

Buraku Chimei Sōkan: Persisting Tool of Discrimination

Introduction

In 2016, a group called Tottori-Loop released on their website as well as through its publishing company, Jigensha, material under the name *Zenkoku Buraku Chōsa*, otherwise known as “Nation-wide survey of Buraku.” This material contains information on various *buraku* areas and other personal information. The publication immediately drew attention from various actors including Burakumin activists such as those from the Buraku Kaihō Dōmei or Buraku Liberation League (BLL) and other human rights organizations. These actors requested that the *Zenkoku Buraku Chōsa* not be sold.¹ However, not all book sellers complied with this request. For example, Yahoo! Auction Japan sold a copy of the print version for 51,000 yen. Furthermore, people created mirror sites of the content of this survey.

In response to the criticism, Tottori-Loop argued that the information on the Burakumin should be published because it is unlike the *buraku chimei sōkan* (“comprehensive list of *buraku* areas”). Instead, the publication is meant to contribute to the liberation of Buraku.² The group highlighted that its founder self-identifies as a Burakumin, and as a result, the publication is not discriminatory against Burakumin. But this was not the first time that Tottori-Loop sought to publish material of this type of information. Prior to the *Zenkoku Buraku Chōsa*, the group requested information from the courts on Burakumin as well as published information online

¹ Mariko Ishikawa. “Exclusionism and the Burakumin: Literacy movement, legislative countermeasures and the Sayama Incident,” in *Cultural and Social Division in Contemporary Japan: Rethinking Discourses of Inclusion and Exclusion*, ed. Yoshikazu Shiohara, Kohei Kawabata, and Joel Matthews (London: Routledge, 2019), 177, Ebook.

² Ishikawa, 177.

from sources such as media, news articles, official surveys, and privately collected information about the Burakumin in order to create a narrative of Burakumin “privilege.”³ In addition, Jigensha published various books considered discriminatory towards other minority groups in Japan including Okinawan people, Ainu, and *Zainichi*-Koreans.

However, the BLL disagreed with the logic of Tottori-Loop. Instead, it argued that the publication of the survey will lead to discrimination against people living in the areas mentioned. After it requested book sellers to not publish the *Zenkoku Buraku Chōsa*, the BLL sued the publishing company to prevent its further spread. The court case has not yet finished in 2020.

The two sides’ debate over this publication is not something new. As mentioned previously, Tottori-Loop argues that its publication of the survey is in the name of “liberation.” The BLL and other activist organizations also have struggled for liberation for Burakumin in their own ways, one of which includes preventing the identities of those associated with *buraku* from being publicized but others include embracing *buraku* identity, teaching about the origins of Burakumin and human rights, and so forth. In addition, the *buraku chimei sōkan* is mentioned because it is used to discriminate against people associated with *buraku* areas. While Tottori-Loop’s statement implies that the *buraku chimei sōkan* is no longer used, this is not the case because at the very least it continues to exist in people’s consciousness when talking about Burakumin and discrimination.

Therefore, there are several research questions in mind. First, why does *buraku chimei sōkan* continue to exist? How do people interact with such material? How is the *buraku chimei sōkan* and other materials like it used to construct identity for Burakumin in Japan? I argue that

³ Ishikawa, 177. Otherwise referred to as “*dōwa privilege*” that refers to the idea espoused by some within Japan that receiving funding by the government is in fact creating division among common people. According to believers of this idea, such discrimination leads to discrimination because not all people have access to this funding.

materials that can be classified as *buraku chimei sōkan* are used to perpetuate a boundary by different actors between Burakumin and non-Burakumin, which is then used to discriminate against Burakumin. In addition, materials such as the *buraku chimei sōkan* construct a paradoxical identity regarding Burakumin because of the way these materials are used to externally categorize a group of people as “Burakumin,” who then seek to deny or hide this categorization, while also claiming Burakumin identity to fight against discrimination.

Literature Review

One of the critical debates in studying discrimination and the Burakumin in Japan is defining the minority group. The term “Burakumin” originates from the terms *buraku* and *min*, meaning “hamlet” and “person” respectively. Šturdík (2017) cites the prominent scholar of Burakumin in Japan, Kadokawa Midori’s preference for *hisabetsu buraku* or “discriminated against *buraku*” to highlight the group’s discriminated status. In addition, scholars such as Tsutsui (2018) notes that terminology towards this minority group in Japan includes the term *dōwa* from the words *dōhō ichiwa* or “brothers/countrymen united” that was popularized during the 1940s. Such a term is considered more neutral than others and is often applied to different policy measures by the Japanese government. However, unlike *hisabetsu burakumin*, the term *dōwa* obscures discrimination. However, in non-Japanese language scholarly work, particularly that in English, scholars typically refer to this minority group as “Burakumin” although terms such as Buraku people are coming into use.

Nonetheless, while many scholars use the name “Burakumin,” there have been various discussions over the origins of the group. Scholars such as Ishikawa (2019), Tsutsui, Brown (2013), and Bondy (2010) state that Burakumin discrimination predates the Meiji Period (1868-1912), the start of modern Japan. Instead, Burakumin discrimination originates to the Tokugawa

Period (1603-1868), when the government institutionalized discrimination based on class and descent. During this period, the government created a hierarchical social structure, with samurai at the top followed by farmers, artisans, and then merchants. Outside this hierarchy were those referred to as *eta* and *hinin*, otherwise known as “much filth” and “nonhuman” respectively. These groups lived in segregated communities from other people, in areas often susceptible to natural disasters or poor quality land that could not be used to make a living or farmed for personal sustenance. Many belonging to these categories often worked in occupations that involved death, blood, filth, such as working with leather and meat, executions, or making footwear. In addition, the Tokugawa system increasingly imposed regulations and impositions on where they could live, what they could wear, and what sorts of interactions they could have with non-outcastes.

However, Ishikawa mentions that Burakumin’s origins goes back even further than the Tokugawa system as such discrimination did not suddenly appear and decided upon by the Tokugawa government. Instead, discrimination came from different parts of society and ideas found in Buddhism and Shinto revolving around death and pollution, ideas predating the Tokugawa period by centuries. Meanwhile, Neary (2003) remarks on Japanese discourse on Burakumin, discussing the debates among organizations involved in Burakumin activism over time. Neary states that among the Japanese Communist Party (JCP), leadership argued that discrimination toward the Burakumin did not exist until the Meiji era because the *buraku* designation did not yet exist. Amos (2015) says the Meiji state through the Emancipation Edict of 1871 created this discourse because the edict “newly constituted and eradicated in a single

act” Tokugawa era outcastes, creating ambiguity, tension, and prohibiting former terminology used by Japanese people.⁴

The debate on history extends into the nature and existence of discrimination, and in turn, what strategies should then be taken to end discrimination. In general scholars agree that at some point, individuals experienced discrimination for their presumed identity as Burakumin in employment, marriage, education, housing, and so forth, but this view contrasts with discourse within Japan. In particular, there have been debates surrounding this topic between organizations working or have worked on Burakumin issues such as the BLL and the JCP. Neary and Reber (1999) note that the organizations associated with the JCP believe that capitalism and democratization will improve living standards such as housing improvements to housing because it is a class issue not an ethnic one. Reber also states that help should be directed towards the individual with government support, and that not all instances are actually discrimination, but can be considered freedom of speech, a principle that must be protected.⁵ In addition, Tsutsui notes that these organizations say that “Burakumin discrimination had been resolved”⁶ and giving attention to their status will then lead to more division in society.⁷ In contrast, the BLL takes a human rights approach because discrimination still continues to exist and this approach has the language and tools to discuss and resolve problems. Šturdík’s translation of Kurokawa’s work also notes similar ideas, namely how a positivist approach to Burakumin issues only focuses on the positive aspects of culture, not the existence of discrimination and other social

⁴ Timothy Amos, “Fighting the Taboo Cycle: Google Map Protests and Buraku Human Rights Activism in Historical Perspective,” *Japanese Studies* 35, no. 3 (2015): 334.

⁵ Emily A. Su-Lan Reber, “Buraku Mondai in Japan: Historical and Modern Perspectives and Directions for the Future,” *Harvard Human Rights Journal* 12 (1999): 345.

⁶ Kiyoteru Tsutsui, “Burakumin: Minority to International Organization” in *Right Makes Might: Global Human Rights and Minority Social Movements in Japan* (New York: Oxford University Press, 2018), 212.

⁷ Tsutsui, 173.

issues, but using the human rights approach will open discussion which is necessary to end discrimination.

Also, many scholars acknowledge that who is considered Burakumin, where are *buraku* areas, and so forth has changed over time due to changing definitions by the Japanese government. They point out how government funding from the 1960s-2002 depended on which areas were recognized as *dōwa* areas, ignoring individuals who may identify as Burakumin but might not live there, those that moved out of previous *buraku* areas yet still suffered from inequalities stemming from discrimination, and so on. Furthermore, it is difficult to ascertain statistics about the Burakumin population due to the way that information is collected by the government including lack of recent data. This shows how difficult to argue for narratives that say Burakumin no longer experience discrimination because the data used to support it may not reflect reality.

While previous scholarly work has examined Burakumin history, activism, and debates over the continuance of discrimination, fewer works in English have studied incidents of discrimination in depth, creating a gap. Also another gap in the English literature about discrimination targeting Burakumin is how few works analyze tools or mechanisms used to discriminate against Burakumin. Notable exceptions include Botsman (2016) and Amos, who take a historical approach in how maps were used to discriminate against Burakumin in the 1960s with reprints of historical maps and in the 2000s with the use of technology by Google respectively. Although mentioned in previous literature, the *buraku chimei sōkan* and other materials like it, has rarely been mentioned and examined extensively for their role in the continuing incidents of discrimination against Burakumin except by Ishikawa and Reber. Lastly, because previous scholarship is often historical in approach, it leaves room to discuss theories

relating to ethnicity and identity with the exception of Brown's work on racialization of Burakumin. This will be demonstrated in examining and analyzing how the *buraku chimei sōkan* has been used to create a boundary between Burakumin and non-Burakumin and how it contributes to the construction of Burakumin identity.

Methodology

Because of these gaps in English scholarship towards significant events impacting minority groups like the Burakumin and the *buraku chimei sōkan*, this leaves room for sociological theories on ethnicity, boundaries, and identity to help questions on why the *buraku chimei sōkan* has continued to exist and how it contributes to identity formation for Burakumin, particularly the idea of a paradoxical identity.

There are many theories pertaining to these concepts, however, Fredrik Barth, Richard Jenkins, and Rogers Brubaker and Frederick Cooper's ideas provide a useful framework for analysis due to their direct connection on several key concepts and terms.

Barth's ideas found in "Ethnic Groups and Boundaries" are useful in understanding that ethnicity is not based in culture, developed in isolation, and never changing, but rather one that is influenced by interactions between different groups. Furthermore, Barth discusses how the nature of interactions between groups can allow for boundaries to persist despite the notion that interaction actually decreases perceived differences and how it impacts the lives of individuals within an ethnic group. These ideas are useful in understanding why a boundary exists between Burakumin and non-Burakumin.

Meanwhile, in "Rethinking Ethnicity: Identity, Categorization and Power" by Jenkins helps to expand on Barth's ideas and clarify useful concepts for answering the aforementioned

research questions. Within Jenkins's work, are ideas pertaining to categorization and the connections to power and authority. Although Jenkins discusses how ethnicity is a two-way street, his ideas on externally-located processes and the contexts which include a spectrum of informal to formal interactions are the most useful. These concepts are particularly useful in analyzing the impact on boundary and identity formation from state and non-state actors towards the Burakumin in conjunction with those of Barth's by giving the right terminology to describe such responses. Brubaker and Cooper's ideas in "Beyond "Identity"" are useful in clarifying the terminology used to analyze, particularly their ideas regarding categorization and identification, helping to give weight to those discussed by Jenkins.

One of the negatives to using these theories is that there is much focus on actors that categorize and ascribe ethnicity to an outside actor, but less of the internal identity formation on individual actors. Furthermore, there are complications in analyzing from the perspective of the BLL and other activist groups or from a generalized "Burakumin" or outcast viewpoint. Although part of this is due to the nature of the topic because the Burakumin are a very different type of ethnic group since there are no obvious forms of difference between Burakumin and non-Burakumin and it has been difficult to get extensive and recent survey data about Burakumin, it is therefore, beyond the scope of this paper to account for significant differences at an individual level and non-generalized level.

Nonetheless, Barth, Jenkins, and Brubaker and Cooper's ideas of boundaries, identity, categorization, and the ways these concepts intersect will be helpful in answering the previously mentioned research questions by analyzing the original incident of the *buraku chimei sōkan* its origins, and the more contemporary case mentioned in the introduction of this paper.

Discussion

The 1975 Buraku Chimei Sōkan Incident and its Origins

Near the end of 1975, what would be known as the *buraku chimei sōkan* (or *chimei sōkan* for short) would be discovered for the first time. People learned of the existence of book-length lists often over two-hundred pages, that contained information such as *buraku* areas as well as thousands of addresses,⁸ occupations, and names of those that once lived or possibly continued to live in such areas. Such lists were reportedly compiled by private investigators from information recorded in the *koseki* or “household registry” system. However, the *chimei sōkan* gained notoriety because of who bought the books. Copies of the *chimei sōkan* had been sold to both domestic and globally recognized companies including banks in Japan, Toyota and Nissan, as well as to universities and individuals. As a result, the BLL denounced the creation of the *chimei sōkan*. In addition, the Japanese government investigated the incident. After an investigation by the Ministry of Justice, it was learned that there were nine known versions of these lists including “Present Situation of Dowa Districts in Japan,” “General Lists of Buraku Districts,” “Report of Secret Investigation,” and so forth.⁹

The significance of these lists is that it helps to demonstrate the continued construction of a boundary between non-Burakumin and Burakumin despite interactions between the groups, a boundary that is possible according to Barth due to the nature of their interactions. Furthermore, it was a boundary that was constructed as a result of governmental policies and institutions. In other words, a boundary ascribed to Burakumin, from external processes that result from the power and authority of the state as discussed by Jenkins. Many of these policies were designed by the state in efforts to be seen as “modern” and/or end discrimination in different sectors of

⁸ Tsutsui, 177.

⁹ Reber, 311.

Japanese society yet still enabled the discrimination of Burakumin. They also contributed to identity formation by the ways they encouraged the dichotomy between silence and denial versus protest and claim.

For example, the Meiji era policy, the Emancipation Edict of 1871 demonstrates how the state through its power and authority was able to still categorize discriminated against people despite its intentions to end discrimination. According to Bondy, it was an official policy designed to end old forms of discrimination towards the *eta* and *hinin* outcaste groups by classifying them as commoners along with the majority of the population, thus removing vestiges of the Tokugawa era hierarchy.¹⁰ But, the edict also had the impact of creating a more clear-cut boundary between outcaste groups and non-outcastes because it first placed what Amos calls a “taboo” on old terminology,¹¹ impacting the interactions between outcaste and non-outcaste groups and creating ambiguities between them. These sorts of interactions between groups is what Barth states as a reason why boundaries can continue to exist, even though the state’s actions were meant to minimize differences between non-outcastes and outcastes.

The taboo made it difficult to refer to a segment of the Japanese population that for centuries was considered at the bottom or even outside the societal hierarchy. Although not everyone complied with the edict right away, the taboo became normalized as state officials refused to use former terms for outcastes. In what Jenkins refers to as ethnic categorization, where ethnic identity is ascribed to the outsider,¹² state and non-state actors (i.e the non-outcastes) also sought a way to refer to the former outcastes that emphasized their status as a

¹⁰ Christopher Bondy, *Voice, Silence, and Self: Negotiations of Buraku Identity in Contemporary Japan* (Cambridge, MA: Harvard University Press, 2015), 19.

¹¹ Amos, 334.

¹² Richard Jenkins, “Rethinking ethnicity: identity, categorization and power” in *Ethnic and Racial Studies* 17, no. 2 (1994): 199.

category of “belated arrivals to a state of civil normality” because they had not decided upon terms that would take the place of *eta* and *hinin*.¹³ One term used by government officials, intellectuals, and journalists, that reinforced this boundary construction was placing former *eta* and *hinin* into the category of *shinheimin* or “new commoner,” in an entirely new categorization that only pertained to outcastes, highlighting the difference between the majority who were considered only commoners and the minority who were not just considered as such.¹⁴

However, nowhere did the state explain why such a designation was necessary, creating tension that Amos characterizes as anxiety over whether it was “mass social demotion or the strategic promotion of a minority.”¹⁵ This anxiety reflected the current societal situation at the time as the Meiji state had only been in existence for a few years prior to the edict but societal ideas about outcaste, who were a minority, and status did not suddenly change with the incorporation of “modern” ideas. Such anxieties contributed to the notion of a boundary between ethnic groups influencing their interactions. For example, Ishikawa citing the scholar Kurokawa, states that *shinheimin* experienced acts of violence upon them by non-state actors, ranging from arson and property damage to acts of murder.¹⁶

Meanwhile, outcaste groups also complied with this taboo by using the edict within the legal system as a way to stop those slow to adopt the state’s designation,¹⁷ demonstrating that the Japanese government has the authority to enforce these new ideas even as a new state. Furthermore, they sometimes did so in cases where people found out their former outcaste status

¹³ Amos, 344.

¹⁴ Joseph D. Hankins, *Working Skin: Making Leather, Making a Multicultural Japan* (Oxford, CA: University of California Press, 2014), 21, Ebook.

¹⁵ Amos, 334.

¹⁶ Ishikawa, 169.

¹⁷ Amos, 334.

and proceeded to discriminate against the former outcastes. Their former status was something they did not want others to discover and thus sought legal redress.¹⁸

Their compliance and use of the edict in this way demonstrates what Jenkins discusses regarding the relationship between categorization, power, and identity as well as Brubaker and Cooper's thoughts on external identification. According to Jenkins, ethnic groups may externally be categorized as such by a source of authority, such as the state, and ethnic groups will accept in different ways this categorization depending on the social context.¹⁹ Brubaker and Cooper add that the state has the "material and symbolic force" to enable such external identification of outsiders.²⁰ In the case of the former outcastes, they adopt the language of the edict as a way to end discrimination against them, thus using the language from outsiders but also in how they denied this categorization in order to minimize discrimination. They do so because they see the state as having the ability to define them and/or help them. In this way, begins the paradox among outcastes, and later Burakumin, in relation to their identity.

Significant to this topic is the *koseki* system in the ways that it contributed to boundary and identity formation. This was also a Meiji era created system, established formally in 1872, one year after the edict, that registered the information of all households including the head of the household, the names of the family members, the area in which they lived, the family's births, deaths, adoptions, and marriages. Using such a system formalized the areas in which discriminated against people lived by contributing to a boundary because unlike the census, which collects generally anonymized information, it allowed for public access of these records for a long time, enabling others to find information on those who became Burakumin. The Meiji

¹⁸ Amos 335.

¹⁹ Jenkins, 217.

²⁰ Rogers Brubaker and Frederick Cooper, "Beyond "Identity"," *Theory and Society* 29, no. 1 (Feb., 2000): 16.

state developed the *koseki* system out of the former method of recording information based on temple and shrine association, where at birth people would be registered with a particular temple or shrine. This was problematic because outcastes could not register at the same shrines as non-outcastes.²¹ Although people would move in and out of these areas throughout the modern period, information on where one was born continued to exist in public consciousness. Furthermore, the *koseki* system contributed to Burakumin identity formation because it became a focus on which many Burakumin internalized the categorization of being associated with *buraku* areas and seeking to hide knowledge of belonging at some point to this category as a result of discriminatory incidents.

But the *koseki* would continue to play a role in future policies, including those implemented closer to the 1975 incident with the *chimei sōkan* as well as the *chimei sōkan* itself. For example, access to the *koseki* was restricted in 1968 to the public after protests by the BLL and other activists protested against its use in discrimination against them in employment, marriage, housing, etc. Those wanting access to the records had to get permission from the family or the Ministry of Justice.²² However, it did not block complete access.

Another example was the “Law on Special Measures for Douwa Projects” or “Special Measures Law” in 1969²³ that was renewed every ten years and lasted until 2002 as well as others like it, were designed to give money to *buraku* areas in order to improve local infrastructure, provide scholarships, fund *buraku* business, etc..²⁴ Areas that were designated as *buraku* were those that would have been recognized as such by the government, in other words, those marked in the *koseki*. However, a key point to this law was the term *douwa* because of its

²¹ Reber, 313.

²² Reber, 313.

²³ Otherwise known as the *Dōwa Taisaku Jigyō Tokubetsu Sochi Hō*.

²⁴ Reber, 308-309.

meaning of “assimilation.” The state’s intention was to improve structurally what it believed to be causing discrimination towards Burakumin, poor living conditions and educational inequalities, etc., so that Burakumin would be the same as everyone else such that differences would no longer exist.

The connection between the Special Measures Law and the *chimei soukan* reflects a formal context of ethnic categorization as discussed by Jenkins. Within this context, the government as part of the most formal context of ethnic categorization, may use legislation and resource allocation as a way to categorize the groups,²⁵ since those affiliated with the BLL and thus *buraku* areas were the ones allocated these resources for Burakumin improvement. However, this outcome then can impact the interactions between Burakumin and non-Burakumin in the construction of boundaries because this state action creates negative discourse towards the ethnic group benefiting from such policies. According to Jenkins, resource allocation, such as welfare policies or infrastructure improvements, can lead to new or strengthening categorization towards an ethnic group because it generates thoughts such as who is worthy to receive such benefits, and are these groups receiving them, deficient in some way, etc.²⁶

Therefore, modern policies such as restrictions to the *koseki* and the Special Measures Law, may have created anxieties from non-Burakumin non-state actors towards the Burakumin similar to those that existed in the early Meiji period. According to Reber, this was also the period in which the *chimei soukan* were first compiled. There may have been non-Burakumin who felt strongly about the benefits that supposedly only Burakumin received, seeing it as a form of “reverse-discrimination”²⁷ and thus shaping the types of interaction between Burakumin and

²⁵ Jenkins, 214.

²⁶ Jenkins, 215.

²⁷ Ishikawa, 173.

non-Burakumin because they (i.e. non-Burakumin actors) did not personally benefit.

Furthermore, these non-state, non-Burakumin actors refer to the state's policies because of its role as a "powerful identifier."²⁸ According to Brubaker and Cooper, the state has the ability to impose its categorization through its material and symbolic resources. This is seen in how within the Special Measure Laws impact which areas receive benefits and which areas non-state, non-Burakumin actors aim their criticisms towards.

Meanwhile, the response to the *chimei soukan* also contributes to a paradoxical identity for the Burakumin themselves, particularly in the eyes of activists such as those in the BLL. For example, one of their responses to incidents of discrimination is the method of denunciation, where Burakumin publicly protest against the offending person that discriminated against other Burakumin, demanding a public apology. In this situation, Burakumin are self-identifying as Burakumin.

In the case of the *chimei soukan*, the BLL did a denunciation campaign against the companies that purchased the lists using media attention and large protests.²⁹ It also argued that these companies had to study Burakumin issues.³⁰ In addition, the BLL argued that lists like the *chimei soka*n should not be published and that the information from which they originated, the *koseki*, should not be available to the public, and thus hidden, because it is used to discriminate against Burakumin particularly in dimensions of employment and marriage prospects, two dimensions that fall under what Jenkins refers to contexts of external categorization.³¹ Within these contexts, the state's policies play some role in influencing who Burakumin can marry, where they can live, where they can work, even indirectly. Which, due to state policies, was no

²⁸ Brubaker and Cooper, 16.

²⁹ Hankins, 144.

³⁰ Hankins, 145.

³¹ Jenkins, 212-213.

longer by the state itself, but included non-state actors using the *chimei sōkan*. Furthermore, like previous policies, Burakumin directed their arguments towards the Japanese government, believing in its power to enforce the prohibition of *chimei soukan*.

Aftermath of the 1975 Incident and Persistence of Discrimination

The case between Tottori-Loop and the BLL regarding Tottori-Loop's attempts at publishing their version of the *chimei sōkan* also helps to reflect ideas about boundary and identity formation and demonstrates the persistence of discrimination.

Since the 1975 incident, there have been further changes in policies by the Japanese government toward Burakumin and discrimination in general. For example, the Japanese government placed further restrictions on *koseki* and required anyone wanting access to provide a reason. Meanwhile, in 1996, in part due to the BLL's efforts, the government instituted a policy where resumes did not include registered addresses.³² It also contacted Google on the use of historical maps containing *buraku* areas, removing them from the site.³³ These revisions were also designed to end discrimination against the Burakumin, by erasing markers of discrimination.

However, the Japanese government continues to use the *koseki* system which helps continue the boundary between Burakumin and non-Burakumin in several ways. The first is that *koseki* remains the basis for several dimensions of laws including family, citizenship, etc. Without a *koseki*, one is not considered Japanese. This helps perpetuate the relevance for Burakumin and non-Burakumin. Second, groups like Tottori-Loop are still able to access the *koseki* in different ways, such as how they found the information in a public library within a

³² Tsutsui, 177.

³³ Amos, 344.

government report.³⁴ They then claimed that there was no copyright due to the age of the report, justifying their sale of the *chimei sōkan* physically and uploading it on the internet, making it available to further audiences. Tottori-Loop also said that it is not discriminatory because the names were only the names of *buraku* communities and not the names of individual people.³⁵

However, the notion of an identity paradox continues to persist as well despite how some are unaware of their *buraku* connection because of this history. Part of this originates in how previous generations, having experienced or knowing of discrimination against Burakumin, reject the categorization of “Burakumin.” This contributes to the paradox among some Burakumin because their denial internalizes their categorization.³⁶ They deny the existence of being or being associated with *buraku* areas, but it does not erase the actual categorization. Thus they attempt to hide it from society, including their children but are aware of it themselves. For example, educators speak about how children even within *dōwa* schools are unaware of Buraku identity.³⁷ Some children were unaware that they are Burakumin, but know that something is different about themselves in comparison to other students but others are able to draw a connection that they are different because of where they live.³⁸

However, part of it includes the decrease in awareness of Burakumin issues. Various surveys in the early 2010s found that people in Tokyo and Aichi Prefecture would oppose marriage between their child and a Burakumin.³⁹ According to a 2017 Nationwide Public Opinion Survey on Human Rights, approximately seventeen percent were unaware of Burakumin

³⁴ Mariko Akuzawa, “Changing Patterns of Discrimination in Japan: Rise of Hate Speech and Exclusivism on the Internet, and the Challenges to Human Rights Education,” *Taiwan Human Rights Journal* 3, no. 4 (2016): 42.

³⁵ Akuzawa, 43.

³⁶ Jenkins, 217.

³⁷ June A. Gordon, “From liberation to human rights: challenges for teachers of the Burakumin in Japan,” *Race Ethnicity and Education* 9, no.2 (2006): 191-192.

³⁸ Bondy, 88-89.

³⁹ Alex, Martin, “Embracing a buraku heritage: Examining changing attitudes toward a social minority,” *The Japan Times*, February 16, 2019.

issues in discrimination or assimilation. The number nearly doubled for teenagers to young adults,⁴⁰ demonstrating the end of the Special Measures Law's impact. This is in despite the passage of a law confirming there is discrimination against the Burakumin shortly after the Tottori-Loop incident occurred.⁴¹ Akuzawa attributes this to the end of the Special Measures Law that created opportunities to learn about Burakumin issues.⁴² Since the state, as previously mentioned, is able to make policies and inadvertently shape discourse upon them, the end of support legally may have contributed to a lack of understanding on why this matters to the Burakumin.

Furthermore, the end of law also contributes to silence. According to Bondy, media attention is scant regarding issues pertaining to the Burakumin community.⁴³ However, the end of the Special Measures Law occurred in many instances, within the lifetime of many generations. Thus, there is still recognition of the difference between ethnic groups and memories of discrimination as some still seek to hide their status from others unless they feel they can be trusted.⁴⁴

Meanwhile during the court case between the BLL and Tottori-Loop, several Burakumin served as witnesses in the courtroom to demonstrate that there is still a boundary between Burakumin and non-Burakumin even more recently. For example, according to witnesses in the trial, they felt instances of discrimination, especially after Tottori-Loop's version of the *chimei sōkan* was published online in 2016. One witness, presumably a teacher, spoke of discriminatory comments made by different people, including a relative and an elementary student. After they

⁴⁰ Ishikawa, 174.

⁴¹ The law is referred to as *Buraku sabetsu no kaishō no suishin ni kansuru hō* or "Law on the Promotion of the Elimination of Buraku Discrimination."

⁴² Akuzawa, 45-46.

⁴³ Bondy, 144.

⁴⁴ Martin, 2019.

discovered his information online, they associated him and the place that he lives as somewhere “scary”, a word with negative connotations.⁴⁵ Terms like scary along with violent and rough to refer to *buraku* area are common when trying to be discreet.⁴⁶ Others spoke of the discrimination they faced in marriage and having to be careful on posting anything online in case they are exposed by such lists. Nonetheless, by participating in the trial, these witnesses are self-identifying as belonging to the ethnic group. As previously discussed, the ways that Burakumin discuss their identity resembles the concepts of ethnic boundaries by Barth and external categorization by Jenkins, Brubaker and Cooper. In particular, how interactions are still influenced by difference, highlighting instances of discrimination they have experienced for being categorized as Burakumin, yet by coming in support of the BLL’s side, they are identifying with the categorization.

Conclusion

The *buraku chimei sōkan* is the culmination of premodern and modern ideas towards a minority group in Japan, the Burakumin, impacting notions of boundary and identity formation. Premodern ideas about outcaste groups such as the *eta* and *hinin* were not suddenly erased with modern policies of the Meiji Era, but rather reformed into new terminology and given attention to within policies such as the Emancipation Edict of 1871 and the *koseki* system, reflecting the ways that Jenkins, Brubaker, and Cooper talk about how in external categorization, the state plays a significant role in shaping boundaries due to their power, authority, and resources. Later policies in the 1960s and beyond also demonstrated this power to categorize with the Special

⁴⁵ Buraku Kaihō Dōmei (Buraku Liberation League), “Genkoku gonin ga taikenshōgen dai nikai shōnin jinmon fukokku-ban saiban,” News & *Shuchō*, October 15, 2020, <http://www.bll.gr.jp/info/news2020/news20201015-5.html>.

⁴⁶ Bondy, 61.

Measures Law, particularly in how it influenced different contexts of external categorization. In addition, the nature of these policies highlighted the difference negatively, between those within the in-group: non-outcastes, commoners, and non-Burakumin, from the out-group: outcastes, “new commoners”, and Burakumin. Because they highlighted differences in this way, they reflect Barth’s ideas on how boundaries are still maintained despite societal changes and interactions, such as how the Japanese state sought to end discrimination.

As a result, the *chimei sōkan* took life from premodern and modern materials and conceptualizations towards minority outcaste groups. The first incident in 1975 used material of the *koseki* to discriminate against Burakumin in different societal dimensions such as employment, education, and marriage, evidenced by how different companies, universities, and individuals bought copies. Such a document further perpetuated discrimination against an ethnic group in Japan. Furthermore, the boundaries persisted as the state only blocked access to the *koseki* but did not change the system. In addition, the Special Measures Law contributed to the desire by non-Burakumin to use the *chimei sōkan* to maintain the boundary as it was compiled shortly after it came into effect legally because some may have felt the law was contributing to “reverse discrimination.”

As a result of these different policies, the *chimei sōkan* contributed to an identity paradox for the Burakumin, reflecting on Jenkin’s idea that an external categorization can impact one’s identity, by causing the denial to become internalized. Experiencing discrimination yet not having obvious differences, meant that members of this ethnic group often sought to hide their status as a Burakumin by claiming the information should not be published and available to the public at first in printed and later digital forms. However, to make this claim of the *chimei*

sōkan's discriminatory nature, they had to then accept this categorization by identifying as Burakummin to make change.

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