate, the relevant figure for Buraku areas in 1967 was 55.8%, which contrasted with the national figure of 65.3%. However, in 1971, the difference had temporarily disappeared, with the Buraku figure even overtaking the national figure, hitting 64% as opposed to 63.5% nationally. Booming demand for workers in the course of Japan's rapid economic expansion meant national demand for junior high school graduates increased dramatically, from 1.09 jobs per graduate available in 1955, to 3.72 jobs per graduate in 1965, and 5.96 jobs per graduate in 1975. The increase in demand for high school graduates was even more dramatic, going from 0.72 jobs per graduate in 1955 to 3.5 jobs in 1965, and then 8.36 jobs per graduate in 1975. This shortage of workers created a situation in which many Buraku youth joined the workforce, as shown by the increased rate at which Buraku residents became regular employees in the 1970s compared to older generations, and in relatively larger and more stable corporations, often with administrative jobs.³⁵ Although minor fluctuations are recorded through the 1980s and early 1990s, the employment rate difference for Buraku and non-Buraku areas was basically within a few points.

Jobs available per graduate 1955-1975

| Demand as a % of availability | 1955 | 1965 | 1975 |
|-------------------------------|------|------|------|
| JHS graduate | 1.09 | 3.72 | 5.95 |
| SHS graduate | 0.72 | 3.5 | 8.36 |

Company Employees from Buraku areas, by Age, Company Size, and % of clerical workers, 1975

| Age range Company size / type | 50-59 | 40-49 | 30-39 | 20-29 | 15-19 |
|-------------------------------------|-------|-------|-------|-------|-------|
| 500+ workers | 15.3% | 18.2% | 17.3% | 21.1% | 21.6% |
| 1-4 workers | 29.2% | 22.3% | 20% | 13.5% | 8.9% |
| Clerical workers | 7% | 8.6% | 6.5% | 20.6% | 18.2% |

Regular Employees in Buraku Areas by Age, 1975³⁶

| | |
|-------|-------|
| 60-69 | 51.5% |
| 50-59 | 65.6% |
| 40-49 | 68.5% |
| 30-39 | 68.4% |
| 20-29 | 82.9% |
| ~19 | 86.2% |

Viewed in terms of the industries that Buraku residents worked in, the most notable difference with the national population as a whole was a striking over-representation in public service, at 10.8% in 1993 versus 3.1% in the population as a whole. This figure, a reflection of affirmative action in local government employment until the 1990s, has since decreased. The proportion of Buraku residents employed in construction was also high, at 17% in 1993 against 9.5% in the entire population. Again, this is considered to be related to the massive investment in infrastructural improvements under the DPSP, and the employment of local residents by project contractors. The percentage of Buraku residents involved in wholesale and retail, as well as services, was by contrast somewhat lower than for the general population.

Employment by Industry for Buraku areas (1967-1993) and nationally (1992)³⁷

| | 1967 | 1971 | 1977 | 1985 | 1993 | 1992 |
|--------------------|------|------|------|------|------|------|
| Primary industries | 31.8 | 27.4 | 13.5 | 10.3 | 7.7 | 6.4 |

| | | | | | | |
|------------------------------|------|------|------|------|------|------|
| Wholesale / retail | 12.7 | 11.7 | 15.6 | 12.2 | 14.6 | 22.2 |
| Services | 7.8 | 9.1 | 14.6 | 12.4 | 16.8 | 23.4 |
| Mining / manufacturing | 23.3 | 27.8 | 27.8 | 21.1 | 21.5 | 23.8 |
| Construction | 33 | 15.2 | 16.6 | 16 | 17 | 9.5 |
| Transport and communications | 5.4 | 5.3 | 4.6 | 4.5 | 6.7 | 6.6 |
| Public service | nd | 3.8 | 6.2 | 12.7 | 10.8 | 3.1 |
| Other | 9.4 | 4.2 | 1.1 | 10.7 | 2.8 | 5 |

The annual income levels of employed workers reveal, however, that Buraku residents were concentrated at the lower end of the scale. Whereas 28.8% of workers nationally were earning less than 2 million yen yearly in 1992, 43.1% of workers in Buraku areas in 1993 were in the same income bracket. Fully 76.7% of Buraku residents were earning less than 4 million yen, compared to 59.9% nationally. The gap for those earning between 4 and 7 million was somewhat lower, with 22.3% nationally versus 16.2% in Buraku, but widened again above that amount such that whereas 4.1% of Buraku residents were earning over 7 million, 10.4% of the general population had earnings exceeding that level. While labor market inclusion appeared to have been realized, vertical occupational segregation had by no means been overcome.

Workers in Buraku Areas and Nationally by Annual Income Level (10,000 yen)³⁸

| | 0-99 | 100-199 | 200-299 | 300-399 | 400-499 | 500-699 | 700-999 | 1000+ |
|---------------|------|---------|---------|---------|---------|---------|---------|-------|
| Buraku 1993 | 21.8 | 21.3 | 20.5 | 13.1 | 8.3 | 7.9 | 3 | 1.1 |
| National 1992 | 14.2 | 14.6 | 17.5 | 13.6 | 10.4 | 11.9 | 6.9 | 3.5 |

The Livelihood Protection (*seikatsu hogo*) rate for Buraku people in Dōwa areas was 5.2% in 1993. This was more than six times higher than the general rate for the wider regions in which Dōwa areas existed, which was 0.8%. The relevant figure for non-Buraku people in Buraku areas was 2.9%. Interestingly, the number of people who had been on Livelihood Protection in the short and medium term was smaller for Buraku people than for the regional average, with 5% and 10.5% in the Buraku cases as opposed to 10.1 and 14.9% respectively for the wider region. It was in the

area of long-term welfare dependency that Buraku rates were much higher than for the wider region, at 46.5% as opposed to 36.9%. The figure also varied considerably between different regional Buraku areas, ranging from 0.5% in the Kanto area to 5.8% in the Kinki region, and up to 7.5% and 7.7% in the Kyushu and Shikoku regions respectively. One factor thought to be behind this relatively high rate of long-term dependence on social security is the fact that many municipalities introduced less stringent requirements for Buraku residents to receive welfare, thus encouraging dependence.³⁹

Overall, in view of these statistics, it was widely believed that the various DPSM Law-related measures had basically realized their aims by the early 1990s. In 1996, the “Summary Committee Report” by the Regional Improvement Measures Joint Committee outlined the legal and concrete measures taken since 1953.⁴⁰ It stated that the situation regarding material conditions was generally resolved, in the sense that significant statistical differences with other areas were no longer discernable. While it noted that 30% of Buraku residents reported having been the victims of human rights violations, and that problems regarding education and work did still exist, it concluded that ‘viewed overall, these special measures have, in the time limit of the existing law, generally been able to achieve their goals.’ The promises outlined in the constitution had largely been realized. Given this, there seemed no need for any further special laws. Any remaining issues should be dealt with under general welfare provisions. The assumption was that as Buraku disadvantage receded, so too would discrimination, promoted further by human rights education. Gradually but surely, the gap was disappearing, and one day, Japan would no longer have a Buraku problem.

Explaining the Gap

Some of the remaining gaps were attributable to residual historical disadvantage and the effects of discrimination. Lower levels of education and higher rates of socio-economic exclusion for older residents entail lower income levels. Another factor is the smaller proportion of Buraku residents who were working for large enterprises. In 1993, only 10.6% of workers originating in Buraku areas were classed as working for large corporations with over 300 employees, whereas 23.3% of workers in the general population were employed by large corporations. Since large enterprises tend to offer not just increased job security but also higher salaries, this too, has an important impact on salary levels.

Additionally, however, it is necessary to make a more general point about these statistics. Out-migration from Buraku areas is frequent. Yagi Kōsuke, who specializes in Buraku sociology, estimates that between 50% and 100% of young educated Buraku residents with stable jobs leave their communities for other areas.⁴¹ The 1993 national survey indicated that across the country, 49.9% of youth aged between 25 and 29 had moved out of Buraku areas.⁴² In Osaka, Futakuchi Ryōji calculates that 26.1% of Buraku residents moved out of Buraku areas during the ten years from 1990 to 2000.⁴³ In Kyoto, the local branch of the BLL declared that the numbers of the highly educated strata aged in their 20s and 30s had “fallen dramatically” during the 1990s, with a drop in Dōwa area populations of over 40%, from 14,075 in 1984 to 12,590 in 1991, down to 8,172 in 2000.⁴⁴

Those who leave Buraku areas seem to be disproportionately the younger and better educated residents. If they were to be counted even after their departure as “Burakumin”, the levels of educational achievements for Burakumin would rise correspondingly. Furthermore, these departures also tend disproportionately to be those who enjoy relatively stable jobs and salaries. If they were

to be added to the salary tables, then the income levels for Buraku would also rise considerably.⁴⁵ The statistical gap between Buraku and non-Buraku populations is somewhat exaggerated, in other words, because the better-educated and better-paid people tend to leave Buraku areas, and thereafter are no longer recorded as Burakumin.

At the same time, as Buraku residents with higher educational credentials and stable jobs move out, vacancies arise in Buraku area public housing, which is made generally available. New residents, many of whom are not Dōwa, tend to be poorer, less educated, older, and single. They are attracted by the availability of lower cost public housing.⁴⁶ Single mothers are reported to be common, drawn by the availability of childcare, public housing, schools, and extra-curricular services, which all have historical roots in past Dōwa projects. Yoda has recently concluded that longer-term Buraku residents are, compared to recent incomers, relatively better-off, and that Buraku discrimination is no longer a matter of Buraku poverty.⁴⁷ What is needed today, to stay in keeping with the spirit of the constitution, may be a general policy for the socio-economically disadvantaged, rather than a specific policy for Buraku areas and Burakumin. Given the strengthening official line of ‘self-reliance’, as symbolized by the 2002 law on the promotion of self-reliance by the homeless, the likelihood of this seems low at present.

When is a Buraku no longer a Buraku?

Bi-directional migration and population mixture are, in fact, transforming many Buraku areas and their populations, to the extent that the category itself is in some cases losing coherence. Non-Buraku residents in Dōwa areas were calculated to constitute 28.1% of the total Dōwa population in 1971, rising rapidly to 39.2% in 1975, and then 41.8% in

1985. In the 4,442 Dōwa areas surveyed in 1993 when the last national Buraku survey was conducted, the number of Buraku households and people accounted for around 40% of the total in Dōwa areas, with the non-Dōwa population and household percentage around 60%. To what extent can areas in which the majority of people are no longer “Burakumin” be said to be Buraku?

Official Dōwa (Buraku) Areas and Population Through Time⁴⁸

| Survey year | Area numbers | Dōwa household numbers | Dōwa population | Dōwa % | non-Dōwa % | Dōwa % of national population |
|-------------|--------------|------------------------|-----------------|--------|------------|-------------------------------|
| 1993 | 4,442 | 298,385 | 892,751 | 41 | 59 | 0.72 |
| 1987 | 4,603 | 328,299 | 1,166,733 | 58 | 42 | 0.97 |
| 1975 | 4,374 | 315,063 | 1,119,278 | 61 | 39 | 1.01 |
| 1971 | 3,972 | 277,137 | 1,048,566 | 72 | 28 | 1 |
| 1967 | 3,545 | 262,343 | 1,068,302 | 67 | 33 | 1.07 |
| 1962 | 4,160 | | 1,113,043 | | | 1.16 |
| 1958 | 4,133 | | 1,220,157 | | | 1.33 |
| 1935 | 5,361 | | 999,687 | | | 1.44 |
| 1921 | 4,853 | | 829,773 | | | 1.46 |

Mixed living of Buraku and Non-Buraku residents in Buraku areas

| | 1971 | 1975 | 1985 | 1993 |
|----------------|------|------|------|-------|
| % of outsiders | 28.1 | 39.2 | 41.8 | 58.65 |

Dōwa Area Burakumin and Non-Burakumin Population Data

| Survey year | Dōwa area numbers | Household numbers | | Population | |
|-------------|-------------------|-------------------|------------------|------------|----------------------|
| | | Area total | Dōwa households | Area total | Dōwa-related persons |
| 1993 | 4,442 | 737,198 | 298,385 (40.48%) | 2,158,789 | 892,751 (41.35%) |
| 1987 | 4,603 | 569,662 | 328,299 (57.6%) | 2,010,230 | 1,166,733 (58%) |

In some prefectures such as Nagano and

Shimane, Buraku areas are recorded as having less than 20% Burakumin populations. In Osaka and Fukuoka, the proportion is around 50%, while in Hyōgo, Shiga, and Kyoto prefectures, the percentage is over 80%. Basically, in the first type of prefecture, Buraku areas, defined by majority Burakumin populations, have basically disappeared. In the second type, Buraku areas and people are becoming hard to discern. Only in the third type can we state that there is a possibility that Buraku and Buraku people exist in a relatively straightforward and obvious manner. Overall, the difficulty or even impossibility of reliably establishing who is a Burakumin, and the increasingly and sometimes overwhelmingly non-Buraku population of Buraku areas, indicate that the group boundaries between Buraku and majority Japanese are eroding.

Non-Buraku residents in Buraku areas by prefecture⁴⁹

| Non-Buraku % | Prefecture number | Prefectures |
|--------------|-------------------|---|
| 10-19% | 4 | Ishikawa, Yamanashi, Nagano, Shimane |
| 20-29% | 5 | Ibaragi, Tochigi, Niigata, Nagasaki, Ōita |
| 30-39% | 3 | Gunma, Chiba, Shizuoka |
| 40-49% | 2 | Saitama, Osaka |
| 50-59% | 2 | Toyama, Fukuoka |
| 60-69% | 2 | Okayama, Yamaguchi |
| 70-79% | 5 | Gifu, Hiroshima, Saga, Kumamoto, Kagoshima |
| 80-89% | 2 | Kōchi, Hyōgo |
| 90-99% | 9 | Fukuoka, Fukui, Mie, Shiga, Kyoto, Wakayama, Tottori, Tokushima, Kagawa |
| 100% | 2 | Nara, Ehime |

The End of Group Boundary Policing

The rate of intermarriage formerly functioned as the clearest indicator that there existed a definable group of Burakumin. High levels of group endogamy were a sign that group boundary policing was taken seriously. For example, during the Occupation era, the intermarriage rate was estimated at about 8%. Today, this situation has changed considerably.

The 1993 national survey of Dōwa area

populations indicated, for instance, that the percentage of mixed marriages in Buraku areas overall was around 36.6% of all Dōwa marriages. Obviously, this figure did not cover intermarriage rates for out-migrants. If former Buraku residents and their descendants were included, the figure would be much higher. This figure is also for all marriages, including those contracted decades ago when discrimination was stronger and isolation deeper than at present. When the data is broken down by age, the percentage of mixed marriages rises to over 70% for those under 30 years of age, in the early 1990s. Already in the 1990s, the vast majority of new marriages involving Burakumin seem to have been intermarriages. As the older generations that did not often engage in intermarriage pass away, and the younger generations for whom intermarriage is the rule become a statistical majority, today the overall rate of mixed marriage is probably well over 50%. If the vast majority of young Burakumin today continue to marry outside of the Burakumin group, group border policing can be said to have basically ended. Not only in terms of mixed residence, but also in terms of population mixing through marriage, borders between Buraku and non-Buraku are porous.

Mixed marriages as a % of marriages in Buraku areas⁵⁰

| | | | | |
|------|-------|-------|-------|-------|
| 1951 | 1963 | 1977 | 1985 | 1993 |
| 8.2% | 13.4% | 24.9% | 31.6% | 38.9% |

Mixed marriage rates by husbands' age band

| | | | | | |
|------------|-------|-------|-------|-------|------------|
| 29 or less | 30-39 | 40-49 | 50-59 | 60-69 | 70 or more |
| 72.8 | 66.4% | 48.4% | 33.4% | 23.5% | 17.1% |

Opinion Polls on Intermarriage

The data concerning employment, income, education, mixed living and intermarriage are unequivocal evidence of the assimilation of Buraku into the mainstream. Even so, it is also true that discrimination and prejudiced attitudes are reported to be common. How much weight such incidents and data should be given, in light of the high incidence of mixed living and intermarriage, is an important issue. Is the actual incidence of intermarriage of more importance, for example, than the percentage of people who have reservations about marriage with Buraku people?

Consider data on opinion surveys regarding mixed marriage between Buraku and non-Buraku people. Alongside the national Dōwa area survey of 1993, an opinion survey of the general population was also taken. The results indicated that the percentage of married non-Buraku people who would not accept such a match for their children was relatively low, at 12.7% (combined total for “never accept”, and “reject if there is family opposition”). Looking at other more recent municipal surveys from around the country, the percentage of people who choose similar responses tends to be around the same level or lower. Those who would accept such a marriage without reservations are at over 40% for the various surveys, while the percentage of reluctant acceptance is around 20% for the more recent surveys, whereas it was 41% nationally in 1993. Sakai City is an outlier in having low acceptance rates and high rejection rates.⁵¹

In the case of single people asked what they would do if their partner turned out to be from a Dōwa area, only around 20% said it would make no difference to them. A proportion between 30 and 40% for the more recent municipal surveys said that they would seek to obtain their parents’ permission before going ahead with the marriage. A small percentage said that Dōwa origins in themselves would make them break an engagement, while somewhere over 10% said that they wouldn’t

marry in the face of family or parental opposition.

Collated surveys⁵² (married persons): If your child planned to marry with a Dōwa resident:

| How would you react? | National 1993 n=4,080 | Kitakyushu City 2015 n=2,527 | Nagoya City 2015 (n=1624) | Hyōgo 2013 n=1,210 | Sakai City 2015 n=2,850 | Tokyo 2014 n=1573 |
|--|--------------------------|---------------------------------|---------------------------|-----------------------|----------------------------|----------------------|
| Accept it. | 45.7 | 43.4 | 54.5 | 47 | 13 | 46.5 |
| Reluctantly accept it. | 41 | 29.2 | 19.9 | 20.9 | 26.5 | 19.4 |
| Reject it if family members are opposed. | 7.7 | 4.2 | 2.3 | 2.7 | 16 (tend to reject) | 2.9 |
| Never accept it. | 5 | 4.2 | 3.1% | 4.8 | 4.4 | 4.3 |
| Don't know | n/a | 14.8 | 15.2 | 19.9 | 36.8 | 27 |

Bi-directional migration and population mixture are, in fact, transforming many Buraku areas and their populations, to the extent that the category itself is in some cases losing coherence. Non-Buraku residents in Dōwa areas were calculated to constitute 28.1% of the total Dōwa population in 1971, rising rapidly to 39.2% in 1975, and then 41.8% in 1985. In the 4,442 Dōwa areas surveyed in 1993 when the last national Buraku survey was conducted, the number of Buraku households and people accounted for around 40% of the total in Dōwa areas, with the non-Dōwa population and household percentage around 60%. To what extent can areas in which the majority of people are no longer “Burakumin” be said to be Buraku?

Collated surveys (single persons): If you planned to marry with a Dōwa area person:

| If there was family opposition, would you: | National 1993 n=921 | Kitakyushu 2015 | Nagoya City 2015 | Hyōgo 2013 |
|--|---------------------|-----------------|------------------|------------|
| Marry anyway | 17 | 19.6 | 21.8 | 15.5 |
| Convince parents and then marry | 62.8 | 39.1 | 40 | 32.3 |
| Not marry if family opposition was strong | 16.8 | 13 | 10.3 | 11.1 |
| Wouldn't marry | 3.4 | 3.4 | 2.4 | 5.9 |
| Don't know | n/a | 21.1 | 21.6 | 31 |

Saitō has previously noted that the decline in arranged marriages, from which Buraku residents were automatically excluded from consideration, and the shift to love marriages, in which Buraku residents were not excluded

automatically, is an important factor explaining the increase in intermarriage. Further, due to affirmative action promoting educational and occupational opportunities for Buraku residents, more and more Buraku residents are increasingly eligible candidates for marriage. These factors have enabled intimate relationships to increase in number. However, this increase has been accompanied by a rise in the number of relationships that have foundered when the issue of marriage has come up and the “discovery” of Buraku ties has aroused anti-Buraku prejudices. While intermarriage has become the dominant form of marriage for Buraku residents, it still meets with some level of opposition anecdotally and in opinion polls.⁵³

In a 2014 survey by the Kyoto City authorities, factors of concern in the case of marriage for respondents and for respondents’ children respectively, included: personality and character (84.9% and 82% respectively), occupation (47.8% and 55.8%), nationality or ethnicity (39.3% and 39%), disabilities (36.2% and 42%), then Dōwa area origins (31.1% and 33.9%), following by academic credentials, lineage, and single parenthood.⁵⁴ Likewise, an Osaka prefectural survey of 2010 found that 20.6% of respondents classed Dōwa area origins as ‘something to be concerned about when thinking about marriage’.⁵⁵ Similar trends were recorded in Tokyo in 2014 as well.⁵⁶ Nationally, a 2012 survey by the Cabinet Office had 37.3% of respondents giving opposition to marriage as the most common form perceived to be taken by the Dōwa problem.⁵⁷

Clearly, whatever the precise reason, many people think that it is common to avoid Buraku partners in marriage. This indicates that discriminatory attitudes have by no means disappeared. At the same time, it appears that the existence of discriminatory attitudes is not necessarily a strong barrier to intermarriage. To understand this apparent paradox, in which there is a statistical tendency for most Buraku

marriages nowadays to be intermarriages, even as surveys of consciousness indicate that considerable numbers of people would prefer their children do not marry Burakumin, we must take into account the fact that this question is hypothetical. As Noguchi argues, how people feel about a marriage with a real person from a Buraku is not something that can be deduced directly from opinion surveys asking how people feel about a marriage with a hypothetical person from a Buraku.⁵⁸ This is clearly why the rate of people answering “don’t know” has ranged between 14.8 and 36.8 percent for married persons, and 21.1 and 31 percent for single persons, in the surveys above.

In reality, prospective marriages, and family support for or opposition to such marriages, are likely to occur within contexts in which there is typically some degree of everyday social contact, such that people would have a level of personal acquaintance with the other person or persons in question. However, this survey question is not posed regarding such a “real” person. Rather, it is posed regarding “someone from a Dōwa area”, or implicitly, a Burakumin. If respondents don’t actually know any Burakumin, they are being asked whether they have a positive or negative image of people from Dōwa areas.⁵⁹ In fact, most people probably don’t know any “real” Burakumin, especially as the processes of residential and family mixing and assimilation progress. This lack of acquaintance, in all likelihood, has major implications for the maintenance and reproduction of Buraku discrimination.

The End of "Real" Burakumin and the Recycling of Burakumin Stereotypes

Whether to achieve liberation in Japanese society from Buraku discrimination while remaining Burakumin, or to seek the erasure of the categories of Buraku and Burakumin from Japanese society in the process of achieving

liberation and becoming “regular Japanese”, has been a prominent issue in debate between especially, but not only, people associated with the BLL and Zenkai ren (now Jinken ren). The BLL side has tended to take the former position, and the Zenkai ren-affiliated side has tended to take the latter.⁶⁰



Members of the Buraku Liberation League at the group's national assembly in Tokyo (2015).

The BLL has tended to push for the formation of a kind of Buraku ethnicity, and encouraged people to “come out” as Burakumin.⁶¹ In areas where some variant of this position is prevalent, physical markers such as memorial statues and inscriptions, museums and “Liberation Halls” are made visible.⁶² The genre of “Buraku history” may also be seen as an example of this. Exemplifying this stance, Ōta writes that since the 1970s, ‘efforts have been made to uncover and continue’ traditional “Buraku performing arts” from the early modern period especially, in the hope of boosting Buraku pride in the accomplishments of Buraku forebears’.⁶³ Calling these “Buraku performing arts”, given that diverse status groups performed them, is questionable. However, it does reveal the tactical use of history for the purposes of creating and

maintaining an ethnic-type Buraku identity. Similarly, exhibits of, for example, the “culture of drum-making”, or “Buraku food culture” at locations such as Liberty Osaka, the Osaka Museum of Human Rights, also are made to narrate a kind of “Buraku genealogy”.

During the twentieth century, exclusion and discrimination helped bring about the creation of a Buraku identity opposed to Japanese majority identity. This proved to be strategically useful for establishing and maintaining a liberation movement. In today’s context, the assertions of Buraku identity and history may perform a somewhat different function. Joseph Hankins has written about how the existence of minorities such as Burakumin, Ainu and Okinawan people, Zainichi Koreans and so on, can be cited by those of a cosmopolitan bent⁶⁴ in order to buttress a narrative of a more liberal Japan that is moving away from often-criticized myths of mono-ethnicity, and towards recognition of its multicultural past and present. By recognizing minority groups, and taking policies to foster their inclusion and to ameliorate their disadvantages, Japan can be represented as a progressive and liberal state in the global era. For such a narrative to be convincing, however, minorities must be visible, and show their “groupiness” through cultural symbols, for example, as in the case of Ainu, Korean, and Ryukyuan language and clothing, Buraku occupations and products, and so on.⁶⁵ The Buraku identity and pride movement obviously can help to build a foundation for valuing formerly devalued identities, to be acknowledged and respected by majority society, while also assisting in the creation of a new and more inclusive narrative of Japanese society. But it remains a highly contested strategy in the Buraku context.

Taking an opposing position, the Osaka lawyer and former Osaka governor and then mayor Hashimoto Tōru, in a speech to the Osaka prefectural assembly, said “I grew up in a so-

called Dōwa area, and I am of the opinion that the Dōwa issue is not at all resolved [...]. The generation before mine thinks that they suffered from Dōwa discrimination. But my generation thinks that Dōwa measures have, ironically, fostered discrimination.” By providing special measures, by making Buraku areas visible, by encouraging people to identify as Burakumin, material improvements were obtained, but discriminatory consciousness and practice were also maintained, he concludes. During his stints as governor of Osaka prefecture and then mayor of Osaka city, a stream of decisions at prefectural and city levels shut down Dōwa-related facilities, which were renamed, repurposed, or privatized to erase traces of the special measures. ‘If you want to resolve all the problems of so-called discriminated Buraku, then as far as possible, we should get rid of things that have served their purpose and make them into ordinary areas. There’s no need to leave “concrete signs”. It’s necessary, in fact, not to.’⁶⁶

This is similar to the position taken by residents in the many Buraku areas that turned down Dōwa status during the Special Measures Law era.⁶⁷ Quite a few small Buraku in Shiga, the majority of Buraku in Kanagawa, and all Buraku in Toyama and Tokyo, for example, decided against Dōwa classification in trying to jettison their Buraku status.⁶⁸ It is estimated that over 1,000 Buraku locations were never covered by the Dōwa Projects Special Measures Law.⁶⁹ Various indicators suggest that it is this tendency to seek assimilation, rather than to maintain difference, which has strengthened over time.

After the DPSM measures expired in 2002, many BLL branches that had only existed in order to obtain benefits were rapidly dissolved. Cuts in public works projects that had employed many Buraku residents also led to weaker adherence to the BLL.⁷⁰ Referring to this flight from the BLL after the end of the Dōwa special measures era, Yagi commented

that, ‘When poverty comes in the door, love flies out the window’.⁷¹ This trend is evident in the dramatic drop in BLL membership and its decreasing ability to mobilize voters for specific political candidates. From 1962 onwards, a BLL-backed candidate always took a proportional seat in the House of Councilors, until 2010, when Matsuoka Tōru managed just 68,119 votes and lost his seat in a proportional representation district. (BLL membership is under 70,000 now). This contrasts with the 114,136 votes that he obtained in 2004—a drop of over 40,000 in six years—but the biggest contrast is with the previous situation, when Matsumoto Jiichirō, and his nephew and heir Eiichi, successively won over half a million votes in four consecutive elections.⁷² This inability to mobilize voters is taken to signify the waning influence of the BLL.

A tendency for Buraku organizations to disband—stating that their purpose for existing, namely, the resolution of material disadvantage, had been achieved—emerged already in the 1990s.⁷³ Recently, the Nara Prefecture Federation of Buraku Liberation League Branches stated that ‘The Buraku problem is no longer a major problem for Burakumin’ and dissolved in 2010.⁷⁴

The lessening of material disadvantage by the 1990s was instrumental in weakening Buraku communities. Because of the success of Dōwa policies and the postwar liberation movement, many people in Buraku areas were able to move out. Even if they stayed, they were able to live in larger residences with more rooms per person, and enjoy more individual space. They were better educated, and usually went to high schools outside of the local area, with friends outside the Buraku area too. More often, in gaining employment, they worked outside of Buraku areas, and also more and more commonly moved out of Buraku areas. Buraku identity or rootedness faded as a result.⁷⁵

Viewing these trends, Suginothara Juichi, a leading scholar of the Buraku issue long associated with Zenkai, wrote that ‘as a remnant of feudal status discrimination, Buraku / Burakumin as real entities have already disappeared, and the vast majority of people are no longer concerned with the issue’. However, he went on to add, ‘some people are minimizing real change, and say discrimination is still strong, and want laws and projects, and try to re-create Buraku and Burakumin as permanent different groups, and talk about coexistence, and this is what I call a false theory’.⁷⁶

Most Buraku residents, past and present, clearly are not choosing an ethnic-type Buraku identity. Most are less and less concerned with maintaining Buraku identity and dealing with disadvantage. Some of the trends that Suginothara refers to are irrefutable. However, his dismissal of discrimination is controversial. Yagi writes, ‘There is no truth in the claim that Buraku discrimination has disappeared. We should say, it exists today, but its invisibility is deepening daily. It’s “there” but ‘invisible’ or ‘getting harder to see’, that’s the actuality’.⁷⁷ Who Burakumin are is increasingly hard to grasp, and Burakumin themselves are becoming less motivated to live as Burakumin, but discrimination against people imagined to be Burakumin still continues, he proposes. Hatanaka Toshiyuki too, has described the actuality of the Buraku issue similarly. For him, it is a dual phenomenon, which continues to exist, but also does not exist. For those who are ignorant about the issue and who do not discriminate or are not discriminated against, there is no Buraku issue, and this group is thought to be increasing. But at the same time, for those who discriminate and who are discriminated against, there is still a Buraku issue.⁷⁸

In fact, as with the case of opinion surveys about marriage and actual cases of intermarriage, the gradual assimilation of

Buraku residents and their consequent decreasing visibility may be thought, paradoxically, to be linked to reports of incidents of discrimination. As Buraku residents move out, mix with other populations, and give up Dōwa status, they tend not to make Buraku identity a big thing in their lives. In fact, it seems, most prefer to keep quiet about it. Thus, Noguchi has written about how ‘Buraku origins are made other, even by Burakumin themselves’. Even among people who are aware of shared Buraku origins, ‘it’s not talked about, as though it’s not something you should know.’ Basically, he says that there is a kind of Buraku taboo even among Burakumin.⁷⁹

This virtual taboo has long existed for non-Buraku people. Historically, the BLL tactic of strongly and publicly denouncing discrimination made non-Buraku people avoid talking about Buraku issues. Various branches of the Buraku Liberation League declared that to ask, investigate or to say whether an area was a Buraku was in itself a discriminatory act that would lead to denunciation.⁸⁰ This gave rise to a situation in which non-Buraku people avoided the topic altogether.⁸¹

In the context of a generalized silence by non-Burakumin and Burakumin about the Buraku issue, most people have little access to images of “real” Burakumin. The sociologist Miura Kokichirō cites an essay by one of his students as illustrative of this tendency: ‘There are areas that long ago used to be called Buraku. . . We don’t know who lives there, and what kind of lives they lead... Buraku are strange places’.⁸² In imagining who Burakumin are, and what they are like, this “strangeness” based on ignorance risks leading people to rely on their imagination and the stock of frequently negative historical stereotypes. The lack of visibility of Burakumin in the post-Dōwa measures era may be allowing the ghosts of past Buraku stereotypes to re-colonize people’s imaginations.

Internet-based comments and musings about Buraku issues are exemplary of this. Kawaguchi Yasufumi has found that online searches relating to Buraku tend to give as their top-ranking results, (as indeed they do for searches relating to zainichi Koreans or “foreign crime”), an array of webpages that are characterized by hate speech, ignorant prejudice, discriminatory attitudes, and problematic information. These issues can be seen in the controversy surrounding the actions of Tottori Loop (a.k.a. Miyabe Tatsuhiko), who has engaged in several long-running legal battles with Buraku activists.

Arguably, the most important incident has been Miyabe’s online posting of pre-war lists of Buraku locations and surnames. In the past, such lists were infamously used by some companies and universities to identify and discriminate against Buraku people. Activists fear that making access to such data available to anyone with an internet connection will lead to people searching for Buraku areas and people, posting or sending abusive messages, discriminating against Buraku people, and so on. As for Miyabe, his logic is that such lists were inaccurate to begin with, have no reliable relation to real Buraku because of urban development and population movements, and that it’s not possible to objectively ascertain if someone is a Burakumin or not in terms of lineage anyway, because household registration data records have been sealed for several decades.⁸³



"They told us, 'You mustn't go there.'" An anti-discrimination ad on *dōwa* neighborhoods aired by the Kagawa Prefectural government.

Rather than take issue with Miyabe’s contention that there aren’t any “real, objectively provable Burakumin”, Kawaguchi argues that the problem is that some people will, in ignorance and with prejudice, use the data to identify and discriminate against certain places and people associated with them. Presumably, if there were no discrimination and prejudice, then the posting of such data might be acceptable. But because of this still-present risk, he proposes that laws should be revised to make it easier to erase hate speech from the Internet, that Internet service providers should introduce filters to exclude discriminatory material, and that people such as Buraku activists and their supporters must provide counter-information and rebuttals with concrete and correct information about Buraku areas and residents on the Internet.⁸⁴ Presumably Kawaguchi calls for increased internet visibility and the provision of more “correct” information because many people have minimal familiarity with Buraku areas, history, and people. In that vacuum, some people satisfy their curiosity about the Buraku issue using online sources, which range from the unreliable to the completely bigoted.

The activist and academic Sumida Ichirō has developed a similar argument over recent years. A proponent of the idea that Burakumin should be encouraged to “come out” as Burakumin, Sumida questions the Buraku taboo. ‘Must Burakumin be treated as though they don’t exist, or as a taboo subject?’⁸⁵ He criticizes a double standard at work in the Buraku movement claiming that Burakumin need assistance and special measures to guarantee their equality, while at the same time rejecting the identification of Buraku

people and locations as discrimination.⁸⁶ To have a relationship in which Burakumin only appear in cases of discrimination to denounce it, but remain incognito or even taboo otherwise, is not a situation amenable to dialogue and resolution, he points out. For him, ignorance and prejudice need to be fought with reality, rather than abstract ideas about “correct education” and human rights.⁸⁷ This is why it is necessary for Burakumin to come out as Burakumin, to dismantle unfounded prejudices and stereotypes that are able to persist because real Buraku and Burakumin are absent from public discourse. However, Sumida’s call for Burakumin to “come out”, show their “real lives”, and thereby dismantle negative stereotypes seems to have little appeal with Buraku residents, present and past. Given the strength of trends towards assimilation into the mainstream, this no longer seems to be a viable strategy.

In Conclusion: The 2016 Law for the Elimination of Buraku Discrimination

The Japanese parliament or Diet passed the Law for the Promotion of the Elimination of Buraku Discrimination in December 2016 with overwhelming support. Nikai Toshihiro, the current (December 2017) Secretary-General of the ruling Liberal Democratic Party, played a key role in the passing of this law, bringing other prominent LDP figures such as Inada Tomomi, then Defense Minister, and Katayama Satsuki, then Vice Minister for General Affairs, into the drafting committee. His enthusiasm is considered to have been repayment for the strong support that the Wakayama prefectural BLL office has given him in his election campaigns, as well as his longstanding friendship with a key figure in the BLL. Tanikawa Masahiko, former head of the Buraku Liberation and Human Rights Institute in Osaka, also surmises that the law was drafted rapidly because the LDP is keen to lock in all

and any sources of support in its drive to get the numbers to achieve constitutional change.⁸⁸

The law is a very general statement of principle that calls on the state and local bodies to take actions, including education, counseling, and research, towards the elimination of Buraku discrimination. Curiously, the six articles comprising this law do not mention what Buraku discrimination is. Nor does it touch on *who* its subjects and its targets are.

Further, unlike previous legislation, the law is very clearly not about money or funding. In the drafting process, the BLL representative invited to give a submission to the Law Committee of the House of Councilors attested that the organization was not interested in having a law with provisions to fund projects. Miyazaki Masahisa, LDP Member for the House of Representatives, told the same committee that the law had been worded specifically so that there would be no grounds for any organizations to claim project funding.⁸⁹

The first article of this law is as follows.

Given the continuing existence of Buraku discrimination; given the changing situation due to the development of information technology; in accordance with the Constitution’s guarantee of basic human rights to all nationals; in the belief that Buraku discrimination cannot be permitted to exist; and considering its elimination to be an important objective, this law sets out basic principles regarding the elimination of Buraku discrimination, clarifies the responsibilities of the state and of regional public bodies, and stipulates the expansion of consultation mechanisms and so forth, thereby to promote the elimination of Buraku discrimination, and thus, to realize a society without Buraku discrimination.⁹⁰

More precisely, Article 2 states that central and local governments shall cooperate to

implement suitable measures, while Article 3 provides for improved advisory services. Article 4 calls for educational and promotional activities to be conducted, while Article 5 calls for information to be gathered via regional and local governments, presumably based on opinion polls and surveys of Buraku areas. Article 6 merely states the date of the law's entry into force.

While welcomed by the BLL as signaling the achievement of a long-held goal, the Kyoto-based Institute for Buraku Problems denounced the passing of the law as being more likely to contribute to the entrenching of Buraku discrimination rather than to its elimination. This is also the reason given by the JCP for its longstanding opposition to such a law.⁹¹ Actually, this was also the position of the Liberal Democratic Party Policy Research Committee, at least in the 1980s, when it stated in an internal document to LDP parliamentarians that “to establish a law for the elimination of Buraku discrimination as a basic law would lead to the formal encrustation of those discriminated areas and residents, and risks arousing extremely grave political and social consequences. It is fundamentally in opposition with the measures that our policies have been pursuing.”⁹²

The Law, and debate surrounding its passing, thus echo long-running debates about the best strategy for the Buraku liberation movement to take, with assimilation and difference as the two major options. *Dōwa* policies, from the assimilationist perspective, were aimed at

eliminating the categories of Buraku and Burakumin from Japanese society. Attempts to try and grasp their increasingly tenuous reality and to express it in terms of officially designated areas and populations seems thus to be anachronistic, if not positively harmful. This position sees no good reason for the maintenance of Buraku identity.

Conversely, for those who adopt a position that we might term multiculturalist, it is on the contrary a good thing for minorities such as Burakumin to assert the right to exist on their own terms, to maintain and have pride in their own traditions, and to develop their identities. This is not just because it constitutes a case of a particular minority asserting its legitimate right to exist and thrive, but also because by helping to realize an officially more diverse Japan, it contributes to the expansion of the rights of all minorities.

In the context of rising hate crimes and intolerance, in Japan as elsewhere, the official recognition of certain minority groups may seem to be quite a desirable result. However, the general trend among people who might claim Buraku backgrounds seems to be to reject such an identity. Ultimately, it may be more desirable, especially given existing constitutional guarantees of equality and freedom, to develop people's ability to make choices about the identities they choose, and to ensure that such choices can be made in relative freedom from coercion.

SPECIAL ISSUE

A New Constitution for Japan?

Edited by Tessa Morris-Suzuki and Takahashi Shinnosuke

Tessa Morris-Suzuki, [The Constitution, Human Rights and Pluralism in Japan: Alternative Visions of Constitutions Past and Future](#)

C. Douglas Lummis, [We, the Japanese People: Rethinking the Meaning of the Peace Constitution](#)

Okano Yayoi, [Prime Minister Abe's Constitutional Campaign and the Assault on Individual Rights](#)

Uemura Hideaki and Jeffrey Gayman, [Rethinking Japan's Constitution from the Perspective of the Ainu and Ryūkyū Peoples](#)

Noah McCormack teaches International Relations, Sociology, and Cultural Theory in the Department of International Relations at Kyoto Sangyō University.

Notes

¹ These are terms generated by the state and regional administrations for the purpose of implementing affirmative action measures. Dōwa areas are basically areas that are considered to be Buraku areas. However, not all Buraku areas were Dōwa areas, because residents or authorities in some areas rejected this classification. Also, some areas gave up the status of Dōwa area, on the grounds that the gap with the rest of society has been largely negated. The term Dōwa-related persons is seen to refer to Burakumin. However, it only refers to those people within Dōwa areas who are recognized as Burakumin. Many people living in Dōwa areas are not recognized as Dōwa-related persons, because they are relatively new arrivals, or chose not to receive affirmative action-related benefits. In this article, the terms Dōwa and Buraku are used interchangeably, unless otherwise specified. The last national Dōwa area survey data is from 1993; data since then is collated from various local sources.

² Okuda Hitoshi, *Dōtaishin tōshin wo yomu*, Osaka: Kaihō Shuppansha, 2015, pp. 22-23.

³ Takano Masumi, "Nihonkoku kenpō to buraku mondai", in Tomonaga Kenzo and Watanabe Toshio (eds.), *Burakushi kenkyū kara no hasshin*, vol. 3, *Gendaihen*, Osaka: Kaihō Shuppansha, 2009, pp. 20-21.

⁴ Mizuuchi, Toshio, 'Suramu no keisei to kuriaransu kara mita Osakashi no senzen / sengo', *Ritsumeikan daigaku jinbun kagaku kenkyūjo kiyō*, vol. 83, 2004, pp. 41-43. In Kanto it is believed that Buraku areas had already become hard to grasp as a result of the Great Kanto Earthquake, and became even more so as a result of the massive wartime destruction.

⁵ Okuda, *Dōtaishin tōshin wo yomu*, 24-25; Kadooka Nobuhiko, "Buraku kaihō undō ga nokoshitekita mono", in Akagawa Manabu *et al.*, *Dōwa no shinsō no shinsō*, Osaka: Kaihō Shuppansha, 2004, pp. 49-50. Cited constitutional passages from [here](#).

⁶ Shimono Osamu, "[Shūshoku sabetsu](#)", in Buraku Kaihō Jinken Kenkyūjo (ed.), *Buraku mondai jinken jiten*, 2001.

- ⁷ Dōwa Taisaku Shingikai, “[Naikaku Dōwa Taisaku Shingikai Tōshin](#)”, 1965.
- ⁸ Hasegawa Masayasu, *Buraku mondai no kaiketsu to nihonkoku kenpō*, Kyōto: Buraku Mondai Kenkyūjo, 1995, pp. 9-12.
- ⁹ Sasaki Ryōji, *Sengo seiji shihai to Buraku mondai—Kaidō rosen wa dō keisei saretanoka* Kyoto: Buraku Mondai Kenkyūjo, 1995, pp. 7-11.
- ¹⁰ Fudesaka Hideyo and Miyazaki Manabu, *Nihon kyōsantō vs. Buraku kaihō dōmei*, Tokyo: Monado Shinsho, 2010, pp. 221.
- ¹¹ Japan Socialist Party Central Executive, 1971, “