

Statement Regarding John Mark Ramseyer's Articles on the Buraku Problem

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Board of Trustees and Research Committee of the Institute of the Buraku Problem
(Public Interest Incorporated Association)

John Mark Ramseyer, professor at the Harvard University Law School, has published the following two articles concerning the Buraku problem:

J. Mark Ramseyer and Eric B. Rasmusen "Outcaste Politics and Organized Crime in Japan: The Effect of Terminating Ethnic Subsidies" *Journal of Empirical Legal Studies* 15-1 2018.3

J. Mark Ramseyer, "On the Invention of Identity Politics: The Buraku Outcastes in Japan" *Review of Law and Economics* 16-2 2019.11

These articles by Ramseyer must be said to represent the most egregious examples of historical revisionism concerning the Buraku problem to have appeared in the English-speaking world. The Institute of the Buraku Problem, which has sought to contribute to the development of Japanese democracy throughout the post-war period by conducting and disseminating the results of scholarly research on the Buraku problem and other human rights issues, is unable to ignore Ramseyer's assertions.

1. The Fruitless Historical Falsehoods of Ramseyer's Articles

Unlike racial discrimination and anti-Semitism, the Buraku problem is a particular Japanese social problem characterised primarily by the lingering after effects of the feudal status system. In [Japan's] feudal status society, groups of outcaste people formed their own settlements, and were integrated into a hierarchical social structure with members of various other status groups. With the Meiji Restoration, the feudal status system was abolished, but the Buraku problem formed as a result of regional inequality and discrimination in modern Japan, linked also to the problem of poverty under capitalism. Finding a solution to that problem constituted an historical challenge that persisted into the post-war era.

[In his articles] Ramseyer artificially characterizes the Buraku problem as an "ethnic" group problem, and on the basis of some of the negative things that occurred during their implementation, portrays the Social Integration measures (*Dōwa Taisaku jigyō*) which were adopted on the basis of the realization that solving the Buraku problem was a matter of national importance, as if they were entirely worthless. This represents a complete denial of the sustained efforts of the Japanese people to achieve a successful resolution of the Buraku problem over a period of many years, and [in this regard also] a denial of a major accomplishment in the history of human rights in Japan.

Ramseyer's motives and aims are apparent from the first of the articles listed above.

In the context of the post-war effort to find a solution to the Buraku problem, Asada Zennosuke and others from the Buraku Liberation League (*Buraku Kaihō Dōmei*) split the Buraku liberation movement, and in keeping with their “Buraku First” approach, turned the Social Integration Measures into a source of special concessions. Sloppy and improper [management of resources] and violent incidents such as the Yōka High School incident emerged as social problems, and there were also cases of what the government terms “Deceitful Social Integration Activities” (*Ese Dōwa kōi*). All of these things formed a “counter current” (*gyakuryū*) hampering the effort to find a solution to the Buraku problem. Pointing selectively to these kinds of incidents, Ramseyer has decided to label all of the various activities of the Buraku Liberation League a form of “organized crime” connected to violent gangs, and to criticize [the government’s] Social Integration administration as the product of a strategy of “extortion” (*yusuri*). What is more, he portrays the communities formerly targeted for assistance with the Social Integration policies as the source of criminal gang members. In doing so, Ramseyer has used an academic journal to falsely smear the residents of these communities. Taking this kind of approach, Ramseyer completely denies the strong current of serious Buraku liberation efforts dating back to the pre-war period, the various other social movements that have supported those efforts, and the enormous achievement of the Social Integration policies, which were a necessary condition for the resolution of the Buraku problem.

In his second article, Ramseyer suggests that the origin of what he criticizes as the BLL/Social Integration administration’s “structure of extortion” (*takari no kōzō*) lies in the fabrication of a fictitious social identity by the Zenkoku Suiheisha [in the pre-war era]. Yet, when considered against the body of historical research into the Buraku problem that has been produced up until now, it is clear that in developing this argument Ramseyer has simply cherry picked from one part of the existing research while ignoring any research or facts that do not suit his objectives, so as to lay out his entirely fruitless and dogmatic claims. As the basis for his claims about [the fabrication of a] false [Buraku identity], Ramseyer specifically presents the view that Buraku residents are the descendants of poor farmers from the Edo period: a one-sided misrepresentation. Reading between the lines we can see that what lies behind Ramseyer’s “poor farmer” origin thesis, is, in fact, his determination to attack affirmative action policies and “ethnic subsidies” around the world, leading him to present arguments which are distorted and fraudulent.

The establishment of the Suiheisha was a hugely significant first step in the development of the consciousness and solidarity needed for the effort to eliminate discrimination against Buraku residents. Its historical significance has been objectively studied, and affirmed, within the full sweep of history. Ramseyer’s denigration of its role with claims that it fabricated a false identity is unworthy of recognition as historical scholarship.

2. Failure to Comprehend the Effort to Resolve the Buraku Problem

Because Ramseyer has made no effort to understand the nature of the Buraku problem, he has also completely failed to comprehend the manner in which the problem has been resolved.

The objective conditions that made resolution of the Buraku problem possible were changes to the social structure, particularly the social structure of regional society, brought about by high economic growth and associated changes in citizens' attitudes. Within this larger context, the implementation of the Social Integration Measures served to advance the resolution of the Buraku problem by correcting disparities and promoting social interaction [between Buraku and non-Buraku communities]. In the process of their implementation, however, a counter current, which linked the Social Integration policies to special interests and violence, spread. To confront this counter current, an approach appropriate to the specific nature of the Buraku problem, which differs from that of racial and ethnic problems, was subsequently developed around the idea of "national reconciliation" (*kokumin yūgō*) (with a focus on correcting disparities, eliminating discrimination and social interaction between Buraku and non-Buraku communities). In conjunction with this, the All Japan Federation of Buraku Liberation Movements and the National Conference on the Buraku Problem for National Reconciliation were formed. These organizations promoted collaboration and cooperation between Buraku and mainstream residents to resolve the Buraku problem, and facilitated movements to build community in regional areas. As a result, in 2002, with the attitudes of local residents continuing to change as a result of the correction of disparities, growing social interactions, and the ongoing spread of intermarriage between Buraku and non-Buraku people, the Special Measures Law for promoting social integration was terminated, and it was decided that any remaining issues should be addressed through regular policy initiatives. This was because of the concern that, at a point when national reconciliation had progressed to such an extent that it was no longer possible to identify particular areas or residents [as Buraku], to maintain special policies based on such identifications would itself reproduce discrimination, and run the risk of creating harmful entitlements. Given the circumstances, and this understanding of them, the termination of the Special Measures Law for promoting social integration won broad acceptance among relevant parties and the broader public. In this way, the resolution of Buraku problem became firmly entrenched in the flow of history. Viewed in light of the above, the "Law concerning the promotion of the elimination of Buraku discrimination" (*Buraku sabetsu no kaishō no suishin ni kansuru hōritsu*) enacted in 2016 constitutes an unproductive and harmful backward step within this larger flow. It is our belief that, today, the prospects for an ultimate resolution of the Buraku problem are more readily apparent than ever before.

Based on the understanding outlined above, and from the perspective of our commitment to supporting democratic principles in scholarly research, we have serious concerns about the academic review processes in place at the journals that have published Ramseyer's articles. After new reviews have been conducted following proper academic procedures, we call for said journals to either retract Ramseyer's articles or to publish appropriate scholarly critiques.

(Translated by Daniel V.Botsman)