

Problems of the References to Historical Documents in J. M. Ramseyer, “On the Invention of Identity Politics: The Buraku Outcastes in Japan”

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I consider that there are problems in terms of the references to the history of Buraku in J. M. Ramseyer’s article, “On the Invention of Identity Politics: The Buraku Outcastes in Japan”, published in *Review of Law and Economics* in 2019. As a researcher of the history of those who had been subjected to discrimination in the early-modern ages, mainly in East Japan, I would like to point out the problems in the article, focusing on its ways of references to and quotations of the previous works in particular.

The author calls an organization that advocated for Buraku liberation “nominal human rights organization”, stating that he would trace “the creation of a largely fictive identity for Japan’s putative outcaste” and that “most burakumin are descended not from leather-workers, but from poor farmers” (p.1). And in the chapter *IV Pre-modern antecedents*, he describes the history of Buraku by referring to and quoting a number of previous works.

In the references to and quotations from the works of different Japanese researchers on the history of Buraku in this chapter, however, the author pulls out the parts of the descriptions that suit his arguments, ignoring their contexts, including what these works shed light on in their totality and how they have regarded in the study of the history of Buraku.

This kind of way of the reference to previous works is, in my opinion, academically unfaithful and inappropriate. And the author’s arguments, based on inappropriate references and quotations, hardly hold true.

In the following, I will specifically comment on particularly problematic parts of these inappropriate references to and quotations from the previous works.

In “A Introduction” (pp.30-31) of the chapter *IV Pre-modern antecedents*, the author states, “the vast majority of the ancestors of the modern burakumin never dealt with dead animals at all. Instead, they farmed” and quotes from Usui Hisamitsu, *Hyogo no Burakushi, 1* [The History of the Hyogo Buraku, vol.1] (Usui 1991 20):

“In Hyougo, the business of the buraku was agriculture. Overwhelmingly, the member of the buraku did the same work as the other townspeople and farmers.”

He also quotes from Fujisawa Seisuke, “*Tyouri-kawata no seigyou to yakuwari*” [The

livelihood and duties of *tyouri* and *kawata*] in *Higashinihon no Burakusi III* [Hisutory of the Buraku of Easter Japan III] (Higashi 2018 115):

“The earlier theory [that *tyouri* and *kawata* was prohibited from being involved in farming] is clearly wrong.”

Both Usui and Fujisawa discuss, however, why *tyouri* / *kawata* had status-specific duties, including disposal of dead cattle and horses, and had been subjected to discrimination, in spite of the fact that they were involved in farming and had living conditions similar to farmers in some aspects. Both of them thus stress that there must be clear distinction between their business to earn their livelihood and duties on the basis of their status. In the same page from which the author makes the above-mentioned quotation, Usui states as follows:

“It is impossible to write a realistic history of Buraku (...) without providing historical descriptions on the basis of strict distinctions between their duties, which were imposed on them due to their status as outcasts and led to unique treatment with contempt and to antagonism, and their actual businesses for livelihood.” (Usui 1991 20)

In the article quoted by the author, Fujisawa also criticized the previous work on Buraku history, in which “the involvement of *tyouri* / *kawata* in productive pursuits including leather work has been regarded passively and negatively” and sought “to identify historical characteristics of the businesses and duties of *tyouri* / *kawata*, with a view to considering their social positions in society”, having confirmed that those people were involved in different kinds of productive activities, including farming (Higashi 2018 115). The author ignores such academic intention of Usui and Fujisawa, simply picking up the parts that can conveniently be “utilized” for his argument that “*kawata* were poor farmers”. Although it is necessary, as Usui and Fujisawa emphasize, to make “strict distinctions between their duties, which were imposed on them due to their status as outcasts and led to unique treatment with contempt and to antagonism, and their actual businesses for livelihood”, the author lacks such a perspective. Although some of *tyouri* / *kawata* were involved in agricultural management in a level comparable to farmers, they were nevertheless not regarded as being equal to farmers and were subjected to discrimination. This problem, which should be explored further, is completely ignored by the author.

In addition, the author argues that “[t]he pre-modern antecedents to the buraku were not a guild of leather workers” (p.31) on the basis of an erroneous premise. While the author uses the word “guild” in general terms without indicating

particular definitions, the concept of “guild” has been addressed in academic studies of Buraku history in the context of the exploration of how *tyouri / kawata* in the pre-modern times be theoretically positioned in relation to Marx and Engels, *The German Ideology*. This is pointed out in the work of Minegishi Kentaro (Minegishi 1996 224-229), which is quoted by the author in his article. The group of *tyouri / kawata* in the pre-modern times cannot be seen simply as a “guild”, or an association of the craft involved in leather work. However, leather work (in particular, skinning of dead cattle and horses for the production of the hide) was only undertaken by *tyouri / kawata*, and farmers in general were not involved in such work.

The author apparently attempts to regard the relationship between *tyouri / kawata* and leather industry as highly weak one, linking with his argument that “[t]he pre-modern antecedents to the buraku were not a *guild* of leather workers” (italics added). Building on this point, he states that the skinning right did not inhere in the *tyouri / kawata* as a group but was bought, sold and pledged as “shares” (p.34). This is not wrong in itself. The author also states, however, “the shares could be – and occasionally were – transferred to commoner villagers” (p.34). Could commoner villagers have the skinning right?

One of the sources relied upon by the author on this issue is Usui Hisamitsu, *Hyogo no Burakushi,1* [The History of the Hyogo Buraku, vol.1] (Usui 1991 205). While Usui states that “in this period between the end of the medieval ages and early modern ages (...), the right to [*danna-ba*] (an area under the charge of a group of *tyouri / kawata* when they perform their status-specific duties) was widely bought and sold across social status”, he also writes, in the part immediately before the sentence, “In the early modern ages, this right to [*danna-ba*] was uniquely attributed to *kawata* and never transferred to those belonging to other status”. In other words, Usui states that the transfer of the right to *danna-ba* to those who were not *kawata* happened only in the period between the end of the medieval ages and early modern ages. In addition, Minegishi Kentaro and Nobi Shoji points out that there is room for consideration as to what constituted “the right to *danna-ba*” that was bought and sold in this particular period (Minegishi 1996 250; Nobi 2007 48-56). “The right to *danna-ba*” did not consist only of the skinning right. Attention should be paid to this aspect, which the author does not take care of.

The author refers to several pieces of literature, other than Usui 1991, as the sources for his argument. These works do not state, however, that “the shares [the skinning right] could be – and occasionally were – transferred to commoner villagers”. While one of the sources relied upon by the author, Matsuoka Hideo, *Buraku Hogoseisakuron Hihan* [Critique of Theory of Buraku Protection Theory], quotes historical documents concerning pledging of shares of *danna-ba* (Matsuoka 1975 24-25), they do not substantiate the author’s argument. Matsuoka states, “Kyuemon [who pledged his shares of *danna-ba* as security for loan] did not relinquish his shares

of the skinning rights; he kept his shares, continued to dispose of dead cattle and horses and gave all the products to the lender”. Kyuemon thus kept his shares of *danna-ba*. In addition, his lender was “Ikedaya Togoro, of a *kawata* village called Watanabe Village”, who was a trader of leather products made in *kawata* villages and not one of “commoner villagers”. Skinning of dead cattle and horses as well as trade of the disposed skin were the duties uniquely attributed to *tyouri / kawata*, and farmers in general did not and could not be involved in this business. Proof to the contrary has not been submitted in the academic works on Buraku history so far; the author is not successful in providing counterevidence to the common view on this issue, either. The author’s argument does not hold water.

The non-involvement of “commoner villagers in the skinning of dead cattle and horses and the hide production was related to the issue of “ritual uncleanness” (p.31), the concept denied by the author. In *Hyogo no Burakushi, 1* [The History of the Hyogo Buraku, vol.1], which is often quoted by the author, Usui Hisamitsu refers to the “intensive perception of uncleanness”, which had continued since the periods earlier than the early-modern ages, as the reason why *kawata* were regarded as outcasts, distinct from common craftsmen, even though the former had many characteristics in common with the latter (Usui 1991 442-443). The author’s argument that “[t]he pre-modern antecedents to the buraku were not a guild of leather workers” and that they were “farmers” thus does not hold water, because it is a misdirected response to an out-of-focus question by way of inappropriate references to and quotations from the previous works.

Moreover, the author apparently does not pay particular attention to “*danna-ba*” when he discusses the rights of *tyouri / kawata* with regard to skinning of dead cattle and horses and the hide production. “*Danna-ba*” is “an area under the charge” of a group of *tyouri / kawata* when they perform their status-specific duties. Status-specific “duties” of *tyouri / kawata*, such as disposal of dead cattle and horses, execution-related works, prison guards and village guards, were performed in specific areas called “*danna-ba*”. This is an important issue in the examination of social characters of *tyouri / kawata* in the pre-modern ages, which cannot be ignored. The author makes few references to “*danna-ba*”, however, and apparently he has not consulted latest academic works (for example, Okuma Tetsuo et al, *Danna-ba* (Okuma et al 2011)). While the phrase “a designated area” (p.34) seems to refer to “*danna-ba*”, this expression is not appropriate because “*danna-ba*” were not “designated” by farmers or rulers.

The author argues that it was possible for *tyouri / kawata* to become farmers or commoners and vice versa (“commoners could acquire *kawata* status” and “some *kawata* exited their status and become commoners”, p32), implying that there was mobility in social status in the Edo period (the Tokugawa period). Is this argument a

good case?

In this regard, the author relies upon Hatanaka Toshiyuki, “*Kawata*” to *Heinin* [“Burakumin” and Commoners] (Hatanaka 1977 110-111), in which Hatanaka takes up a case where a commoner in an Osaka town moved in to a kawata village. Nobi Shoji criticized Hatanaka’s interpretation of the case (Nobi 1997), pointing out that the commoner who moved in to a *kawata* village in this case lived in a rented house and was involved in the *setta* [leather-soled sandals] industry in Osaka, where the production and sale of *setta* developed in the late pre-modern ages. Given the fact that *setta* workers in general were treated in contempt, Nobi continues, the case cannot be treated as a ground of the argument that there was mobility in pre-modern social status in general and that there were not obstacles to a change of status. Other sources indicated by the author, namely Hatanaka (Hatanaka 1977 69-80) and Watanabe Hiroshi, *Mikaihō buraku no keisei to tenkai* [The Structure and Development of the Unliberated Villages] (Watanabe 1977 127), do not substantiate the author’s argument. What is taken up in Hatanaka 1977 69-80 is a case where a kawata village, which had been annexed to a farmer village, sought for independence from the farmer village; it is not concerned with status mobility. Watanabe 1977 127 discusses how pre-modern disadvantaged social status had been formulated and, in this context, refers to reports in *Zenkoku Minji Kanrei Ruishū* [National Compilation of Civil Customs], compiled in 1880 by the Ministry of Justice (the compilation of the results of hearings concerning local civil customs across the country, which were relied upon in the absence of the national civil code), indicating that some local customs permitted “*eta*” to become commoners if they had not been involved in skinning for three generations or that there were areas being composed of *hinin* only in the absence of people called “*eta*”. These are exceptional cases and cannot be generalized. The author’s argument that there were not obstacles to a change of status is thus groundless and does not hold water.

Relying primarily upon Saito Yoichi and Oishi Shinzaburo, *Mibun Sabetsu Shakai no Shinjitu* [Truth of the Status-Discrimination Society] (Saito and Oishi 1995), the author argues that it is not correct to express the pre-modern “class hierarchy” by the term so-called “four-plus-outcaste class structure” (samurai, farmer, artisan, merchant, and eta-hinin, p.36).

Saito and Oishi criticized the expression “samurai, farmer, artisan, merchant, and eta-hinin” as a way of explaining the social status system in the Edo period because they consider it “inadequate to perceive the social status system in the Edo period simply through a form of hierarchy” in order to understanding why disadvantaged groups in the Edo period, including *tyouri* / *kawata*, were subject to serious forms of discrimination (Saito and Oishi 1995 40). Saito and Oishi also states that, in the Edo period, “discrimination penetrated the society in whole” and “no one

could be free from discrimination” (ibid 48). The Edo period was characterized by “the status-discrimination society”, where differences in social status and the hierarchy of family status were highlighted in different settings. Saito and Oishi seeks to shed light on these forms of discrimination, prevalent in every nook and corner of the society in the Edo period, focusing on those who were subject to status-based discrimination. Saito and Oishi criticize the expression “four-plus-outcaste class structure” because they consider it is impossible to have accurate understanding of the “truth of the status-discrimination society” on the basis of the terms that do not reflect the reality. (This is the implication of the title of their book.) They do not argue that the class hierarchy was not a major issue and there was no discrimination in the Edo period or that outcastes did not exist in the Edo period.

The author ignores the academic intention of Saito and Oishi and simply “utilizes” their argument that the pre-modern “class hierarchy” composed of the “four-plus-outcaste class structure” did not have substance for his own argument that the antecedents to Burakumin were not “outcastes”.

In the section “Making sense of kawata” (p.34), the author states that “kawa” in *kawata* might come from “river” instead of “hide” or “leather” (all of which are pronounced “kawa” in Japanese) on the basis of his argument that the antecedents to Burakumin were “poor farmers”. He goes on to state, “several Tokugawa era impoverished families decided to leave their homes. ... Migrants looking for unclaimed land ... would have found it on the river banks. ... As the migrants settled in the dry river bed (called kawara) or along the river banks, they became “kawara mono” –people of the river bed”. The term “*kawara mono*” refers to leather workers in the medieval ages, however, and the references relied upon by the author (Watanabe 1977 257-258; Usui 1991 63; Saito and Oishi 1995 64-66) do not talk about the Edo period. The author’s descriptions are totally groundless.

In addition, the author states that seventeenth century peasants rarely wrote and that “*kawata*” was not a written term for them, also suggesting that the description of the word “*eta*” in the Chinese characters indicating “uncleanliness” was not common by referring to Kida Sadakichi, *Eta Genryu Ko* [Study on origins of Eta] (Kida 1919). In his article, Kida discusses different peoples who had been discriminated against in the medieval ages and who might have links to *eta* (*tyouri* / *kawata*) in the latter ages. While he states at the beginning that “I feel very unpleasant about the use of the characters indicating ‘uncleanliness’ when the word ‘*eta*’ is written in Chinese characters”, Kida does not question about the use of “an obscure 18-stroke character” by farmers in the 17th century as the author argues.

The author’s account that “Seventeenth century peasants rarely wrote” raises a suspicion that he might have developed his historical views without reading historical documents written by commoners of those days at all. It is well-known that

the literacy rate was high among commoners in the Edo period. *Higashinohon no Burakusi III* [Hisutory of the Buraku of Easter Japan III] (Higashi 2018), from which the author quotes the words of Fujisawa Seisuke, also contains the article by Yoshida Tsutom, “*Tyouri Hinin no sonraku bunka to tenarai, gakumon, kyouyou*” [Culture of *tyori* and *hinin* in their villages and their learning, study, education] (Yoshida 2018). In his article, Yoshida highlights the fact that some *tyouri* had not only literacy but also high levels of culture and education. It is incomprehensible that the author appears to ignore this and other academic findings.

I have to say that the author’s argument in the section “Making sense of kawata” is nothing but groundless casual notions. Although one may be free to say these kinds of things in literary jottings or in chatting while drinking, I do not think it appropriate that they constitute part of an academic article.

In the light of what I have pointed out in the above on some of the issues, I have to say that the author’s argument about Buraku history is not the one developed on the basis of sufficient understanding of the previous works and supported by reliable historical documents; rather, the author arranged his loose notions into an academic format by arbitrarily quoting the parts of the previous works that seem to fit his own views. This kind of organization of the article raises doubt not only about the reliability of the author’s works in his primary fields of specialty but also about the academic journal that publishes it in terms of its thesis examination, which may impair its authority.

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