

Statement by J. Mark Ramseyer
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1. My background

I am J. Mark Ramseyer. I teach courses in Japanese law and American corporate law at the Harvard Law School. I hold the title, Mitsubishi Professor of Japanese Legal Studies.

I have taught at the Harvard Law School since 1998. Prior to coming to Harvard, I taught at the University of Chicago Law School from 1992 to 1998, and at UCLA from 1986 to 1992. I clerked for Judge Stephen Breyer (who was then on the 1st Circuit Court of Appeals) from 1982 to 1983, worked as a lawyer at the law firm of Sidley & Austin in Chicago from 1983 to 1985, and studied as a Fulbright research student at the University of Tokyo from 1985 to 1986.

I have also taught (or co-taught) courses in Japanese at the University of Tokyo, Waseda University, Tohoku University, and Hitotsubashi University.

I have written many articles and books in Japanese and English. More specifically, I have authored (or co-authored, edited, or co-edited) 23 books. I have authored (or co-authored) 245 articles, book chapters, and reviews.

My book in Japanese, "Law & Economics: The Economic Analysis of Japanese Law" (法と経済学—日本法の経済分析), was published by Kobundo in 1990. It was awarded the Suntory Prize (サントリー文化財団学芸賞) in 1990. My book with Professor Frances Rosenbluth (of Yale University), "The Politics of Oligarchy" (translated and published as 日本政治と合理的選択) was awarded the Luebbert Award for best book in Comparative Politics, from the American Political Science Association in 1997. My co-authored book, "Japanese Law: An Economic Approach" (University of Chicago Press, 1998) was awarded the Professional/Scholarly Publishing Award for best book in law from the Association of American Publishers in 1999. My co-authored book, "The Fable of the Keiretsu" (University of Chicago Press, 2006) was awarded the Masayoshi Ohira Memorial Prize for Studies of the Pacific Basin Community in 2007.

I attended the Harvard Law School from 1979 to 1982. I graduated magna cum laude, and served on the editorial board of the Harvard Law Review.

I lived most of my life from 1954 to 1972 in various cities in Miyazaki prefecture. I attended kindergarten in Miyazaki, and public elementary school in Miyazaki until grade 6.

In 2018, I was awarded the 旭日中綬章.

2. My interest in the phenomenon

For most of my career as a scholar, I had wanted to study the "dowa problem." The explanations for the phenomenon provided by the Kaiho domei did not make sense to me. The alternative explanations given by the rival Japan Communist Party (JCP) did not make sense either. Both sets of explanations seemed grounded in very extreme (often loosely Marxist) assumptions about social and economic relations. Yet without knowing where the traditional buraku had been located, I could not contest these explanations. Without knowledge about the traditional buraku location, it was not possible to conduct any serious academic research.

Because the dowa discrimination is said to be based on the traditional location, professional-level research is simply not possible without knowledge about those traditional locations. Both the Kaiho domei and the rival JCP group apparently know where the traditional buraku were located. As a result, scholars affiliated with (or at least favored by) either of those two groups seem able to study the problem. Yet both the Kaiho domei and the JCP have very strong ideological and political biases. Most of us in the mainstream scholarly community do not share those biases. Unless a scholar is willing to support (or at least "turn a blind eye to") those biases, however, these groups are unlikely to let him know where the traditional buraku locations were. And without information about those traditional locations, he cannot do serious research.

The result is the current state of scholarship on this very important social phenomenon: the vast bulk of the research on the modern buraku is published by scholars formally or informally associated with either the Kaiho domei or the JCP. Mainstream scholars are simply unable to study the phenomenon. To restate the point: because mainstream scholars are unable to obtain information about the traditional locations of the buraku, the published scholarship overwhelmingly follows the (very extreme ideological and political) biases of the Kaiho domei or the JCP.

3. The research that the 1936 census made possible.

In late 2015 or early 2016, I accidentally discovered the 1936 census conducted by the Chuo yuwa jigyo kyokai. I discovered this through a random Google search on the internet. At the time, I had not heard of the Jigendo or of Mr. Miyabe Tatsuhiko. I was about to teach a class on the dowa phenomenon at the time, and was simply exploring what information might be available on the internet.

I immediately realized, however, that this census was exactly what I had been searching for over the course of nearly 30 years. I was completely dissatisfied with the (extreme leftist) explanations given by the Kaiho domei and the JCP. I wanted to study the phenomenon without having to pretend that I shared their biases. But without contacting the Kaiho domei or the JCP, I did not know any way to learn the traditional locations of the buraku. And without knowing those traditional locations, I had been unable to do any serious research.

Upon discovering the 1936 census, I immediately downloaded it to my computer. I then began the very arduous process of converting the 1936 addresses to the modern municipalities. I did not use any research assistance for this process. I did it myself, and it took nearly a year.

Once I had converted the 1936 addresses to the modern municipalities, I knew the concentration (in 1936) of the buraku across Japan at the municipality-level. I was then able to merge this data with the very large amount of other publicly available municipality-level data that can be obtained from such web-sites as www.e-stat.go.jp (政府統計の総合窓口).

With this new dataset, I was able to write (with my long-time co-author, Professor Eric B. Rasmusen), *Outcaste Politics and Organized Crime in Japan: The Effect of Terminating Ethnic Subsidies*, **The Journal of Empirical Legal Studies**, vol. 15, issue 1, pp. 192-238, March 2018. In this article, we examine the effect of the termination in 2002 of the government subsidies to the dowa neighborhoods. We find that the termination of the subsidies led disproportionately (a) to out-migration from those municipalities with the largest dowa neighborhoods and (b) to increased land prices in those areas. We surmise that the subsidies had raised the returns to organized crime in the dowa neighborhoods. We reason that the end of the subsidies then lowered the returns to criminal careers. We hypothesize that young buraku men increasingly chose instead to continue their educations, leave the buraku, and join mainstream society.

This is obviously not a conclusion that would be favored by either the Kaiho domei or by the JCP. Yet it is the conclusion that is consistent with the econometric (statistical) analysis that was possible only because I had access to the 1936 census.

4. Conclusion.

I hope this makes clear why scholarly access to the 1936 census is so crucially important to scholarship. The Kaiho domei and the JCP know where the traditional buraku had been located, but I suspect that they will provide complete, unabridged information only to scholars who will not contest their very strong political and ideological biases. For mainstream scholars like myself, this information has simply been unavailable. And without that information, serious research is not possible.

In other words, the 1936 census opens the field of dowa research to mainstream scholars. It makes research in the field possible for scholars who refuse to follow the political and ideological biases of the Kaiho domei or the JCP. Without scholarly access to the 1936 census, the only studies available will be those by scholars who are comfortable with these extremely strong leftist (and loosely Marxist) biases of either the Kaiho domei or the JCP. Only with scholarly access to the 1936 census will unbiased scholarship become possible.

Respectfully submitted,



J. Mark Ramseyer