

Identity and Movements

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Sana Sakihama, Yoshiyuki Aoki, and Yoojin Koo**



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Preface

Cheung Ching-yuen

I am thankful to my Korean and Japanese colleagues who contributed to this booklet on “Identity and Movements.” These two important keywords are very much on my mind. However, here I would like to write something about my hometown.

Since 2019, Hong Kong has been facing a serious crisis. At that time peaceful demonstrations demanding the withdrawal of the amendment of the extradition law had not received any response from the authorities, and soon Hongkongers would have to suffer from police brutality — such as the unlawful use of tear gas (more accurately known as a chemical weapon), rubber bullets, and even real bullets — in the streets and university campuses. In the summer of the same year, I interviewed Professor Kim Hang of Yonsei University in Seoul, hoping to learn from the experience of South Korea’s democratic movement.

In course of the 20th Century, the Korean peninsula was invaded by Japan, and then after the Second World War Japanese were driven from the peninsula, it was wracked by a civil war. In the postwar era, people in South Korea continued to fight for democracy, and in 1980 we saw tragedy: a massacre by government forces in response to the

Gwangju Democracy Movement. This event was not merely a confrontation between civilians and police, but a military crackdown on the people. According to Prof. Kim, what happened in Gwangju can be regarded as another civil war.

In response to state violence, protesters had no choice but to justify their use of force, and they fought basically without helmets. For example, in 2004, a “brave” group of Korean farmers came to Hong Kong to protest during the WTO conference. However, with the rise in living standards, those who support “peaceful, rational, and non-violent” actions have become the majority. Although there was a tragedy in 2016 when a protesting farmer was hit by a water cannon and died, the protests have basically been peaceful.

Prof. Kim suggested that the confrontation in Hong Kong is similar to police-student confrontation in South Korea in the 1980s. After a Yonsei University student was killed when he was shot in the head with a tear gas cannister, police officers would not aim at students’ heads but at their feet. However, many police officers did not display their badge numbers properly, and hence it was difficult to identify police who had engaged in improper conduct. The only option students had was to grab police officers and remove their masks. In fact, some Yonsei University students managed to remove the mask of a police officer, but discovered that the officer was also a student at Yonsei University. In South Korea, students in the mandatory military service system were sent to frontlines of protests. After this incident, it became clear that the so-called confrontation between the police and civilians was in fact a student-student conflict orchestrated by the state.

In the cases of Yuen Long and North Point in Hong Kong, police were accused of having connections with gangsters. Prof. Kim pointed out that in South Korea there was a similar problem, known as “outsourcing violence.” For example, the state would employ triads to abuse isolated residents who were negotiating with land developers. To deal with this problem, South Koreans would avoid individual actions, but

act collectively in public spaces. During the candlelight revolution, people occupied the main street in the center of Seoul, but only for a period of not more than three hours per day. After the occupation, the protesters would disperse peacefully and get dinner and drinks with friends. In order to keep the momentum of the movement, it is better not to disrupt the normal life of people, but to create a sense of “happiness” for those who are fighting for a better society.

Protestors in Hong Kong quote the words of Bruce Lee — “Be water, my friends” — as their philosophy. Indeed, Lao Tze has already mentioned that water is on one hand the weakest element but on the other it is the most powerful. I believe this wisdom can provide us not only some hints for reflection on identity, but it can also be a source for social movements in future.

Identity, History, and Legal Mobilization:

Japanese war orphans and their lawsuits against the Japanese government

Hye Won Um

Introduction

In December 2002, 629 *zanryū-koji*¹⁾, Japanese children who had been left behind in Manchuria at the end of World War II, sued the Japanese government for its long failure to repatriate them and its subsequent failure to properly support them once they finally were repatriated. Following the first case in Tokyo district court, a total of 2,211 *zanryū-koji* filed lawsuits throughout the country demanding an official apology and compensation of 33 million yen per person.²⁾ These lawsuits are considered to be the largest postwar compensation-seeking legal action ever taken against the Japanese government. The war orphans' lawsuits attracted considerable public attention and drew the public support of many well-known personalities. Nevertheless, the war orphans lost most of the cases that came to trial, winning only one in Kobe district court,

1) The *zanryū-koji* translates as the war orphans in this paper.

2) More than 90% of the war orphans who were permanently repatriated participated in the lawsuits.

results that discouraged many war orphans and their supporters from continuing litigation. However, in 2007, following the legal victory in Kobe, Prime Minister Shinzō Abe suddenly announced that the Japanese government would enact special measures to provide financial support for the war orphans.

This governmental support helped resolve the most pressing issues the war orphans had faced since repatriation began in 1972, leading many to consider their lawsuits to have been successful. Yet it was not clear why the government had not taken any action sooner, nor why it suddenly did so in 2007, despite the overall failure of the litigation against it. The questions involved here relate to the identity of *zanryū-koji* and why, since repatriation, their Japanese-ness has been constantly questioned in Japanese society. Why did it take more than three decades to provide measures that would improve the adverse conditions the war orphans have faced since the repatriation began? And why did the war orphans eventually decide to file compensation lawsuits against the government? While legal mobilization is commonly used in Japanese social movements, many activists have long believed that lawsuits, especially compensation lawsuits against the government, are too expensive and time-consuming to be an effective method to resolve issues in Japan.

Since the early 20th century, Japan has made considerable efforts to delineate the boundaries of the Japanese nation and the values that constitute legitimate national membership. Postwar Japan was forced to establish a new political system and social order, but the idea of the Japanese nation and the core elements of Japanese-ness did not dramatically change. Japan has continued to define the boundaries of the nation in relation to Japanese lineage and to understand Japanese-ness through the ability of individuals to understand Japanese language and culture. The continued passivity of the government in relation to the issues surrounding the war orphans and the unexpected offer to enact measures that provided them full support cannot be explained without considering a shift in the ingrained Japanese view of the world and the Japanese nation

that occurred in the 1990s. This shift reshaped Japanese identity in relation to the world and is key to understanding not only the persistent influence of the long-standing idea of Japanese-ness but the deterioration of Japan's diplomatic relationships in East Asia.

Focusing on the case of the *zanryū-koji*, this paper explores how Japanese society has consistently emphasized the significance of Japanese blood in its attempts to delineate the boundaries of the nation. The analysis of the war orphans' case alone might not be sufficient to explain the increasing significance of nationalism and antiforeign sentiment in Japan. However, in examining the dramatic shift of Japanese society in the 1990s this paper also attempts to provide a solid foundation for understanding how the idea of Japanese lineage as the core element of the Japanese nation is linked to the rebirth of nationalism and the spread of antiforeign sentiment in current Japanese society.

Zanryū-koji and delayed repatriation

The *zanryū-koji* were mostly the children of Japanese families who came to Manchuria as part of the Japanese government's colonial projects, such as a five-year trial emigration plan that began in 1932. These mass migration programs,³⁾ which extended to the end of the war, led to the formation of agricultural villages called *kaitakudan* (Young, 1998),⁴⁾ which were established along the border between Manchuria and the Soviet Union (Wilson, 1995). Due to geographic reasons, the Japanese in this area had great difficulty escaping from combat areas when the

3) In 1936, the administration led by Prime Minister Kōki Hirota formulated a national policy called the "Twenty-Year Plan for Sending a Million Farm-Households to Agricultural Villages of Manchuria."

4) The movement for collective peasant emigration in the 1930s was broadly embraced in Japanese society because it seemed to solve the problems facing Japan's rural areas. Peasants were recruited to settle in Manchuria through various organizations such as the Patriotic Youth Brigade (*giyūdai*) and Continental Brides (*tairiku no hanayome*).

Soviet Union declared war on Japan on August 9, 1945. Those who did escape were mostly women and children, and many of them then survived by becoming the wives or adopted children of Chinese peasants (Hayashi, 1983).

Although the Potsdam Declaration was supposed to ensure the repatriation of Japanese civilians, bringing all overseas Japanese home was at the time a massive burden for the Japanese government. As the repatriation of Japanese from the former occupied territories such as Manchuria and Sakhalin became a significant and urgent postwar task, the Japanese government established the Repatriation Relief Bureau (RRB) in October 1945 to deal with repatriation issues. However, several domestic and international situations created delays in the repatriation process: the shortage of transportation and other material support for repatriation, sociopolitical unrest in Japan, deteriorating relations between the United States and the Soviet Union, and the Chinese Civil War between the Kuomintang (KMT) and the Communist Party of China (CCP). In addition, repatriation entailed enormous expenses in a number of areas such as housing, public facilities, employment, and veterans' pensions.

Even after the end of the Chinese Civil War in 1949, many Japanese soldiers and engineers were held in China as a captive labor force, and around 32,000 Japanese, adults as well as children, remained in northeastern China until 1954 (Tamanoi, 2009, pp. 60–63). Cold War politics then delayed their repatriation further because the Japanese government did not acknowledge the CCP as the legitimate government of China until 1972. In the meantime, however, the Japanese government had attempted to quickly bring the repatriation process to a close by declaring the wartime death of those who had not returned to Japan by 1959. Under the Act on Special Measures to Un-repatriated Persons (Act No. 7 of 1959), the government notified Japanese families of the deaths of relatives who had not returned⁵⁾ and ordered their names removed from family registries (Minami, 2009, pp. 123–128). Because the

war orphans were declared legally dead after this directive, those who were actually living were completely forgotten by the Japanese government and public until the 1970s.

The *zanryū-koji*, who were children when the war ended, grew up in Chinese culture. They were raised by Chinese adoptive parents, married Chinese partners, and were thoroughly settled in China. However, their life experiences in China varied. Some war orphans experienced poverty, exploitation as child laborers, and marginalization during their childhood, while others found good homes and were well cared for by their adoptive parents. Some of these orphans knew they were Japanese and wished to someday find their biological families, while others had no knowledge of their family background until Japanese officials visited them for investigation. Some wished to go back to Japan and give their children the better chances they believed were available in Japan. These differences in individual life trajectories made repatriation and settlement a complicated and difficult process.

The normalization of diplomatic relations between China and Japan in 1972 gave some war orphans the chance to find their Japanese families. As they actively contacted Japanese government officials and newspaper reporters who visited China, their heartbreaking stories caught media attention. A 1974 article published in the *Asahi Newspaper*, “Record of Those Who Parted Alive from Their Loved Ones,” created a sensation in Japanese society, and the following year the Japanese government decided to make public inquiries about the Japanese who had been left behind in China.⁶⁾ While some repatriation processes had begun in 1972, the first group of war orphans that had governmental

5) Under the law, 25,831 names were deleted from family registries.

6) The Japanese government conducted nine public investigations from March 1975 to January 1981, in which, for the first time since the end of World War II, they publicly sought information about Japanese children who were left behind in Manchuria. The investigations continued until, in 1981, the government began to bring groups of war orphans to Japan for in-depth interviews with Japanese families.

support to visit Japan to look for their kin came in 1981, and many war orphans were repatriated in the following two decades. The Ministry of Health, Labor, and Welfare estimates the number of Japanese war orphans and their families who permanently returned to Japan to be around ten thousand.

Issues concerning the *zanryū-koji*

The news that war orphans were still living in China, and the subsequent family-seeking campaigns, repatriation, and settlement in Japan attracted public attention, and Japanese society warmly welcomed these “lost children” as they returned during the 1970s and 1980s. Many Japanese were willing to support the war orphans’ repatriation and settlement through various methods such as monetary donations and active participation in volunteer work. However, this welcoming mood gradually faded when the public and the government found their images of the war orphans as lost children stranded alone in China to be much different from the reality. By dictionary definition, for instance, an orphan is a child whose parents are dead. While many Japanese imagined that the war orphans had lost their parents and been left all alone and unprotected in Manchuria, some war orphans had continued to live with their biological mothers in China, and all of them had some kind of Chinese foster family.

Furthermore, the *zanryū-koji* were no longer children by the time they came back to Japan, although the public and the government often visualized them as such. The Japanese government helped to create this image by defining the war orphans as Japanese children who were younger than 13 years old when the Soviet Union invaded Manchuria on August 9, 1945. As more than three decades had passed since this time, when the *zanryū-koji* came back to Japan with governmental support in the 1980s, many were already in their forties. Yet the widespread image of the war orphans was that of children who were incapable of

managing their own issues and needed the protection of adults, which had the effect that the war orphans' calls for governmental support were often ignored or considered irresponsible and immature. The image of them as "lost children" also led the government and public to recognize these individuals as Japanese without considering their unique historical context. As repatriation became a straightforward governmental project to bring the lost children back to their families, the confirmation of Japanese lineage became critical for repatriation.

The government initially allowed repatriation only when the orphans' Japanese families agreed to bring them back to Japan. To gain their families' assent, it was essential for the *zanryū-koji* to confirm their Japanese lineage through a familial DNA test. However, this often proved very difficult. First, searches for the Japanese families might be based on slight information, such as circumstantial evidence. Second, even when possible family matches were found, these families were not always willing to go through the long and complex investigation, including DNA testing. Finally, the DNA test results were not always correct. While the war orphans and their Japanese families needed systemic and full-scale governmental assistance to navigate these processes, the government laid much of the responsibility on the *zanryū-koji*, their Japanese families, and their supporters.

Once a war orphan's identity was confirmed, the government's meager support included a few months of language training and the cost of relocation from China to Japan. After repatriation, their Japanese families were responsible for all the *zanryū-koji*'s needs, from renting a house to shopping for groceries. The war orphans' near-total reliance on their Japanese families inevitably caused conflicts. The heavy financial and legal burdens made Japanese families hesitant to agree to the permanent repatriation of their relatives. Even when families were willing to take full responsibility for repatriated relatives, this action was not necessarily beneficial to these returnees' eventual settlement. For instance, if the Japanese families lived in the countryside, the war orphans ended up

in rural areas where they regularly had difficulty finding decent employment and often faced marginalization and discrimination.

Many war orphans thus arrived in Japan only to face a lifetime of economic hardship and heavy reliance on public aid or family funding, as well as social isolation. They came as adults who were culturally Chinese and had Chinese spouses and children with them. Many of them had been raised by impoverished Chinese peasants, had low levels of education, and had earned their living in China through small-scale farming. They had no savings to rely on when they arrived and often were unable to find even basic employment doing manual labor due to their lack of Japanese language proficiency and the fact that they were now middle-aged or older. Thus, it often was impossible for these individuals to improve their situation, and their employment prospects and economic hardship only worsened over time. Finally, unlike other Japanese, the *zanryū-koji* did not receive a full national pension, even after retirement, because of their brief employment history in Japan. Therefore, public aid and family funding were the only resources on which the war orphans could rely, and their economic situation was subject to constant deterioration as they aged.

The repatriation of the *zanryū-koji* has been the source of various controversies in Japan. Conflicts around different cultural practices between the war orphans and their Japanese families were significant as they raised serious doubts in the public mind about the war orphans' Japanese-ness. The *zanryū-koji* were often seen as Chinese migrant workers in Japan because, in the eyes of the Japanese public, there were no significant differences between these two groups. It was understandable for the war orphans to maintain Chinese cultural practices in Japan because they had spent most of their lives in China, speaking Chinese, going to Chinese schools, and practicing Chinese customs. However, many Japanese believed that the war orphans, as Japanese descendants by blood, should be able to naturally speak Japanese and understand Japanese culture. This gap between the public image of the war orphans and

the reality led to debates on the boundaries of the Japanese nation and the war orphans' Japanese-ness.

The Japanese-ness of *zanryū-koji*

Although the war orphans were legally and politically Japanese, many in the public did not consider them to be truly Japanese; *zanryū-koji* were seen as the same as other Chinese in terms of their language, cultural practices, and even mentality. There was no obvious evidence of the war orphans' Japanese-ness except for their Japanese lineage. Therefore, the basic requirements for being Japanese became the center of debate. While many scholars have pointed out different markers of membership of the Japanese nation, four have been significant in the debates on Japanese-ness: Japanese lineage, cultural understanding, Japanese language proficiency, and residency (Ward, 2006; Weiner, 2004). Among these, lineage has been primary. While the issues surrounding the war orphans' Japanese lineage may not be directly related to Western notions of race (Hannaford, 1996), they have had significant influence on perceptions of national identity in contemporary Japan.

The roots of the concept of blood ties are closely related to the history of Japanese imperialism and colonial expansion (Hoshino, 2016; Kowner, 2000), and the idea of Japanese-ness is also heavily dependent on these historical contexts. In Japan, contact with Westerners was a critical moment for creating boundary markers and labeling certain groups of people as "others." While theories of race and racism in the West have greatly influenced the Japanese understanding of relationships among different groups (Kawai, 2015), Japan adapted Western theories to the local context and developed a hierarchical social order based on Japanese blood. In the imaginary underpinning this process of constructing the Japanese nation, the Japanese were linked through time immemorial via bloodlines, which created hierarchical relations among people naturally belonging to the society (Befu, 2001). For instance,

membership in the Japanese nation was limited to the descendants of the “Yamato” people, and other ethnic minorities in Japan may have been officially Japanese but were not viewed as truly Japanese (Weiner, 2002). The idea of Japanese blood was broadly used to establish Japanese imperialism, implying the superiority of the Japanese nation in prewar Japan (Dower, 1986), and it was also widely embraced by Japanese postwar society as the core element of Japanese-ness.

While the belief that Japan is an ethnically homogeneous society has come to be seen as problematic, there is still pervasive discrimination against ethnic minority groups, a legacy of the emphasis on Japanese blood. In Japan there is a strong tendency to dissociate issues of discrimination from racism. However, the idea of racialized identification has been constantly reshaped and transformed to include not only physical characteristics but also cultural values in specific historical and socio-political contexts.⁷⁾ The emphasis on Japanese blood has often been linked to the matter of understanding Japanese culture and language. Even until the 1990s, many believed that Japanese language proficiency was inherent in Japanese genes, and thus, only genuine Japanese could fully understand Japanese language and culture (Yoshino, 1992, pp. 27–30).

The debates about the war orphans’ Japanese-ness revealed the complexity of the issues surrounding these returnees and highlighted the ambiguity that often attended resolutions to the problems they faced. Initially, the *zanryū-koji* were accepted by the Japanese and allowed to come back to Japan because of their Japanese lineage. However, as the strong Chinese cultural influence on their identities became evident, many Japanese began to question the war orphans’ Japanese-ness. While these returnees attempted to prove their Japanese-ness by emphasizing

7) George De Vos, Mark Twain, and Hiroshi Wagatsuma (1967) used the term “invisible race” in reference to discrimination against ethnic minorities in Japan. For a more recent discussion of the “invisibility of race and racism” in Japan, see Weiner 2009.

their Japanese blood, it was undeniable that they were culturally closer to Chinese migrants than to Japanese who grew up in Japan. Many war orphans also failed to prove their Japanese lineage because they were unable to locate their Japanese families; they had come back to Japan based on circumstantial evidence such as Chinese governmental documents and testimony from their Chinese adoptive parents. Moreover, most *zanryū-koji* had married Chinese partners, and their families were not accepted as Japanese. Therefore, it was critical for the war orphans to seek general recognition of their legitimate position as Japanese.

Sociopolitical changes in the 1990s

Since the 1990s, Japanese society has experienced unprecedented changes. The postwar Japanese economy developed quickly; the real GDP per capita reached its prewar level by 1956, and the Japanese way of business gained both wide admiration and intense interest from foreign countries during the 1970s and 1980s (Johnson, 1982; Vogel, 1979). However, strong economic growth ended with the collapse of the asset price bubble in the early 1990s, beginning a long period of stagnation (Hayashi & Prescott, 2002; Sato, 2002). Deteriorating economic conditions led to the disadvantaged and the socially alienated becoming more vulnerable to discrimination. There is no direct data that demonstrates the economic difficulties the *zanryū-koji* faced during the 1980s and 1990s.⁸⁾ However, considering the nature of their employment prospects in the Japanese labor market, it is likely that many suffered unemployment during the economic recession.

The changing demographic profile of Japan also demanded social reform during the 1990s. Since the 1960s, birth rates in Japan have been decreasing. As a result, the working age population had significantly de-

8) The first government survey on the war orphans' living conditions was conducted in 2001, only after their first lawsuits were initiated.

creased by the 1990s. An increasing need for foreign labor pushed the government to modify a variety of regulations in order to allow more foreign workers to enter the country and to make the socioeconomic environment more friendly to foreigners. However, since the 1990s, there has been societal pushback against foreign influence as well; for example, expressions of concern that public safety was threatened by the increasing numbers of foreign workers in the country, especially undocumented workers, became common (e.g., “Increasing foreign workers,” 1988; “The white paper on police: Sharp increase of foreigners’ illegal employment and crime,” 1990). One response to calls to protect the traditional social order in Japan was to grant Japanese descendants in foreign countries special visas to work in the Japanese labor market; a new immigration policy in 1990 brought more Nikkeijin into the Japanese labor market (Sharpe, 2010), but it did not stop other immigration.

Furthermore, with the dramatic shifts in the geopolitical dynamics of Northeast Asia in the 1990s, particularly the rise of China, Japan began to deal with neighboring countries in a more confrontational manner. Growing concern about the threat from China was accompanied by rising anti-Chinese sentiment in Japanese society, and Chinese migrants often became the target of public backlash. Japanese anxiety about Chinese immigration is interesting, because the Chinese are the second largest foreign population in the country.⁹⁾ One reason the Japanese were widely concerned about Chinese migrants during this period was the rise in undocumented migrants smuggled into Japan by brokers. Another reason that Chinese were widely viewed as aggressors might be related to the discourse of the “China threat”; the 1990s saw increasing

9) According to the statistics on foreign national residents (Statistics Bureau, Ministry of Internal Affairs and Communication), the population of Japan in 1995 was estimated at 125,570,246. The population of foreign national residents (1,075,317) was equivalent to around 1.08% of the total population. Around 76.3% of foreign national residents were people from Asia. Of all foreign residents, 48.9% were Korean (including North Korean nationals), and 16.4% were Chinese.

scholarship arguing that China's rapid economic growth would make China a superpower, which would destabilize regional and global security (e.g., Kristof, 1993; "When the Dragon Wakes," 1992). China's unprecedented economic growth since 1979, coupled with its vast territory, wealth of resources, and large population, have led some policymakers and academics in America to express concerns about the expansion of its global influence as a serious threat to the West, especially the United States and its allies, and their way of life.¹⁰⁾

During the 1990s, Japanese newspapers and magazines frequently presented concerns about China's military build-up, economic growth, growing influence on international affairs, human rights violations, and suppression of political democratization. As a result, since that time vague fears and public antipathy towards China have become more common in Japan. At the same time, the war orphans and their Chinese families were also marginalized and even disdained by other Japanese because they were seen as Chinese migrant workers.

The rise of the new right-wing groups

Beyond nationalistic sentiment, some Japanese saw the increase of foreign influence on Japanese society as a degradation of Japanese culture, a situation that would become significant in rising antiforeign activism. Starting in the 1980s, conservative organizations and right-wing groups became more visible, actively engaging in wide-ranging debates about social reform (Uesugi, 2016, pp. 21–37). There were several political attempts to generate a coalition of conservative organizations and right-wing groups (Nakano, 2015), and the rebirth of nationalism in relation to various political issues such as revision of the Japanese constitution

10) The "China threat" has been debated mostly in terms of economic and military expansion, but ideological conflicts have also been critically assessed by many academics. See Broomfield 2003.

also began to strengthen the ranks of various conservative groups in the 1990s. These groups promised to promote Japan's prosperity and international prestige, restore Japan's national pride, and unify the country. They were particularly prone to glorifying Japan's past, leading to controversies about historical issues such as disputes over history textbooks and official apologies to war victims.

For instance, the Japanese Society for History Textbook Reform (Atarashii Rekishi Kyōkasho o Tsukuru Kai), founded in 1996, published a history textbook excluding, fully or partially, accounts of Japanese war crimes during World War II such as the Nanjing Massacre and the military policy of utilizing "comfort women" (i.e., sex slaves). The textbook also includes territorial claims on the disputed territories of the Liancourt Rocks (Takeshima-Dokdo) and the Senkaku-Diaoyu Islands. Although only a handful of schools in Tokyo chose to use the book, a series of disputes over history textbooks has not only strengthened the political unity of right-wing groups in Japan but led to diplomatic conflicts (Pollmann, 2016; Schneider, 2008). People in China and Korea have heavily criticized the rampancy of the historical revisionism in Japan as these conservative organizations and right-wing groups have significantly extended their influence in Japanese politics.

Conservative politicians also made efforts to disrupt official apologies to war victims in the 1990s. When Prime Minister Tomiichi Murayama prepared a statement in 1995 recognizing governmental wrongdoing during the war and expressing an apology to war victims at home and abroad, conservative right-wing groups aggressively conducted signature-collecting campaigns opposing the official apology. Although the statement was eventually released, the language was toned down after difficult negotiations with right-wing groups including the National Conference to Protect Japan (Aoki, 2016, pp. 183–189).¹¹⁾ Conserva-

11) The National Conference to Protect Japan (Nihon o Mamoru Kokumin Kaigi), which also pursued an amendment to the Japanese constitution to allow military

tive lawmakers and others on the right also claimed that Japan should regain a dominant position in international society through active participation in international affairs. While Article 9 of the Constitution does not allow Japan to exercise military force or to participate in international disputes through military intervention, many on the right have continuously struggled to revise the constitution, claiming the inevitability of future involvement in international issues through military operations (Uesugi, 2016). These unresolved issues not only ignited disputes between ideological camps in Japan but also led to discrimination against foreigners and ethnic minorities. As the conservative movement and right-wing groups grew bolder in their attempts to reshape Japanese national identity and gain broader public support, the status of the *zanryū-koji* as legitimate Japanese citizens was either questioned or denied by many Japanese. This resulted in the various efforts to deal with the war orphans' issues in the political arena usually morphing into debates on the war orphans' Japanese-ness. In the 1990s, along with economic difficulties, the *zanryū-koji* faced increasing social marginalization and discrimination. At this juncture, the war orphans and their supporters decided to begin petition campaigns to demand governmental support, and by 2001 they had collected 100,000 signatures for their first petition, which was called "The Petition for Security of the Aged Japanese Repatriates from China." However, neither this nor a second petition was introduced to the Diet, and thus the petition campaigns failed as a means to motivate government officials and members of parliament to enact special measures of support.

Governmental passivity

The Japanese government was never inclined to act on issues related to the war orphans. Beginning with the failure of the initial repatriation

engagement, was a forerunner of the Japan Conference (Nippon Kaigi).

process immediately after the war ended and the blanket death declaration in 1959, the government maintained a passive stance, which continued during the war orphans' family-seeking efforts in the 1970s. For instance, their Japanese families and supporters requested special funding from the government to bring 250 war orphans to Japan so they could further search for family members in the late 1970s. However, the government refused to provide financial support or take any responsibility for the orphans' situation, a position based on the status of the *zanryū-koji* as legally dead in Japan (Tamanoi, 2006). It was only after private investigations and newspaper reports led to public pressure that the government began to act. The *Asahi Newspaper* published biographies and photos of war orphans left behind in China from 1974 to 1981. And when a number of supporters, mostly people who had been sent to Manchuria during the war, sent a private investigation team to China in 1980, which interviewed more than three hundred war orphans, the results of the investigation gained considerable attention. The public pressure finally led to the government supporting the first group of 47 orphans to temporarily visit Japan in March 1981 to search for relatives.

The government's passive stance toward repatriation carried over to its view of issues facing the *zanryū-koji* once they were repatriated. The Japanese government treated the repatriation of the war orphans as a simple process of searching for missing children. Therefore, it only provided the orphans support to search for family members and to travel to Japan for family reunification. Once these orphans came back to Japan and met their Japanese families, the government considered the issue to be completely resolved; any further issues were the responsibility of the families. Such views were reflected in the absence of assistance for settlement in Japan. As mentioned, many war orphans were not capable of finding good employment and thus were not able to support their families, primarily due to their lack of Japanese language proficiency and relatively older age. The government provided only short-term language programs and no vocational training. The returnees were often turned

over to their Japanese families lacking even basic Japanese communication skills, and thereafter failed to gain financial independence.

Many of the *zanryū-koji* did not even complete the inadequate language training provided as part of the initial settlement policies because they felt the need to try to find work immediately. Their supporters, their Japanese families, and government officials pressured them to become financially independent as quickly as possible. However, if they engaged in manual labor as low skilled workers their income was not high enough to take care of their families. Moreover, as they aged they could not continue to work. Many became unemployed and began to live on their pensions in the 1990s. A survey conducted in 2003 by the Ministry of Health, Labor, and Welfare indicates the seriousness of the war orphans' economic hardship: 80.1% of respondents (*zanryū-koji* and their partners, as well as Japanese women who had married Chinese nationals when they were left behind after the war, known as *zanryū-fujin*) answered that both the respondents and their partners were unemployed, and more than half of all respondents (58%) depended on public aid.

Their short employment history in Japan was also connected to the amounts of national and private pensions they would receive after retirement. The same 2003 survey indicated that 35.8% of the war orphans received pensions, and more than 60% of these pensioners received on average 30,000 Japanese yen¹²⁾ per month. This monthly pension was not sufficient to sustain a household. As a result, many war orphans and their families had to rely on public aid; however, they also faced strong psychological and practical hurdles to doing so. For instance, under the rules of the governmental aid program for basic livelihood, which was designed to support the economically disadvantaged and assumes recipients will use the money for living expenses in Japan, recipients must be physically present in Japan. Yet because the war orphans had left behind

12) Roughly 300 U.S. dollars per month.

Chinese families and relatives, including adoptive parents, when they moved to Japan, many of them were compelled to visit China from time to time. However, they would continue, for example, to need to pay rent in Japan. Although the laws concerning livelihood protection did not explicitly prohibit the war orphans visiting China, in practice the requirement for physical presence in Japan either prevented the war orphans from visiting their families abroad, or led them to disregard these rules and visit China. The latter choice caused them serious financial problems when the government later found out about trips conducted without notification and demanded the return of the relevant amounts of money. This controversy over public aid highlights the war orphans' vulnerable position in Japan and the lack of governmental understanding regarding the issues they faced.

Some *zanryū-koji* appealed to the government for waivers that would allow them to visit China without an interruption in the aid they received, only to be criticized or even insulted by government officials. The Japanese public also took an unsympathetic view of war orphans' travel to China as they could not understand the situation that these returnees faced. Furthermore, inspectors from the aid programs often criticized the war orphans' consumer habits and blamed their economic hardship on laziness. The war orphans' unemployment, socioeconomic hardship, and reliance on public aid were primarily due to their belated repatriation. However, their failure to achieve financial independence was often seen as proof of limited abilities and laziness, which were also thought to be characteristic of Chinese migrant workers in Japan. Since these orphans were often misperceived as Chinese migrants, they were subject to the same social prejudices.

Political struggles of the *zanryū-koji*

In the late 1990s, the war orphans' supporters finally realized that more than two decades of activism had failed to improve the lives of these

returnees; the orphans and their families were still experiencing extreme economic hardship. In attempts to achieve more immediate governmental support, some supporters tried to negotiate directly with members of the Diet and other government officials. Because it was almost impossible for these supporters to utilize conventional movement methods such as mass rallies, they believed that direct political negotiation with the government would be the quickest way to bring about policy changes. The war orphans and their supporters met government officials several times to request governmental aid that would be specifically targeted to what was most needed. However, their attempts at negotiation had little effect because the orphans and their supporters had no leverage with the politicians and bureaucrats.

While the *zanryū-koji* attempted to justify special assistance programs by emphasizing that the belated repatriation had caused extraordinary hardship, the officials maintained an inflexible stance on compensation. The Japanese government has consistently claimed that all Japanese, to a greater or lesser degree, were victims of the war, and that therefore it would be unfair to provide assistance for a specific group (Efird, 2008, pp. 365–366; Sugawara, 2009, p. 73). According to this logic, people who expect more institutional compensation than others by claiming greater suffering from the war are egocentric and immature; all Japanese people should share the burden and together try to overcome the terrible experiences of the war.¹³⁾

By the 1990s, many of the most committed activists and supporters had grown much older, and they gradually left the movement throughout the decade; consequently, the communities supporting the war orphans began to lose much of their drive to continue their actions on the returnees' behalf. Therefore, the war orphans and their supporters decided to begin a final round of political action through petition campaigns in the late 1990s. They urged the Japanese government to enact a new

13) On the emphasis on Japanese victimhood, see Efird 2008, footnote 6.

law providing financial support for the war orphans by filing petitions at the National Diet. To achieve public support for their cause, they started signature-collecting campaigns and tried to find members of the National Diet who would help them by introducing the petition in the Lower and Upper Houses. By 2001, the orphans had collected 100,000 signatures and gradually gained the support of representatives for their first petition, "The Petition for Security of the Aged Japanese Repatriates from China."

However, a preliminary screening by the Committee of Health, Labor, and Welfare left the petition pending, a failure that was predictable because the war orphans had been unable to gain support from the Liberal Democratic Party (LDP). One reason for this failure was that five decades had passed since the end of the war, and the younger members of parliament had little, if any, knowledge of the *zanryū-koji*, making it extremely difficult to convince them to support the petition. In addition, the government's inflexible stance against compensation for civilian victims of the war was also the LDP's stance. And because the government characterized all Japanese as equally victimized by the war, it was concerned that other war victims would be encouraged to claim compensation if assistance were granted to the war orphans. Hence, the government maintained the position that the war orphans' economic hardship could be, and should be, managed within the existing public aid programs.

On August 15, 2001, after the first petition failed, the *zanryū-koji* and some of their supporters marched in Tokyo in protest. However, their first application to march was refused because the National Police Agency misinterpreted the march as a protest by Chinese residents. This incident reflected the vulnerable position of the orphans as Japanese with a Chinese cultural background. During the demonstration, the march was also misidentified as an action taken by Chinese residents because the war orphans voiced their slogans and catchphrases in both Chinese and Japanese. Although around 600 war orphans and other

repatriates, their families, and volunteers participated in the demonstration, the protest was largely ignored by the Japanese public. Despite the failure of their first petition, the war orphans and their supporters decided to begin a second petition campaign as they felt they had no other choice but to try again in 2002. However, the major obstacles to the first petition campaign — lack of public interest and the LDP's position on the question of compensation — had not changed, and the second petition, like the first, failed to be introduced in the Diet.

In December 2002, 629 *zanryū-koji* finally sued the Japanese government, demanding compensation and an official apology for the decades of governmental neglect, from their delayed repatriation to the lack of support for their settlement in Japan after repatriation. The initial filing was submitted to the Tokyo district court; eventually, a total of 2,211 plaintiffs in 48 cases in 15 district courts participated in lawsuits against the Japanese government. Approximately 90% of the *zanryū-koji* living in Japan took part. In terms of the total number of plaintiffs and the amount of compensation they claimed, it was the largest compensation claim for war-related damages in Japanese history.

Legal mobilization as a movement tactic

While legal tactics are common in Japanese social movements, many activists have long believed that lawsuits, especially against the government, are expensive, time-consuming, and relatively unrewarding, and thus an ineffective method to achieve their goals. In addition to the problem of expensive legal fees, many small advocacy groups often have difficulty finding lawyers who are willing to litigate on their behalf. Regarding the war orphans' lawsuits, for instance, many lawyers refused to take the initial case because legal precedent indicated it would be almost impossible to win (Sugawara, 2009, pp. 77–78). Previous class action suits claiming compensation and demanding official apologies for past harm to civilians, especially concerning events of the Second World

War, have often failed in Japanese courts and been unable to elicit meaningful responses from either the public or politicians (Kurihara, 2018).¹⁴⁾ In fact, many of the war orphans' supporters hesitated or even declined to continue their involvement because they thought the lawsuits against the government would not work; in addition, some believed that making such legal claims was a selfish and immature way to seek help.

Despite the many problems with compensation lawsuits against the government, in the early 2000s the war orphans decided that legal mobilization was their last hope for receiving governmental support. As we have seen, they had tried direct negotiation, petitions, and protest demonstrations with the help of civil activists and other supporters, but they had been unable to create sufficient sociopolitical pressure to motivate the political elites to actively deal with their issues through these conventional methods. The war orphans and their supporters felt forced to seek other ways to convince the political elites to change the relevant assistance policies by gaining more attention and public support.

In the political arena, various efforts to deal with the issues surrounding the *zanryū-koji* had been thwarted when the question of their Japanese-ness was raised. Because compensation and an official apology from the government would represent an official acknowledgement of the war orphans' legitimacy as Japanese, the orphans' Japanese lineage and their rights as Japanese citizens were also at the center of debate during the lawsuits. In other words, winning a lawsuit would also mean official recognition that the *zanryū-koji* were, in fact, Japanese. Moreover, even if they failed to win their cases, having historical facts about the war orphans and proof of their Japanese lineage admitted in court would provide a solid basis for further political action after the lawsuits ended. In addition, the war orphans needed to convince the public and political elites of the appropriateness of the policy changes. Winning a court

14) Also see Park 1997, on Japan's postwar reparation policies for foreign victims.

ruling favorable to their claims would justify their efforts to pursue life as legitimate Japanese citizens and thus would help the war orphans to convince the political elites to deal with their issues.

While the support of the public and the attention of political elites were crucial to the movement's success, it was very difficult for the war orphans to convince people to strongly support their cause because many people did not understand the reasons behind their claims. As most young Japanese knew little about wartime Japan, the *zanryū-koji* and their suffering were largely invisible.¹⁵⁾ The public also lacked interest in the war orphans' problems because these issues were seen as the result of complex historical events that were not directly related to people's daily lives. In addition, most people would have assumed that the repatriation itself had solved these problems long ago. There was also the heavy political burden surrounding their compensation claims because the underlying logic of the claims would apply to many other compensatory claims for wartime damages by countless civilian victims of the war. The lack of public understanding and support along with the political elites' motivation not to support their cause led to the *zanryū-koji*'s view that they had no option but to take legal action to clarify the controversial aspects of their situation and secure a lawful basis for their claims.

The lawsuits largely failed. The *zanryū-koji* lost every case except for the one in Kobe. Even in Kobe, three war orphans' claims were rejected, and the others received only partial compensation of amounts from 6,000,000 to 23,760,000 yen, which were not even close to the amounts claimed. In addition, it was highly possible that the decision would be overruled by a higher court if the government appealed, which meant it would take much longer for the war orphans to receive any final decision. Furthermore, although these lawsuits had received increased public and media attention, they did not necessarily result in more sup-

15) On Japanese war memories, see Awaya 2006, Kazuhiko 2008, Seaton 2007, Silverberg 2007, and Takenaka 2016.

port from the public or political elites.

Abe's decision to provide the war orphans special supporting measures

While the *zanryū-koji* lost most of their cases, Prime Minister Abe decided to provide them special assistance programs including access to national health care, a full national pension, public housing, and various administrative support after their lone victory in Kobe. Abe announced these supportive measures for the war orphans without political coordination among opinion-makers in policy circles, for reasons that remain unclear, as the details of the negotiating process have been kept confidential. However, it seems evident that the lawsuits created enough additional sociopolitical pressure to motivate the leadership of the LDP including Abe and bureaucrats to enact this special assistance law. The implication is that legal mobilization can be an effective method to achieve movement goals when combined with the conventional methods of advocacy activities such as street demonstrations and direct negotiations with the political elite.

Besides the impact of the legal mobilization, Abe's long support for conservative right-wing ideology might have played a role in his decision. For instance, Nippon Kaigi, an ultra-nationalistic and extreme right non-governmental organization, promotes worship of the imperial household, educates young people to cultivate the patriotic spirit and cherish the essence of Japanese-ness, and seeks to amend the constitution to fully utilize the Self-Defense Forces as a sovereign state. In short, their overarching goal is to build national pride and a strong state-centered country, which the group describes as the restoration of a glorious Japan by defending and preserving the traditions of the Japanese empire (Muto, 2016; Tawara, 2017). While many conservative groups currently active in Japan have different action plans for the restoration of the glorious past, they generally express similar ideas of Japanese-ness that

are in accord with structural discrimination against ethnic minorities.¹⁶⁾ Abe's policy priorities and public expressions of his hope to build a great and proud nation demonstrate that he shares similar views with these right-wing groups.

In a similar vein, the Abe administration worked to keep alive the issue of North Korean abductions of Japanese citizens. The stories of Japanese being abducted by North Korea had been largely ignored and often considered a conspiracy theory for decades. But after Prime Minister Junichiro Koizumi raised the issue at the first Japan-North Korea Summit and brought five abductees back to Japan in 2002, it became a major political issue in Japan. The Japanese government confirmed that North Korea had abducted 17 of its nationals and possibly hundreds more missing Japanese. The news on these Japanese abductees caused widespread outrage and reawakened the ambition of militarizing the Self-Defense Forces within the Japanese government and the public.

Admitting its failure to protect its citizens, the Japanese government provided the returnees from North Korea and their families extensive support including full pensions, health care plans, special educational programs, and other expenses for successful settlement in Japan. From shortwave radio broadcasts to North Korea to animation documentaries and movie screenings on the topic at schools, the government has also sponsored various projects to keep public attention on the issue. Abe obsessively sought to resolve the problem, raising the matter whenever he had the chance to talk with the US president and other world leaders and cultivating a self-image as a crusader who protects Japanese civilians against foreign influence. As the government linked the abductee issue to national sovereignty and the state's responsibility to protect its citizens, the issue also became a major element of the case for revising the Constitution to reduce constitutional limits on the army and to revise the Education Law (Onishi, 2006).

16) On the construction of minorities in Japan, see Yamashiro 2013.

The governmental support for these other Japanese returnees outraged the war orphans. Many war orphans claimed that they also deserved to get full support from the government because the delay of the official repatriation had caused irreversible damages to them. They claimed that the government should provide the war orphans a similar level of support as that received by the victims of North Korean abduction, if not more, because they had suffered from governmental wrongdoing from childhood. If the war orphans were accepted as Japanese, they argued, then they had the same right to a decent life in Japan as any other legitimate Japanese. And the war orphans' legitimacy as Japanese had been acknowledged by the courts, not only in the Kobe lawsuit they had won, but in several legal cases they had lost. Thus, when the war orphans raised the issue of citizens' rights to be protected by the government, Abe's interest in the citizens' rights of the North Korean abductees may have motivated him to finally provide governmental support to the war orphans.

Conclusion

This paper reveals how the idea of Japanese-ness is at the core of the issues surrounding the *zanryū-koji*. I argue that debates on the war orphans' Japanese-ness explain the government's passivity in dealing with these issues, including the belated repatriation. I also reveal that the concept of a homogeneous Japan through Japanese lineage is still powerful in shaping the boundaries of the Japanese nation and often serves as the basis for the isolation of and discrimination against foreign populations in Japan. This paper explores how the *zanryū-koji* confirmed their Japanese-ness and legitimate rights for governmental support through legal actions against the Japanese government, despite their general failure to win their lawsuits. It shows how the dramatic shift in the economic and sociopolitical environment of Japan in the 1990s and the spread of nationalism and antforeign sentiment in Japan since the 1990s are linked

to the governmental support that finally was offered to the war orphans from 2008.

While the war orphans' most urgent problems were resolved or largely alleviated when the Japanese government began to provide some essential support, it is still not clear how the decision to do so was made. This paper does not explore the motivation behind Abe's surprise announcement. However, the link between the debate surrounding the war orphans' legitimacy as Japanese and the rebirth of nationalism might be able to explain the ambiguous but quite persuasive flow of logic in this decision. Abe is well known for his right-wing conservative stances, and as prime minister he often emphasized the privileges of Japanese in various controversies. Considering his government's full support for the returning Japanese citizens who had been abducted by North Korean agencies, it may have been difficult for him to ignore the war orphans' situation, especially when they had been officially acknowledged as Japanese and their claims admitted in court. Regardless of the government's intentions, the war orphans' legal mobilization reveals that litigation as a movement tactic can be effective in achieving movement goals when it is combined with other conventional methods of advocacy.

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Disturbance or Exception?

The negotiation of identity for Japanese returnees

Takeshi Shirakawa

Introduction: Codes of Japanese-ness

The legacy of Japan's "pure" homogeneous collectivity as a nation has long shaped Japanese norms of togetherness and exclusivity. This imagined homogenous collectivity still comprises a dominant discourse among the Japanese people and is a concept not often subject to close scrutiny. The sense of collectivity is also enhanced by cultural distinction. Huntington, for instance, categorizes the world's major cultural/civilizational spheres and delineates the Japanese cultural/civilizational sphere as independent from the neighboring sphere, i.e., the Confucian cultural sphere (1993, p. 25), indicating that Japan and the Japanese people are somewhat of an independent, collective, homogenous unity. This imaginary unity in Japan represents what Deleuze and Guattari call a "striated space":

As Deleuze and Guattari have suggested, striated spaces are heavily coded with normative boundaries. Movement within them produces a tightly controlled ascription of identity to those who enter and traverse them. Striating space, they assert, is one of the fundamental

tasks of the state, a function aimed at preventing nomadism. This function operates both physically and symbolically (Shapiro, p. 52).

Japan as a striated space not only controls categorization of Japanese ethnicity through institutions (e.g., law, government, standardization) but also through discursive (normative) coding (e.g., cultural norms, morality, ethos, language). On one hand, the imaginary idea of Japanese ethnic identity as a code of the Japanese nation's striated space functions to protect the space from drastic change or eradication by nomadic invasions; that is, it may provide a certain coherence as a collective group. However, on the other hand, it acts as an inflexible and intolerant barrier to changes or new elements; it functions to exclude and marginalize Others both inside and outside this space. Such inflexibility and intolerance gained greater saliency when the Japanese children and women left behind in China after the Second World War, called *zanryu-hojin*, who had long lived in China, acted on their desire to return to Japan and demanded repatriation beginning in the 1970s. As their identity was considered complicated and different from the homogenized Japanese identity in the homeland, the existence of such a group of people acted to disturb the striated space of Japanese-ness. Because of their "other-ness," the Japanese government has created (is creating) difficulty for the *zanryu-hojin* in their quest to return to and live in Japan, as the government remains committed to a striated, static Japanese bubble. The positionality of these returnees, in accordance with Deleuze' and Guattari's term, is a nomadic disturbance.

This paper reflects on the extent to which the returnee issue reveals details of deeper questions surrounding social death, the static idea of ethnic categorization — including and excluding Others —, and the silencing of a diverse population, all of which act to protect a homogenized Japanese narrative. It also examines how the Japanese government has minimized the disturbance of the striated space caused by the *zanryu-hojin*. First, I provide a brief review who the *zanryu-hojin* are and

how this group came to exist. Also, I will briefly detail the problems that *zanryu-hojin* faced prior to 2008 when more satisfactory governmental assistance was guaranteed.

Secondly, I look into the theoretical significance of the repatriation problem: biopolitical social death, misconcretization of ethnic categorization, and the erasure of plurality. The repatriation of the *zanryu-hojin* reveals they are a population whose socio-political existence is regulated and controlled by governance; the technology of knowledge, that is, institutionally gathered information such as family registries, death certificates, and DNA tests did not help the returnees acquire civic rights but were rather used to deprive them of their personhood in Japan. Furthermore, the issue of the returnees raises questions regarding Japan's commitment to a static, fixed, ethnic categorization. The arrival of the returnees could have provided an opportunity for a new understanding of ethnic, cultural Japanese-ness as dynamic, negotiable, fluid relationality. Moreover, the returnee issue indirectly challenges Japan's monolithic narrative that forces homogeneity and silences plurality in distinctive experiences. A narrative that "all Japanese are the victims (or offenders) of the war, so we all have to bear this responsibility" does not allow the narratives of other groups as victims, including those of the *zanryu-hojin*, whose narratives act to expose the government's responsibility for war crimes and war victims during its imperial era.

Thirdly, I observe how the Japanese government minimized the disturbance of the fixed striated space of Japanese-ness, and in this regard, whether the returnee issue could have a silver-lining, allowing for the decoding of fixed striated space with Japanese ethnic categorization. The litigation brought by the returnees demanding help for the immediate, pragmatic needs that would allow them to maintain their lives in Japan successfully pressured the Abe administration to provide firm governmental assistance. However, it is hard to say that this victory acted to directly decode the existing striated space of Japanese-ness. On the contrary, Abe's commitment to provide assistance to the returnees turned

out to be a reactionary scheme that aimed to protect Japan's striated space of Japanese-ness by capturing — in Deleuze and Guattari's words — the returnees, i.e. the nomadic intruders without giving them full civic rights, nor did the government finally face issues of fundamental responsibility. Providing for the subsistent needs of the returnees circumvented further argument about Japan's narrow fixation regarding ethnicity as well as its war responsibility.

***Zanryu-bojin*: Japanese civilians left behind in Manchuria**

Before discussing what has been revealed by the issues surrounding the returnees and what we can see in the reaction of the Japanese government, I briefly lay out who the *zanryu-bojin* are, how this group came to exist, and discuss their living conditions following their return to Japan. *Zanryu-bojin* (残留邦人) is the term given Japanese emigrants who were left behind in China, particularly in Manchuria, when WWII ended. Most were women and children at that time. These women are often called *zanryu-fujin* (remained wives: 残留婦人), and the children are called *zanryu-koji* (war orphans: 残留孤兒), a group that also includes the children of *zanryu-fujin*.

During the 1930s the Japanese Empire built a puppet state in Manchuria in the northeastern region of China and promoted emigration of Japanese citizens to this region; the estimated Japanese population by the time of the Russian advance into Manchuria in 1945 was about 2.15 million (Ward, 2006, p. 139). Male civilians were conscripted and sent to various war fronts as the Japanese military situation deteriorated, while women, children, and the elderly were left behind (Ward, 2006, p. 139). Meanwhile, military families were sent back to Japan before the Russian advance, as service personnel were aware of Japan's worsening military situation (Ward, 2006, p. 140). Moreover, as a demonstration of normalcy, the Japanese government continued sending emigrants to Manchuria until the eve of the Russian advance. Therefore, whereas the

civilians were kept in the dark about whether they should return to Japan, “no family members of professional soldiers are among *zanryū koji*” because of their preemptive repatriation (Ward, 2006, p. 140).

The civilians were, therefore, abandoned by Japan and completely vulnerable when the Russian military advanced into Manchuria. While over a million Japanese managed to return to Japan during 1946–1948, many were injured, captured, or killed by the Russian troops (and by the local Chinese), while others committed mass suicide or died of starvation (Ward, 2006, p. 140; Chan, 2011, p. xix). Still others asked local Chinese to adopt their children, and women (re)married local Chinese men to survive (Ward, 2006, p. 140; Efrid, 2020, p. 818). When the repatriation program was discontinued in 1958, many Japanese women and children were left behind.¹⁾ The Japanese government issued a declaration of death for those *zanryu-hojin* in 1959 to end repatriations. These individuals were then erased from the official family registration, called *ko-seki* (戸籍).

Those who survived and lived in China for more than 30 years following the end of the war started trying to return to their families and relatives in Japan in the 1970s, following the normalization of diplomacy between China and Japan in 1972. Those who did not/could not actually return to Japan until recently and those who returned to Japan beginning in the 1970s will be called *zanryu-hojin* in this paper, and returnees refers to the *zanryu-hojin* and the extended family members who came to Japan with them, known as *dohan* family members. As of 2020, the official record shows that the total number of *zanryu-hojin* who have permanently repatriated is 6,724, and the total number of *zanryu-hojin* classified as temporary visitors is 6,059. The total number of the permanent residents including their family members is 20,911,

1) A precise accounting of the number of the people having scattered and hid in Manchuria and China would have been almost impossible at that time, the estimated remaining population between 1958–1959 ranges from 10,000 to 77,000 (Ward, 2006, p. 140).

and that of the temporary visitors is 10,189.²⁾

It seemed at first that the repatriation, which (re)started in the 1970s, would have been a relatively straightforward process since the left-behind Japanese had “blood” connections. However, the *zanryu-hojin* ended up struggling to be admitted as Japanese citizens and had difficulty finding livelihoods in Japan when they returned. The repatriation movement in the 1970s soon revealed shortcomings in that some *zanryu-hojin* could not trace their families/blood relatives. The government defines *zanryu-koji* as “Japanese in China who were less than 13 years old” on August 9, 1945 (Efird, 2008, p.373; Chan, 2011, p. xix).³⁾ While this is an extremely arbitrary definition which excludes, for instance, a child who became 13 years old on August 8, 1945, many of these arbitrarily defined children had no memory of Japan or of their Japanese families, or they did not know which families they were descended from (Chan, 2011, p. xx). This situation made it hard for them to validate their kinship, which acted as a primal marker of their Japanese identity, and as a result, they were categorized into two groups: “identified” and “unidentified” *zanryu-hojin* (Efird, 2008, p. 375). Even though the *shu-seki* (就籍) system (reconstruction of family registration) made it possible for some identified and unidentified *zanryu-hojin* to acquire *ko-seki* and citizenship, the unidentified *zanryu-hojin* had to register as foreigners (Efird, 2008, p.376).⁴⁾ The identified *zanryu-hojin* also faced difficulties living in Japan because they were most often dependent on their families or relatives, with whom they had been separated for more than 30 years, and because the government did not provide sufficient support to allow them to live independently in

2) The number was updated on November 30, 2020, by the Ministry of Health, Labor and Welfare of Japan. <https://www.mhlw.go.jp/stf/seisakunitsuite/bunya/bunya/engo/seido02/kojitoukei.html>

3) 13 years old are not included.

4) Japan has two civic identification systems; one is national citizenship (*koku-seki*: 国籍), and the other is family registration (*ko-seki*: 戸籍).

Japan (Efird, 2008, pp. 375–377).

The government gradually amended its policy on the *zanryu-hojin*. In 1984, the government gave “unidentified orphans the right to reside permanently in Japan if they had a Japanese guarantor” (Efird, 2008, p. 375). In 1994, the government issued a law guaranteeing and promoting “smooth repatriation for Japanese remaining in China and the assistance for self-sufficiency following their permanent repatriation” (Efird, 2008, p. 378).⁵⁾ In 2007, the Supplemental Provision 127 was added as a bylaw to the law of 1994 to fully support and assist the returnees’ living in Japan; this provision included among other items, access to pensions, healthcare, public housing, interpreters, learning centers, and employment agencies (Efird, 2008, p. 385).⁶⁾

Even though the returnees now have governmental assistance that should help support them to live in Japan, to this day, many returnees have still not acquired full Japanese citizenship (Efird, 2008, p. 374). The Japanese government is institutionally hesitant to allow them Japanese citizenship due to bureaucratic complications. Furthermore, the question of citizenship also problematizes the cultural difference of the returnees having adopted Chinese culture; even though the government’s defining marker of ethnicity is kinship, *zanryu-hojin* do not share markers of Japanese-ness, such as norms, culture, and language. These differences thus cast doubts on the returnees’ Japanese-ness.

5) Ministry of Health, Labor and Welfare. (1994). *Chugoku zanryu hojin to no enkatsu na kikoku no sokushin narabi ni eiju kikoku shita chugoku zanryu hojin to oyobi tokutei haigusha no jiritsu no shien ni kansuru houritsu* (中国残留邦人等の円滑な帰国の促進並びに永住帰国した中国残留邦人等及び特定配偶者の自立の支援に関する法律)

6) Ministry of Health, Labor and Welfare. (2007). *Fusoku (Heisei 19 nen 12 gatsu 5 nichi houritu dai 127 go) shou* (附則 (平成十九年十二月五日法律第二百二十七号) 抄) https://www.mhlw.go.jp/web/t_doc?dataId=83035500&dataType=0&pageNo=1

Social death, misconcretization of categorization, and erasure of plurality

The existence of the *zanryu-hojin* and other returnees highlights the fundamental problems of biopolitical social death, of static categorization of “ethnicity,” and of homogenization and suppression (ignorance) of plurality. This theoretical lens of biopolitical arrangement, which is based on static categorization as well as a homogenized, monolithic narrative, reveals an intersectional positionality of the returnees and highlights the problem of Japan’s denial of overall responsibilities.

Social death of the *zanryu-hojin*

The struggle of the returnees in Japan points to a biopolitical consequence: the continued governmental rejection of the returnees as Japanese citizens indicates a bureaucratic, calculative arrangement of these individuals as socially dead. In other words, the government deprives them of personhood. Not only were they erased from the family registries and declared dead in 1959, but they were also sustained administratively as non-existent until irrefutable evidence (e.g., family registration and DNA) proved their connections to family members in Japan (Efird, 2008, p. 374). Their resurrection from the dead was complicated because of their erasure from *ko-seki* and the difficult process of *shu-seki*.⁷⁾ Some *zanryu-hojin* quite easily reunited with their families and were more or less resurrected as Japanese. However, many others faced obstacles such as their erasure from family registrations or an inability to access DNA tests due to financial and physical limitations. This complex process produced the unidentified *zanryu-hojin* (Efird, 2008, p. 375). As explained in the previous section, the unidentified returnees were forced to register as foreigners (Efird, 2008, p. 376). Therefore, even though the

7) Refer to p. 36.

government provided them with the right to be permanent residents in Japan, they were resurrected as incomplete citizens. Some returnees argue that the government treats the returnees like “handicapped people [and] ill people” who “don’t have ability to work” (Efird, 2008, p. 383). They are incomplete citizens because of Japan’s exclusivity of citizenship.⁸⁾ The returnees’ actual ability to exercise their civic (and human) rights as full citizens is regulated due to the bureaucratic and administrative arrangement of their status in Japan. Currently, a lack of full citizenship is inherently causing social death or half-death among the second and the third generations of the returnees, a situation discussed in more detail in the concluding section of this paper.

The returnee issue is thus one of biopolitical control that arranges individual rights and the ability to have a decent living in accordance with bodily, administrative information. Esposito (2015) explains biopolitics as follows:

The political has always had a privileged relationship with the bodies of both individuals and populations. But what up until a certain time passed through a series of categorial filters and forms of institutional mediation has now become a matter directly affected by the new political dynamics. ...[B]iological life is increasingly both the subject and object of power. This is ... called biopolitics (pp. 12–13)

He goes on to say that “the entire population has entered into an unprecedented relationship with a corporeality consisting of needs, wants, and desire...” (Esposito, 2015, pp. 12–13). An individual’s corporeality is now arranged by “categorial filters” and “institutional mediation” as a collective group, and this group is dispositioned to function to satisfy with or be eliminated from needs and desires. In other words, population — an artificially categorized group of individuals undergirded by

8) Japan does not allow dual nationality, so those who hold Chinese citizenship cannot acquire citizenship and rights based on Japanese nationality such as the right to vote, for instance.

statistical data, census, registration, or any other knowledge — is a controllable subject of the governance. Population is a modern technology of “statistical artefact” (Curtis, 2002, p. 509).

Foucault calls this power relationship attributed to the technology of a population founded by knowledge “governmentality” (Burchell et al, 1991, p. 96). The government is a part of governing technology directly in control of the body of individuals and the population; information of individuals, ranging from their needs/desires to DNA, are forms of knowledge that engender power. The process of defining a population inevitably involves inclusion, exclusion, or marginalization of “other” individuals (Esposito, 2015, p. 14). To be excluded or marginalized from a certain group is to be rearranged as a separate group for societal disposition, and thus some these individuals are arranged as incomplete citizens. That is how the *zanryu-hojin* and the returnees were “dead” even though they were indeed alive; the “death declaration” of 1959 officially caused the *zanryu-hojin* to vanish from Japan (Efind, 2008, p. 377). Their existence and disposition are not only the result of the political conduct of the government but also the power effect of corporeal technological knowledge, i.e., *ko-seki* (patrilineal family registration) and *koku-seki* (national citizenship at birth), i.e., governmentality. They are not exactly foreigners, nor are they non-citizens (such as slaves), but they also do not occupy the same existence as the homeland Japanese in terms of equal citizenship. They are stealthily sorted into a second-class citizenship, even though the governmental financial support may slightly offset the reality of their incomplete status as citizens. The biopolitics of the returnees in terms of Japanese citizenship, therefore, indicates that “acquisition of citizenship over time is a story about being rendered less foreign” rather than it is a story about complete restoration of their disposition as full Japanese citizens (Parker, 2015, p. 12). They are continually and biopolitically dispositioned as subject with “legal disabilities” (Parker, 2015, p. 10).

Static categorization of ethnicity and Japanese-ness

The returnee issue also reveals the methodological and epistemological flaw of static, fixed categorization of imagined collectivity, namely Japanese ethnicity, and the disturbance of the legally fixed and normatively framed idea of “Japanese-ness” indicates the necessity of a new understanding of this imaginary category as a more dynamic, fluid, and flexible expression. As described in the previous section, the main struggle of the *zanryu-hojin* concerns their involuntarily discursive identity, which hovers over the inappropriateness of their Japanese ethnic categorization. Even though their kinship — bloodline — is Japanese blood, which, by the Japanese standard, should be a marker of Japanese ethnicity, this is not sufficient to identify them as Japanese (Ward, p. 141, p. 143). Japanese ethnicity requires another essential aspect for the criteria: Japanese-ness. Japanese-ness is an underlying ideology of homogenous unity of the Japanese people, and the cultural and normative idea of Japanese-ness is supposed to sustain pure homogeneity. A perfect command of and ability to understand the aesthetic subtleties of Japanese language, for instance, may be an implicit marker of Japanese ethnicity (Ward, p. 144). Norms of habits and customs (such as language) are fixed codes of Japanese-ness. However, most *zanryu-hojin* had lived in China for at least 30 years before coming back to Japan and thus had adopted Chinese culture. Perhaps most importantly, they either forgot the Japanese language, or in the case of the family members of the *zanryu-hojin* had never learned it. Moreover, they are not familiar with Japanese norms, which, the Japanese believe, are authentic markers of Japanese ethnicity. Such official and normative categorical ideas do not function to identify the returnees, and by extension other immigrants and naturalized Japanese including the second and third generation returnees, as Japanese. Statically and solidly coded categorization became a problem, resulting in inequality and civic injustice as the returnees were treated as socially dead or as foreigners and did not receive proper protection as Japanese

citizens.

Thus, the categorization of Japanese ethnicity has become a problematically fixed classification that has excluded the Others and cannot be negotiated. Yet, such a static fixation is now disturbed by the returnees and has forced a new understanding of the collective group as a more dynamic, flexible, and negotiable relationality. Whitehead's metaphysical approach indicates that such static and fixed imaginary categorization (of Japanese-ness) is called "misplaced concreteness"; the fallacy of misplaced concreteness means that one neglects "the degree of abstraction involved when an actual entity is considered merely so far as it exemplifies certain categories of thought" (Whitehead, 1985, p. 8).

According to Whitehead, the problem of our thinking about an entity is that we concretize the substance and quality of an entity as the degree of ultimate, fixed, preconceptual, unnegotiable "material configuration" (Whitehead, 1967, p. 50). While certain traces of substantive characteristics are effective in our cognition of an observed entity, we fail to apprehend the entity if we locate its substance and quality as simply a fixed permanence because such misconcretization means we ignore its accidental and changeable qualities (Whitehead, 1967, pp. 50–53). Misplaced concreteness, mistakenly concretizing abstract categories of thought, erases the contingent, dynamic qualities of the categorial entity. Whitehead's method, therefore, indicates simultaneity of permanence (concrete substance) and flux (contingent quality), which gives an entity *provisional* permanence. This cognition allows an entity to change its qualities in accordance with its immediate experiences and reality in time and space while it does not lose its coherent boundary as an entity. In other words, an entity (and our cognition thereof) has a self-criticizing and self-correcting ability to adjust its quality with experiences taking place in a particular historical time and space (Whitehead, 1985, p. 15). The boundary that distinguishes the entity is considered an impenetrable, porous membrane.

The returnee problem also sheds light on another issue of episte-

mological significance: solid categorization ignores the interrelationality of things and people. Extending Whitehead's idea, Deleuze and Guattari explain that our focus should be on relationality instead of an entity and that the reality should be recognized as becoming rather than being. The reality of things is, according to them, rhizomatic relations; "[u]nlike a structure, which is defined by a set of points and positions, with binary relations between the points and biunivocal relationships between the positions, the rhizome is made only of lines..." (Deleuze & Guattari, 1987, p. 21). Focusing on things as existing in rhizomatic relations gives an alternate cognition of things as lines, not points. A rhizome is a collective entity yet does not have starting points, ending points, or ontological hierarchy between the points but rather a continuous multiplicity of between-ness.

Deleuze & Guattari claim, more radically than Whitehead, that there are not genealogical points (provisional permanence) but that the reality is "lines" or relationality between points. Recognition of points as independent realities is misplaced concreteness of reality; instead, things should be recognized not as "being" but as "becoming."

Becoming is a rhizome, not a classificatory or genealogical tree. Becoming is certainly not imitating, or identifying with something; neither is it regressing-progressing; neither is it corresponding, establishing corresponding relations; neither is it producing, producing a filiation or producing through filiation. Becoming is a verb with a consistency all its own; it does not reduce to, or lead back to, "appearing," "being," "equaling," or "Producing." (Deleuze and Guattari, 1987, p. 239).

They emphasize "becoming" as a rhizomatic, acentered, flexible relationality; it is phenomenological dynamism that does not sit on categorized ontological purposes. This perspective fundamentally subverts our (mis)dependency on points as a concrete reality or *a priori* categorical standards transcending time and specious reality and experiences. The subversion frees relationalities from a subordinated and appended posi-

tionality vis-à-vis fixed beings.

From such speculative and process philosophical perspectives, categorization of Japanese-ness (or general perception of ethnicity) is a fallacy of misplaced concreteness of an imaginary category as a being. The institutional and normative category of Japanese-ness falsely claims its permanence, concreteness, and inviolability; it also denies reality, experiences, and dynamic interactions in time and place. This categorization denies the experiences and reality of the returnees as Japanese and instead prioritizes the imaginary category as a concrete reality. However, the existence of the returnees (and other groups of immigrants and naturalized Japanese in a larger context) is, for the category of Japanese-ness, a contingent quality that is also important. The reality of the returnees indicates a rhizomatic relational expression of ethnicity. The returnee issue is an opportunity for self-correction of the fixed, unnegotiable, static, time-frozen idea of Japanese-ness and Japanese ethnic categorization. So-called *Nihonjin-ron* (discussion of Japanese-ness) (Eford, p. 829), in accordance with these perspectives, should not continuously consolidate this misconcretization of imaginary Japanese-ness but rather open itself for reality and becoming. Thus, the arrival of the returnees exposed the problem of imaginary categorical rigidity, which does not function in contemporary Japanese society, and it is a positive disturbance of this static Japanese-ness that allows a more viable understanding of grouping as becoming.

Homogenized narrative and silenced plurality

The returnee problem not only concerns the fight by the *zanryu-bojin* for their identity as Japanese and the right of these individuals and their families to live in Japan but it also encompasses a struggle against a particular monolithic narrative that silences outliers, minorities, and plurality. While ethnic categorization tried to exclude the returnees from the category of “real” Japanese on the one hand, the government simultane-

ously tried (still tries) to totalize the returnees with the rest of the Japanese population on the other. This discrepancy is attributed to the government's promotion of its narrative aimed at sustaining hegemonic national sentiment and avoiding responsibility for the returnees' suffering and victimhood. The government creates an ethos with a corresponding narrative saying that *all* Japanese are war victims and have to bear the circumstances collectively; the Ministry of Health, Labor and Welfare declares the narrative that "the orphan's tragic circumstances are merely variations of the suffering that all Japanese were forced to endure during the war" (Efird, 2010, p. 828). In 2005, the ruling in a case in the Osaka District Court repeated the same narrative when the judge favored the government; "[b]ecause all citizens, to one degree or another, unavoidably suffered sacrifices of life, limb, and property, the losses of the war were things all citizens had to bear equally. Whether the losses occurred outside Japan or within, there is no difference" (Efird, 2008, p. 384). This state's narrative, in spite of the fact there has been no full restoration of the returnees' identity as Japanese, conveniently rationalizes the situation; if the returnees are Japanese, they have to endure any hardship or suffering as other Japanese do. They cannot claim compensation from the government because they are Japanese.

This narrative leads to two levels of totalizing effect: personal and collective. On a personal level, the narrative erases the different, individual experiences among *zanryu-bojin* (Efird, 2010, p. 824). It creates an assumption that theirs is one homogenized narrative and that every orphan and woman left behind in Manchuria had the same experiences during the same time period. Some barely survived, some were treated like slaves, some were protected by foster parents, and some women had to marry or remarry local Chinese men for survival. Some were able to return to Japan earlier than other orphans and women. Some could afford financing their own return to Japan privately while others lived in poverty in rural China (Efird, 2010, pp. 811–822; Ward, 2006, pp. 145–146). Their experiences vary as they had different backgrounds and lived

in different situations and places during different times. Yet, for the Japanese government they exist as one collective, homogenous group of *zanryu-bojin*.

Furthermore, on a collective level, the narrative erases *zanryu-bojin* as a unique group and creates a nationalistic assumption that all Japanese suffered. This all-ness means that not only *zanryu-bojin* but also other domestic groups of Japanese, such as Okinawans and political dissidents at that time, are unable to have their own independent narratives. It homogenizes the degree of victimhood and criminality; either all are victims or all offenders. It erases plural narratives, some of which may challenge the nationalistic narrative. Some did eagerly participate in the commission of war crimes (an offender's narrative), and some simply engaged in the "banality of evil" (another degree of offender's narrative that is different from that of eager participants) (Arendt, 2006). Some were politically persecuted and imprisoned (a domestic victim's narrative), some were forced to become *kamikaze* pilots (another degree of victim narrative), some were left behind in China and Southeast Asian imperial territories (another victim's narrative outside Japan), and some were forced to work as forced laborers and comfort women (narratives of both domestic and international victims). The narratives of military personnel must vary in accordance with their ranks and environment, and the narratives of the civilians must be different from those of the military personnel and from one another. These myriad war memories and narratives are silenced by the monolithic nationalist narrative, and such erasure reduces seriousness and atrociousness of the war Japan waged. Those who are distant from the memories of the war (e.g., younger generations) would not grasp the reality of the war and Japan's responsibility because of the homogeneously ordered narrative.

The establishment of one homogenous narrative is considered a part of the process of both creating the population and consolidating the misplaced concreteness of "population" (as the Japanese). Narrative is a discursive governing technology. Population arranges individuals through

totalization and individuation simultaneously. In the totalization process, statistics and norms, such as narrative, function to find “differences” from categorical and normative standards (i.e., expectations as a population), and differences are modified and mended as a “gap” between collective norms and individual uniqueness or as a “defect” that disturbs a body politic (Foucault, 1977; 1995, p. 199). No outliers or “deviation/deviance” can be tolerated. Therefore, a controlled population means a group of homogenized, totalized individuals, and this means to share a collective narrative as an implicitly agreed-upon ethos. *Zanryu-bojin*, in this perspective, represent a “deviance” in the Japanese population, and in order to be modified, as the bureaucratic official blatantly says, they have to “reform their consciousness” with the all-were-the-victims narrative (Efird, 2010, p. 828).

This governing technology of narrative is more salient in the homogenization and modification of Okinawan people as Japanese. The Japanese government tries, through Yasukuni Shrine, the religious-nationalist institution, to represent the Okinawan war dead, including young male and female victims of Iron and Blood Imperial Corps (Tekketsu Kinno Tai: 鉄血勤皇隊) and Himeyuri Student Nurse Corps (Himeyuri Gakuto Tai: ひめゆり学徒隊), as Japanese victims and enshrine them as war heroes (英霊) (August, 2001, p. 243). The former corps was formed of Okinawan teenage boys aged 12–18; they were forced to voluntarily join the corps, and one of their missions was “to perform suicide attacks on U.S. tanks,” that is, basically “Kamikaze attacks without planes” (Repo, 2008, p. 238; Selden, 2008, p. 73). The latter corps was formed by Okinawan teenage girls aged 14–18, and their main mission was to assist at station hospitals of the imperial army at the battlefield in Okinawa. Many of them were killed, many others committed group suicide, and in some cases, they were forced to commit suicide by Japanese imperial army (Repo, 2008, p. 232). Their victimhood was monumentalized and nationalized to absorb their original narratives — which revealed the atrocities the imperial government forced upon the

Okinawans, even Okinawan children — into a narrative that “we” all suffered and that these victims are one of “us” and “our” heroes. In other words, this narrative established by monumentalization of victimhood insinuates that there are no “Okinawans” nor “Okinawan victims” but all are the Japanese; the experiences and memories of these victims were reduced to “merely variations of the suffering” as Japanese yet worthy of sacrifice to be enshrined as the Japanese (Efird, 2010, p. 828). The original narratives of these victims were thus overwritten by “a narrative of selfless sacrifice for the glory of the nation” (Ertür, 2016, p. 110). The significant Okinawan narratives that would decry the atrocities committed by Japan are silenced.

The voices of Okinawans and *zanryu-hojin* were hijacked and homogenized by the monolithic, nationalist narrative of Japan. Butler (2016) points out that “dominant groups can use the discourse of “vulnerability” to shore up their own privilege” (p. 23). The dominant group, the majority of Japanese and the central government, uses the discourse of war victimhood to advance its privilege, that is consolidation of Japanese-ness and erasure of responsibility for the war victims and war damages. Instead of forcing the government to face responsibility for the war victims, governmentality of the narrative functions to disperse its responsibility onto “all” the Japanese population, even onto victimized Japanese such as the *zanryu-hojin* (who want to be identified as Japanese) and Okinawans (many of whom do not want to identify as Japanese but are forced to do so). The returnees’ challenge includes the threat of the narrative that homogenizes and totalizes their experiences and memories as well as stripping them of the right to be compensated for their suffering due to their special circumstances. Reclaiming their Japanese identity in order to live in Japan paradoxically threatens their unique narratives.

Thus, the returnee issue reveals the insufficiency of fair and inclusive norms and codes in Japan as well as issues of social death, falsely concretized Japanese ethnicity, and homogenized narrative. On the one

hand, the disturbance caused by the returnees seems to bring this anachronic exclusiveness to a transformation; however, on the other hand, Japan resists such a change and deals with this disturbance on its own terms in order to sustain Japanese-ness and its monolithic narrative. In the following section, I observe to what extent the returnees' challenges have influenced a reshaping of the striated space of Japan and how the government has acted to resist this disturbance. I examine both the positive and negative consequences of claims by the returnees.

Minimization of disturbance and protection of static striation of Japanese-ness

As the presence of the *zanryu-bojin* have now raised the issues of social death, solid ethnic categorization, and homogenized narrative, I observe how the returnees negotiated and challenged these issues that lay at the root of their daily struggles in Japan and how the government reconciled the disturbance brought by the returnees. Thereafter, I discuss the extent to which the striated space of the Japanese bubble with its coded ethnic categorization and narrative has been changed by the negotiation between the returnees and the government.

Negotiation between the Japanese government and the returnees

The post-war Japanese government has been unwilling to negotiate the terms of Japanese-ness (hence citizenship) and its monolithic narrative; as mentioned in the earlier section, biopolitical categorization, inflexible imaginary Japanese-ness, and a suppressively homogenizing narrative have enabled the government to maintain its stance of non-negotiation. The government has been reluctant to become involved in the returnee problem, acting as if it had no responsibility and casting the problem as a private matter that was the responsibility of the returnees themselves (Efid, 2008, p. 376). Therefore, any modifications and improvements to

the returnees' status that have been implemented were not actively initiated by the government. For instance, in 1993, a group of *zanryu-fujin* staged a sit-in at Narita airport to protest their forced deportation to China due to the expiration of their visas, even though they had been granted Japanese passports (Efird, 2008, p. 378; the memorandum on questions for the 128th session of the national Diet).⁹⁾ According to the memorandum of the session of the Diet, they were taken to the Chinese Returnees' Arrival Support Centre (中国帰国孤児定着促進センター) on the following day by the staff of the Ministry of Health, Labor and Welfare and stayed there until the visa modification was made. The incident forced the government (then the non-LDP Hosokawa administration) to confront the issue of creating a more plausible response to the returnees. Subsequently, in 1994, the government proclaimed a new special law for *zanryu-hojin*.¹⁰⁾

Furthermore, within this law, the government guarantees its support for the process involved in the return of the *zanryu-hojin* as well as some civilian rights such as pensions and national health care (Article 14). Additionally, the *shu-seki* (就籍) system (reconstruction of family registration), which legally helps the returnees to acquire *ko-seki* (family registration), was initiated by private firms that supported the returnees, a move which was taken prior to the government's adoption of this system. The government finally acknowledged the *shu-seki* process with the law of 1994 and guaranteed governmental assistance for this system (Efird, 2008, p. 376).¹¹⁾ Article 12 in the law of 1994 affirms that the state provides necessary expedients in order for *zanryu-hojin* to be able

9) <https://www.sangiin.go.jp/japanese/joho1/kousei/syuisyo/128/syuh/s128001.htm>

10) Chugoku zanryu hojin to no enkatsu na kikoku no sokushin narabi ni eiju kikoku shita chugoku zanryu hojin to oyobi tokutei haigusha no jiritsu no shien ni kansuru houritsu (中国残留邦人等の円滑な帰国の促進並びに永住帰国した中国残留邦人等及び特定配偶者の自立の支援に関する法律), 1994.

11) Until the law, the government defined the problem and the process as civic matter with which the government should not interfere.

to more smoothly complete the *shu-seki* or other *ko-seki* related processes. While the details of the “expedients” are obscure in the clause, the Ministry of Health, Labor and Welfare later in 1995 started to “provide financial assistance for these legal procedures through a third party” (Efid, 2008, p. 376). Thus, the government, more than a decade after these complaints were lodged, followed the effort of the returnees and their private supporters for the resurrection of *zanryu-hojin* from their social death. The government’s belated gesture taken together with the vagueness of specific measures that would help the *zanryu-hojin* adapt to life in Japan is indicative of the passivity and the lack of seriousness in governmental responsibility. In fact, many returnees continued to struggle with life in Japan even after the law was enacted in 1994. The government had been continuously inflexible and also steadfast in its refusal of responsibility. Its priority was to protect the striated space of Japanese-ness — the unison of Japanese-ness, not the life of a minority population.

Meanwhile, the returnees engaged in litigation against the state; the strategic focus of the returnees was pragmatic and did not seek justice through outright normative claims for war responsibility of the government, as has been done by other groups. Many of the *zanryu-hojin* could not afford to travel between Japan and China for the process of “resurrection,” and they also had pressing financial and social concerns after moving to Japan. Some of them could not live independently in Japan; they had to live with their guarantors (e.g., families and relatives or a third party guarantor) most of whom lived in rural locations far from metropolitan areas where there is greater availability of supportive infrastructure for immigrants and returnees, such as language learning facilities (Ward, 2006, p. 148). They, and any family members that immigrated with them from China (unofficially known as *dohan kazoku* — accompanying family), often faced discrimination and could not find employment without sufficient cultural adaptation and language proficiency, as these are the codes for Japanese-ness (Ward, 2006, pp. 148–

149). Their situation in regard to their foreign homeland and the Japanese people remained at an impasse. Even if some returnees were able to live independently, they were only entitled to receive small pensions, for instance, between 2–300 USD per month in 2001 (Efird, 2008, p. 383). Cultural and language barriers also caused the same hardship for those who were not living with guarantors. Subsistence support, namely money and basic assistance infrastructure (such as translators, education and training), were immediate needs, which were much more urgent than intangible apologies and compensation; the returnees' strategy in their claim was therefore not to seek outright compensation, recognition of war responsibility, or guarantees of basic human rights, but rather to ask for welfare, financial support, and governmental assistance that could allow them to sustain a decent life.

This strategy resulted in the 2007 addition of the supplementary provision to the law of 1994, which proclaimed well-support for the returnees as well as the state's repudiation of its right to claim litigation expenses (Supplementary Provision 127, Article 2–5). As a result, the returnees received a satisfactory subsistence allowance, which was urgently needed to maintain their daily lives in Japan. It seems that the litigation put pressure on the government; even though the returnees won only one case, in Kobe in 2006, this type of litigation could be an effective instrument in their fight with the Japanese government (Efird, 2008, p. 384). However, this agreement between the government and the returnees left the question of the government's responsibility to the war victims as well as the issue of protection offered by citizenship unresolved. The new provision did not grant full citizenship to the *zanryu-bojin* or their *dohan* (accompanying) families and the problem was simply deferred rather than settled.

Minimization of disturbance and the returnees as exception

The addition of the 2007 clauses to the 1994 law was a circumventing

measure to minimize the disturbance to Japanese-ness as much as it was a positive pragmatic solution for the returnees. These clauses acted to recode Japanese-ness to sustain and protect static ethnic categorization and the myth of oneness of Japan. The provisional clause includes not only a guarantee of welfare and financial support but also an incentive for the returnees to withdraw their litigation against the state; it claims that the state would not demand compensation for litigation costs if the returnees withdrew their legal challenges and accusations that the state had failed to perform its duty to enable a smooth return for the *zanryu-bojin* and had subsequently failed to support their ability to live independently in the country (Supplemental Provision 127, Article 5, 2007).¹²⁾ Considering the fact that most of the lawsuits against the state had failed, this was an incentive for the returnees to minimize their expenses in bringing the lawsuits.¹³⁾ It was, therefore, pragmatic for them to take the deal. The ongoing cases were dropped as a result, and the Abe administration prevented the government from being further exposed to a negative image and the highlighting of any discrepancy to their one-Japanese narrative. The government avoided facing its failure of duty and evaded its responsibilities to the war victims. Abe's financial/welfare scheme, as a governing technology, captured and absorbed the returnees into the striated space as an exception, without changing its fundamental flow in the code of Japanese-ness: reterritorialization (Deleuze, 1987, pp. 424–473). The government's action was not a guarantee of minority rights or an acknowledgment of plurality in Japanese ethnicity; it was a recoding of the returnees as an exception so that the fundamental codes of homogenized Japanese-ness would not be subject to change.

Moreover, in this settlement Abe's offer consolidates a nationalist narrative by emphasizing the desirability of Japanese-ness by Others. The

12) https://www.mhlw.go.jp/web/t_doc?dataId=83035500&dataType=0&pageNo=1

13) "Songen aru wakai wo motomete" http://www.dignity-reconciliation.jp/document/residing_returnees.html

story is rewritten such that the returnees desperately want to become, or assimilate with, Japanese when the government erases the fact that they have *the right* to be Japanese, and that it is the government's fault that the returnees cannot have a decent life in Japan as Japanese citizens. The story thus becomes one of a merciful act by the government that helps those who are desperate for Japanese-ness. It mobilizes national prestige and keeps promoting the all-ness and pure-ness of Japanese-ness. In other words, the striated space is protected. Thus, even though at first glance it appears that the returnees got what they wanted, and that this achievement may inspire other minority groups and war victims, the negotiation was in reality a protection of static Japanese-ness. The returnees acquired what they wanted — what was needed pragmatically, and the government acquired what it wanted, i.e., security of unchanging imaginary Japanese-ness and the avoidance of acknowledgment of war crimes and responsibilities.

Conclusion: Toward dynamic plurality in Japan

This paper has scrutinized the problems of static, monolithic (mis)concreteness of Japanese-ness, which were significantly exposed when the *zanryu-bojin* returned to Japan. It has also observed how the Japanese government has attempted to maintain the static, striated bubble of Japan coded through discursive Japanese-ness and an all-are-same narrative that silences a plurality of voices and disperses the responsibility of the government for the war crimes and victims into the homogenized population, which includes the returnees. Even though the arrival of the returnees brought these problems to light, the government successfully protected this striated space of Japanese-ness. Abe's measure for welfare and financial support in 2007 evaded drastic changes of static category of Japanese-ness or recognition of plurality, changes which would cause a recognition of the responsibilities of government. In 2007, all these fundamental problems had merely been deferred.

At this time, the government's avoidance is catching up to the family members of *zanryu-hojin*, e.g., second and third generations. Currently, these next generations are experiencing social death. While some of them (mostly the third generation) have more opportunities to learn Japanese, find decent employment, and live in the striated Japanese society; some face deportation because of the lack of governmental special measures. One article featuring an interview with a returnee reveals that the second and the third generations are facing eviction from public housing, which was originally assigned by the government; the government only assures the residence of the first generation of *zanryu-hojin* but not their families, who are usually their children who have accompanied them back to Japan to care for them. Therefore, these family members have to move out after their parents die (Hirai, 2017).¹⁴⁾ They are no different than their parents; they are often not fluent in Japanese, nor do they have to access decent employment opportunities and a community they can depend on, so they cannot simply move, even though they are subject to court orders to do so. Eviction almost always means deportation for those who hold Chinese nationality with a special visa to stay in Japan. They do not acquire full Japanese citizenship nor sufficient support from the government. Instead, they receive legal eviction orders and accumulate arrears for public housing. Thus, the problem of Japan indulging in being-ness and one-ness has been deferred to the next generation.

The returnee issue that has been passed to the next generation insinuates that an inclusive and plural bubble is inevitable for contemporary Japan, as we see the increase of immigrants and international marriages. What the presence of the *zanryu-hojin* initially revealed is that the fight against this concretized striated space of Japan, i.e., misplaced concrete ideas of pure Japanese ethnicity and of inviolable Japanese-ness, which simultaneously function to hide Japan's war responsibility, means

14) <https://gendai.ismedia.jp/articles/-/52400>

to fight against the cunning capture of negative governmentality which has been creating, dividing, and controlling the population in Japan.

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“Political Philosophy” of Ifa Fuyū:

The limits of identity politics

Sana Sakihama

Introduction

The main purpose of this paper is to examine the political philosophy of Ifa Fuyū (伊波普猷, 1876–1947), who is a major intellectual figure in modern Okinawa. Ifa is famous for his theory of “Nichi-Ryū dōso-ron (日琉同祖論),” in which he argued that the Okinawan people and the Japanese share common ancestors. As an Okinawan elite who studied at the University of Tokyo, Ifa contributed to the modernization/Japanization of Okinawa. However, he voiced dissent about Japan’s discriminatory policies regarding Okinawa. As his theory has the two dimensions noted above, disputes between his proponents and opponents cannot be reconciled, and these discussions have largely ceased. Proponents have contended that Ifa’s discourse was aimed not only at assimilation but that it was also a defense of the uniqueness of Okinawan identity under the umbrella of the Japanese Empire. On the other hand, opponents have argued assimilation acted as a theory that led to the death of many ordinary Okinawans in the name of the Japanese nation during the battle of Okinawa in 1945.

To overcome this dichotomy between assimilation and dissimilation, I would like to analyze the text named “Ko-Ryūkyū no seikyōicchi o ronjite keseika no shūkyō ni taisuru taido ni oyobu” (“On the unity of religion and politics in ancient Ryukyu: For the consideration of politician’s attitude to religion” 「古琉球の政教一致を論じて経世家の宗教に対する態度に及ぶ」; hereafter “On the unity of religion and politics in ancient Ryukyu”) focusing on Ifa’s political philosophical attitude. This approach is in contrast to previous research that has regarded Ifa as a “political” person. Here I use the words politics and philosophy in line with Jacques Rancière’s definition (Rancière, 1999). According to Rancière, politics is an action through which the people as “those who have no part” make themselves the subject, arguing the pursuit of their “part.” In other words, it is a protest against distribution determined by the policymakers. For policymakers, the demand of “a part for those who have no part” is “wrong,” because such parts are demanded by the people who should not have any part. In order to eliminate the wrong, the policymakers ignore the protest as “noise” with no meaning. Political philosophy tries to reconcile this battle between policymakers and protesters: it pursues the “correct” distribution based on truth. Political philosophy never ignores the voice of the people who demands of a part for those who have no part, but it eliminates the politics by constructing a new order.

This paper focuses on the process through which Ifa jettisoned his antagonism toward policymakers through political philosophical thinking. Although Ifa tried to engage in politics by raising his voice in protest on what was regarded as wrong or noise by policymakers, he finally suggested a political philosophy according to which the voice is regarded as a demand for a just distribution of the parts. Thus, at the time Ifa was discussing a just distribution, the representations of “Japan” and “Okinawa” emerged.¹⁾

1) Of course, it cannot be argued that only Ifa created the presentations of “Japan”

The problem of previous research on Ifa Fuyū: Assimilation and dissimulation

As mentioned in the introduction, Ifa Fuyū, known as “the Father of Okinawan Studies,” was regarded as typical of those who promoted Okinawan assimilation. This is primarily because of his theory of “Nichi-Ryū dōso-ron (日琉同祖論).” Arakawa Akira (1973) and Isa Shin’ichi (2007) severely criticized Ifa’s theory as supporting Japanization in Okinawa. On the other hand, Ifa’s proponents argued that this type of criticism was unfair because Ifa’s theory represented a strategy to preserve Okinawan identity under the rule of the Empire of Japan (Ōshiro, 1976, Ōta, 1976; Hiyane 1981; Kano, 1993; Oguma, 1998; Ishida, 2010). They tried to elucidate the mechanism by which assimilation and dissimulation work simultaneously in Ifa’s logic: while Ifa made the case for the similarity between Japanese and Okinawans in order to avoid racial discrimination, he emphasized differences between them as well. In contrast, the purpose of this paper is to argue against this dichotomy between assimilation and dissimulation. However, before beginning my critique of this dichotomy in previous research, I shall consider why these scholars interpreted Ifa’s work from these two points of view.

Historically speaking, Okinawa has been a place subject to “inclusive exclusion” (Agamben, 1998). In more concrete terms, it was both excluded and included by the Japanese Imperial system. Currently, Okinawa is merely a prefecture located in the southern part of Japan. Yet, prior the Ryukyu Annexation in 1879, which occurred 14 years before of

and “Okinawa.” As Tomiyama Ichirō analyzed in *Bōryoku no Yokan* (2002), after the Ryukyu Annexation in 1879, Japanese scholars (particularly anthropologists) visited Okinawa and presented the image of Okinawans as “inferior” or “barbaric.” Ifa was the first Okinawan who tried to reverse these images. Thus, the representations of “Okinawa” and “Japan” were created by both mainland Japan and Okinawa. Here we can see the inseparable relationship between imperialization and colonization as Chen Kuan-hsing discussed in *Asia as Method: Toward Deimperialization* (2010).

colonization of Taiwan in 1895, the islands making up Okinawa comprised the Ryukyu Kingdom. In contrast to Taiwan, Okinawa was not a colony but a part of Japan. However, because of the Preservation Policy there were many inequalities between Okinawa and other prefectures.²⁾ Therefore, some researchers have thought that Okinawa was as an “internal colony,” a term also used in regard to Hokkaidō. These researchers point to the fact that the Okinawan people’s appearance, language, and customs were different from the other Japanese, which accentuated the difference between Okinawa and mainland Japan. Ifa called this gap “a wide trench (Ichidai-zangou, 一大塹濠)” (Ifa, 1976a, p. 336). In 1945, Okinawa became the only theater of ground battle in the Japanese archipelago during the Second World War. After Japan’s defeat, Okinawa was under the rule of U.S. military for 27 years. Because the Japanese Emperor supported this occupation of Okinawa for such a long period,³⁾ some Okinawans felt that they had been scapegoated by Japan in order to preserve the “National Polity.” In fact, 74 % of U.S. bases in Japan are concentrated in Okinawa, demonstrating the conspicuous inequality between Okinawa and mainland Japan.

Considering this history, some people might think that anti-mainland sentiment in Okinawa is strong enough that the Okinawan people would want to pursue independence. There were some independence movements after the Ryukyu Annexation; however, these movements were not very popular among the Okinawan people. In fact, many Okinawans feared being excluded by the Japanese community (a feeling that is still present today). Such ambivalence was represented in the response to the “Jinruikan (Human Pavilion, 人類館) Incident” in 1903. In a national exhibition held in Osaka, Okinawans, Ainu (indigenous resi-

2) Wendy Matsumura (2015) precisely described how the Preservation Policy influenced on the modernization of Okinawa.

3) This is called “Emperor’s message.” The original document is on the website of Okinawa prefectural archives: <https://www.archives.pref.okinawa.jp/wp-content/uploads/Emperors-message.pdf> (accessed on January 13, 2021).

dents of Hokkaidō), Koreans, Taiwanese, and Indians — among others — were put on display wearing ethnic clothing. Okinawans protested this exhibition, as did Koreans and Taiwanese. However, there was a difference between their complaints: while the Koreans and Taiwanese protested the discriminatory aspect of the display, Okinawans claimed that Japanese should not regard Okinawa in the same way as they did to the colonies. Tomiyama Ichirō (2002) described this type of thinking by the Okinawan as “presentiments of violence.” In addition to the colonies being exposed to violence, Okinawans were preparing themselves through these presentiments: they feared that “the next target might be me.” Though Okinawans considered the colonial power unreasonable, they could not protest directly; the Okinawans themselves existed in a liminal space between the colonies and the metropole.

In order to overcome this sentiment, Ifa developed his “Nichi-Ryū dōso-ron (日琉同祖論),” in which he discussed Okinawans and Japanese as having common ancestry. He hoped that his theory would work to affect both Japanese and Okinawans; it would make Japanese view the Okinawans as equals and enable Okinawans to avoid viewing themselves as inferior to the Japanese. Meanwhile, Ifa assumed that this theory would also enable Okinawans to be proud of their own cultural traditions, which in his view shared roots with Japanese traditions.

Here, I shall argue that Ifa was the first scholar to analyze the problem of Okinawa in terms of the dichotomy between “assimilation” and “dissimilation.” In fact, the concept of “Okinawa” itself was an invention by Ifa, and the dichotomy between assimilation and dissimilation was mobilized for this invention. He thought that the Okinawan people had to be integrated under the name of Okinawa in order to pursue modernization. In other words, for Ifa, the formation of the subject of Okinawa was needed for the modernization of people who were in the area now called Okinawa, and the demarcation of their subjectivity was defined in relation to Japan. It could be argued that the representations of “Okinawa” and “Japan” emerged in this process.

Therefore, it would not be appropriate to understand Ifa from the viewpoint of assimilation and dissimulation, because this dichotomy was in fact his invention. In as far as we cling to this dichotomy, it would be impossible to examine Ifa’s conception beyond the limits determined by Ifa himself. In other words, if we maintain this dichotomy, we can only engage in repetition of what Ifa has already discussed. Here, referring to Rancière’s discussion, we can argue that the Ifa’s conceptualization of Okinawa and Japan worked as the basis of the political philosophical distribution that determined the “correct” parts.

The meeting of representatives from three religions: Anesaki Masaharu's concept of religion

“On the unity of religion and politics in ancient Ryukyu” was written in 1912; in this work Ifa praised a policy planned by Tokonami Takejirō (床次竹二郎, 1867–1935) and Anesaki Masaharu (姉崎正治, 1872–1949), which was called “Sankyō kaidō seisaku” (“The meeting of representatives from three religions” 「三教会同」). In this chapter, I conduct an overview of this policy, particularly focusing on the concept of religion invented by Anesaki Masaharu.

In February 1912, representatives from the Shinto, Buddhist, and Christian communities were gathered for a meeting by the Japanese government. In Japan at that time, the development of capitalism had resulted in conflict between capitalists and laborers, as well as the creation of an urban/rural divide. People expected that the situation would improve after the Japanese victory in the Russo-Japanese war in 1905. However, as the government was not able to receive any compensation from Russia, these hopes were dashed. As a result, the people unleashed their frustration on the government through various violent demonstrations and other political action. During this era, a number of young people took an interest in socialism. The government viewed this trend as a threat to the national polity, and eleven socialists including Kōtoku

Shūsui (幸徳秋水, 1871–1911), who was the most famous socialist in Meiji period, were executed for treason in 1911.⁴⁾

In order to ease this social unrest, Tokonami Takejirō, a government official at the time, tried to promote morality among the people through the utilization of religion, a tactic chosen because he was impressed by European society where Christianity was seen as a basis of national morality. In fact, utilizing religions was the subject of fierce debate among the religious scholars such as Inoue Tetsujirō (井上哲次郎, 1856–1944) and his disciple Anesaki Masaharu. These two scholars are known for inventing the concept of religion in a modern sense in Japan (Isomae, 2003). They aimed to produce a sense of national community among the Japanese people through religions. Anesaki, in contrast to Inoue who was stereotypically a modern rationalist, put much value on the mystical element of religion. At this time, antipathy toward modern rationalism was growing among the younger generations, and thus, it might be argued that Anesaki's attitude was more in tune with this trend than Inoue's. "The meeting of representatives from three religions" was a collaboration between Tokonami's political intentions and Anesaki's academic invention.

According to Isomae Jun'ichi (2003), the particular nature of Anesaki's motivation could be summarized as follows: a unity between the macrocosmos and myself combined with an enthusiasm for the Emperor. Here, macrocosmos means the universal truth, and the Japanese Imperial state was regarded as a concrete representation of this cosmos. However, Anesaki did not consider the state equal to the universal truth. Isomae pointed out that there is criticism of the status quo in Anesaki's thought. In fact, in the 1920s when the government promoted widespread and extreme nationalistic policies, Anesaki adopted a liberalistic stance. However, even though he took a critical attitude toward the government, which was different from the criticisms voiced by socialists, he

4) This incident is called "Taigyaku Jiken (The High Treason Incident)."

did not aim to change the system itself. For Anesaki, it was the individual who should be reformed for a situation to be improved. He regarded the nation as people who were not a collective subject ruled unilaterally by the state, but as independent individuals who could support the state. In other words, the nation was connected with the state reciprocally; the people were given a national identity by the state as they voluntarily support the state. Here, the relationship between the individual and the state is not antagonistic but harmonic. Anesaki expected that the religion worked as medium which enabled the realization of such harmonious relationships not only between the individual and the state but also between the west and the east, between Marxism and capitalism, capitalists and laborers, and so forth. This view reveals Anesaki’s political philosophical attitude. Utilizing religion, he tried to eliminate conflict, which was a condition of “politics.” As a philosopher, he did not follow the status quo, however, he also did not listen to the voices of the protesters. Rather, he tried to reconcile conflicts through religion and determine ideal dispositions under a universal truth.

In fact, we can see the same conceptions in Ifa’s thought. He also considered the relationship between the macrocosmos and the individual, as he theorized there is one unity which subsumes all living things, and each individual is a representation of this “unity.” It might be argued that this common concept of religion between Anesaki and Ifa led Ifa to enthusiastically approve of “The meeting of representatives from three religions.”

The political philosophy of Ifa Fuyū

According to Rancière, it is impossible to envisage political philosophy, because politics and philosophy are incompatible. Politics seeks to destroy the status quo by demanding “a part on behalf of those who have no part,” while philosophy endeavors to build an orderly world by allocating “just” distributions based on concepts of truth. Thus, political

philosophy is no more than philosophy in the sense that it calculates “just” distribution, though it appears to have a “political” motivation. Here, it could be argued that Ifa Fuyū was a thinker who tried to reconcile this dilemma.

Proponents of Ifa have focused a passage in “On the unity of religion and politics in ancient Ryukyu” as they regard this passage to be evidence that Ifa was “a critical democrat” (Hiyane 1981). It is certainly correct that Ifa expressed sympathy with people who were colonial subjects in Korea and Taiwan. However, from the passage below it might not be possible conclude that Ifa criticized colonialism itself.

I heard from the people who came back from the colonies that Japanese people living in the colonies were arrogant and they ignored the human rights of the colonial population. And I also heard that their antagonism toward the Japanese people would turn to antagonism against the Empire. I must say this is the largest tragedy in the reign of Meiji Emperor. I suppose that such arrogance derives from the former feudal system. I fear that this will become a great obstacle to the development of the Empire. I hope that a saint will enlighten the Japanese people as the saints in the Kamakura period — Hōnen (法然), Shinran (親鸞) and Nichiren (日蓮) — did. It is only after the advent of such an age that the Japanese people could integrate different ethnic groups in the Empire and realize the true spiritual unity (Ifa, 1976b, pp. 59–60).

Here I would like pay attention to the fact that Ifa argues from the viewpoint of the rulers rather than the ruled. He criticized the arrogance of the Japanese people, but he did not criticize the colonial project itself. The point is not to lay blame on him for not criticizing colonialism, but to point out that his proponents viewed him as a “critical democrat.” We should understand that Ifa emphasized the importance of the universal principle, which could be an alternative to the feudal morality for the development of the Empire. In other words, he suggested a better way of governance for the Japanese Empire from the standpoint of the policymakers. He considered better governance would be realized by building national spirit based on religion.

In order to argue the importance of religion, Ifa referred to an essay by Kawakami Hajime (河上肇, 1879–1946), who was a famous Marxist in Japan. The essay was titled “Sujin Tennō no chō jingū kōkyo no betsu aratani okorishi jujitsu o motte kokkatōitsu no ichidaijiki o kaku-suru mononari to nasu no shiken” (“An essay on the idea that the fact that shrine and Imperial House were separated in the Dynasty of Sujin Emperor was a symbol of the national integration” [「崇神天皇の朝神宮皇居の別新たに起りし事実を以て国家統一の一大時期を劃するものなりと為すの私考」]). In this essay Kawakami wrote that in ancient times in Japan, there were many battles between various clans. Each clan had its own ancestral god, who was worshipped by the members of clan. Over the course of these battles, one clan conquered all the other clans, and then this clan turned their house into a shrine in order to force the other clans to devote themselves to the ruling clan’s ancestral god. Previously, the shrine had been located in the inside the house of the clan, whereas now it became public. Thus, the clan enhanced their legitimacy through the unity of religion and politics. In fact, this is how the Emperor’s family enhanced their legitimacy. The point is that Kawakami focused on the beginning of the relationship between the oppressing power and the oppressed.

However, as Ishida (1998) pointed out, Ifa read Kawakami in a different way: he intentionally ignored the power relationship and envisaged the idea of a harmonious world on ancient Ryukyu. He held Kawakami’s argument in high regard because he thought Kawakami powerfully illustrated the importance of unity in religion and politics in the creation of a peaceful order. Based on Kawakami’s discussion, Ifa developed his analysis on a similar situation that took place in Ryukyu during the period of King Shōshin (尚真王).⁵⁾ For Ifa, King Shōshin was a great governor who reconciled the conflict between clans and achieved

5) King Shōshin (1465–1527) was the third of the line of the Second Shō Dynasty in Ryukyu Kingdom.

centralization of power in Ryukyu. Ifa considered the order of “polis” necessary for the achievement of a peaceful and harmonious world. Furthermore, analogizing the situation of Japan in the 1910s to the period of Emperor Sujin and King Shōshin, he insisted on the importance of utilizing religion to achieve spiritual unity in the Empire of Japan.

Until four or five decades ago, Japan was a consanguineous country. This means, the people in the country had the same blood and god. However, after the Meiji period, Okinawan people, who had been separated from Japanese people 2,000 years ago, entered the country. In addition, the Ainu people, who were wholly different from Japanese people, were also incorporated into the country. Recently, Malayan, Chinese and Korean people became new members of the country. Now, the politicians in Japan try to subsume these different ethnic groups into the country and create great unity. I must say that Japan is now in the midst of the greatest transformation in its history. The Japanese people have already built political unity, but a spiritual unity has not been constructed. [...] Our ancestors, when different clans became the new members of the country, respected the characters of these new members when applying a new morality. Now is the era in which we reform old morality and build a new one. It is a difficult phase. However, when this difficulty is resolved, Japan will be able to become a great nation in the world (Ifa, 1976b).

Here we can see that Ifa severely criticized the old morality and emphasized the necessity of constructing a new morality. The old morality refers to nationalistic attitudes, such as assimilation policies. Ifa had mixed feelings about the Okinawan people being deprived of their own language or customs through the government’s assimilation policy. He understood that Okinawa could not avoid accepting assimilation in order to achieve modernization, yet he worried that excessive assimilation would destroy the “Okinawan culture” or “Okinawan identity.” His dream was that both modernization and preservation of the Ryukyu and Okinawan culture could be achieved simultaneously. He imagined the new morality as a principle that could realize his dream. Something that could be seen as a “meta-religion” transcending all other religions. I shall take a look at a paragraph in which he described the relationship

between the transcendental principle and the individual.

I think that each person has an individual character which could not be expressed by anyone else. The character might be called “uniqueness.” The individuals definitely represent the divine will. In other words, each individual is a representation of the divine will which occupies a position irreplaceable with others (cf. Josiah Royce *The world and the Individual*). Therefore, it might be argued that Okinawans are representations which cannot be replaced by others. Okinawans should exert their individuality. Individuality must be such a thing as I discussed above. The Okinawan’s disposition in the Empire of Japan will be automatically determined according to the principle (Ifa, 1976c, p. 10).

Here Ifa described his “political philosophy” as a universal principle according to which each individual was located to his/her own correct position. It might be argued that he proposed a multicultural principle as an alternative to assimilation. This is the core of the political philosophy of Ifa Fuyū. He originally nursed a political grievance against the government. However, he did not pursue political methods to address his criticisms, because he feared that his voice would be ignored as “wrong noise.” Instead, he finally envisaged “philosophy,” through which he tried to transform this wrong noise into a “correct disposition.” To put it in another way, he invented “Okinawa” in a political philosophical way giving it the “correct disposition” in the Empire of Japan.

Conclusion

Ifa’s political philosophical attitude was severely criticized by young socialists in Okinawa because they thought Ifa only tried to address the situation facing individual members of society without pursuing a reformation of the political system. However, in the 1920s, Ifa realized the limitations of his approach when a severe economic crisis in Okinawa was triggered by the global crash of sugar prices. Thereafter, he abandoned religious cosmology and became interested in the environment

surrounding the people.⁶⁾ In other words, he departed from the transcendental view and emphasized “culture” as an environment that determines human beings. It might be argued that this change is reflected in his devotion in the 1930s to research of *Omorosōshi* (『おもろさうし』)⁷⁾ and other ancient poems. Yet, his research could not eventually break through the political philosophical way of thinking in the sense that he pursued a “correct disposition” hypostatizing the Ryukyu culture.

The subject “Okinawa” as defined by Ifa Fuyū still strongly exists. I believe this political philosophically defined subject should be revisited, even though it is aimed at protesting the suppressing power, because when Okinawa is defined, Japan is also constructed. The concepts of Okinawa and Japan, which are constructed relationally, still contribute to establishing the relationship between the suppressing power and the suppressed. Such a problem is not only seen in Okinawa, but is also inherent in problems such as minority nationalism or identity politics. Here I should emphasize that I do not negate the possibility of forming a subject. I rather consider the formation of the subject to be very important in order to change the status quo. However, the subject should not be a political philosophical one, because political philosophy tries to build an order that conceals the possibility of change. On the other hand, politics reveals the contingency of the order: that is, it sheds light

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- 6) Hiyane Teruo (1981) and Kano Masanao (1993) pointed out that there was an influence of Marxism. Of course Ifa referred to historical materialism, however, his disciple Higa Shunchō (比嘉春潮) stated that Ifa did not seem to have much interest in Marxism (Higa, 1969). Here I would like to argue that there was an epistemological shift in Ifa, rather than discuss whether he was influenced by Marxism.
- 7) *Omorosōshi* (『おもろさうし』) is the official anthology of Ryukyu poems compiled by the Ryukyu Kingdom. In 1930s, Ifa concentrated on elucidating the ancient Ryukyu, particularly focusing on the period called “Ko-Ryukyu (old Ryukyu, 古琉球),” because he tried to examine the archetype of Ryukyu culture. Hokama Shuzen pointed out that Ifa’s attitude here was similar to that of Kokugaku (national learning, 国学).

on the fact it is not necessary for certain people to have ruling power while others do not. When Okinawa is reinvented in a political way, we will be able to finally go beyond Ifa Fuyū’s political philosophy.

Abstract

This paper aims to elucidate the political philosophy of Ifa Fuyū (1876–1947), a major intellectual figure in modern Okinawa. In particular, I look at Ifa’s text “Ko-Ryūkyū no seikyōicchi o ronjite keseika no shūkyō ni taisuru taido ni oyobu” (“On the unity of religion and politics in ancient Ryukyu: For the consideration of the politician’s attitude to religion” [古琉球の政教一致を論じて経世家の宗教に対する態度に及ぶ]) because in this text Ifa discusses the importance of Ryukyu culture in relation to religious philosophy. In this paper, I would like to define Ifa’s discussion as “political philosophy” as outlined by Jacques Rancière. For Rancière, “politics” stands in opposition to “philosophy,” and “political philosophy” compromises these two incompatible concepts subsuming politics into philosophy. This paper will clarify the problem lurking in Ifa’s logic and discuss his attempts to eliminate politics through his political philosophy.

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Identity, Violence, and Student Movements:

A case study of Korean student movements in democratized Korea

Yoshiyuki Aoki

Introduction

Literature on collective violence has argued that violent protests decrease as countries enact democratic reforms (Tarrow, 2011; Tilly, 2008). However, Korean student movements chose forms of violent action, such as throwing stones and Molotov cocktails and carrying iron pipes to fight against riot police, for a period of time even after political democratization came to the Republic of Korea in 1987 (Nam, 2006; 김도종, 1997; 김정환, 1998). This paper explores why and how student movements chose to continue using violence during the period of democratization in South Korea and also examines the construction and influence of identity in these movements.

Previous research on collective violence of student movements in Korea

Scholars of Korean student movements have analyzed the choice of violent tactics from three theoretical perspectives: the dynamics of the re-

pression-dissent nexus, the memory of violent struggles, and the collective identity of student movements. Social movement scholars have long argued that harsh state repression is a cause of dissident violence (Davenport et al., 2019; Davenport & Inman, 2012; Lichbach, 1987). Violence selected by Korean students can be seen as supportive of this theory, as repression by the Korean government was intensive, employing weapons ranging from tear gas to batons even after political democratization in 1987 (전재호, 2002, pp. 214–216). Under such repressive circumstances, Korean student movements in 1988 and 1989 could not help but use the tactics and weapons available to them — stones, Molotov cocktails, iron pipes — rather than taking up arms (for example, guns and knives), in order to protect themselves (Park, 2008, p. 132; 김도종, 1997, p. 65). This dynamic model of repression-dissent nexus has been regarded as a very convincing explanation for violent action in Korean student movements (김동춘 et al., 1997; 이수인, 2008). However, considering that the use of Molotov cocktails and iron pipes in demonstrations requires preparation, these students took violent action not only as a reaction to repression but also as a method of preemptive self-defense. This active use of violence directs attention to the effect of memory of violent struggle and movement identity.

Social movement scholars have underscored that memories of past protests influence tactical choice (Baumgarten, 2017; Bell & Murdie, 2018; Della Porta, 2013; Edelman & Leon, 2013), and there is a growing body of evidence indicating the impact of memory is context-dependent. For instance, Della Porta (2013, p. 55) shows that activists recall the legacy of violent actions and justify the use of violence when dissidents experience the type of brutal repression that is extremely likely to result in fatalities among those targeted. Regarding the influence of memory on tactical choice, researchers have emphasized memory of *Kwang-ju* uprising, which took place in May of 1980 and resulted in 166 civilian deaths (국방부과거사진상규명위원회, 2007, p. 123), as a cause of adoption of violent tactics by student movements (김정환, 2013, 2016).

Despite the state censorship, students not only learnt about and memorized details of the *Kwang-ju* uprising through documentary films, photos, and eyewitness reports (Park, 2008, pp. 76–78) but also repeatedly recalled the uprising at the demonstrations by singing songs that used this event as a motif (Namhee & Kim, 2016, p. 170; 이영미, 1989).¹⁾ Such repeated representations of brutal murders and armed struggle familiarized students with violent actions and acted to justify their use of counter violence against illegitimate state violence (김원, 2011, pp. 133–135).

Collective identity and violence: Korean student movements in the early 1990s.

In addition to memory, literature has argued that violent tactics are rep-

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- 1) The “Song of may (Oweolga)” is one of the most popular and representative songs of the movement in the 1980s. The lyrics are as follows (Namhee & Kim, 2016, p. 185):

Your red blood sprayed on Geumnam Avenue like flower petals,
Your beautiful breast cut like a slice of tofu,
When the day in May comes back, the red blood in our heart boils.

Why did you shoot? Why did you stab? Where did you take us in your truck?
In Mangwol-dong, thousands of eyes are glaring with bloody veins in their eyes.
When the day in May comes back, the red blood in our heart boils.

The ones who survived, my comrades, let us assemble and advance together.
How should we make our ways into the shameful history without a struggle?
When the day in May comes back, the red blood in our heart boils.

You baldhead! You cloven feet (jjokbari)!
You big-nosed Yankees!
Leave us! Our history will be embraced in our own arms.
When the day in May comes back, the red blood in our heart boils.

When the day in May comes back, in our heart, the red blood, the red blood,
the red blood.

resentation of collective identity (Bosi et al., 2016; Della Donatella, 1995; Jasper, 1997). Tactical identity as a part of collective identity plays a role, as Jasper (1997, p. 238) states that “some think of themselves as the kind of people who engage in direct action, others pride themselves on being the radical guard, and still others feel comfortable dealing with professionals or government representatives in formal settings.” Accordingly, tactics are not only the means but also the expressions of “who they are” (McAdam, 2013; Moore & Shepard, 2013).

In her seminal work on collective violence in student movements in Italy and Germany, della Porta delineates how violent collective identity stems from “a vision of the world dividing between ‘us’ and ‘them’” (Della Donatella, 1995, p. 161) and how students are drawn into “seeing themselves as member of an embattled community of idealistic and altruistic people fighting a heroic war against ‘evil’” (Della Donatella, 1995, p. 205). Moreover, she contends that “radical ideologies are not themselves the cause of violence,” but “the ideological frame through which the militants interpreted their daily encounters with political violence tended to dramatize the significance of these events” (Della Donatella, 1995, p. 204). Put differently, she empirically demonstrates not only how students set a clear boundary between “us” and the “enemy” but also how students internalize this boundary through the ideological frame as collective identity.

The impact of this clear boundary and ideological frame has been explored by Korean student movement researchers as well (권인숙, 2005; 김원, 2011; 이수인, 2008). Nevertheless, these studies assume the ideology and culture itself as a cause of collective violence and do not demonstrate the process of constructing a collective identity. This article aims to fill this gap by demonstrating the process of the construction of collective identity in Korean student movements and the involvement of this type of identity in the rationalization of violent actions.

In order to investigate this process, this article focuses on the student group National Liberation (NL). There had emerged a number of

ideological sects among student groups in Korea during the 1980s, which led to heated debate over movement subjectivity and ultimate movement goals; in post democratized Korea these groups eventually converged into two strands: NL and People's Democracy (PD) (이재화, 1990, p. 254). The primary discrepancy between NL and PD centered on their perception of Korean society; NL viewed Korean society as existing under American imperialism politically and economically. Therefore, for NL national struggle was inevitably necessary to liberate the entire Korean society from American imperialism and to reunify the two Koreas (이창언, 2013). For PD, on the other hand, South Korea was a society where the contradictions were caused by the development of capitalism (Park, 2008, p. 107). Thus, PD criticized NL's anti-imperialist strategy and insisted that class struggle against capital, based on Leninism, must be developed (고원, 2013, p. 279).

Although PD groups also engaged in violent protest, this article focuses on the NL movement because the NL groups came to dominate the student movement after the democratization and had stronger mobilizing power than any other groups (Park, 2008, p. 119; 이창언, 2013, p. 221). For instance, Chundaehyup, the national representative organization of student movements founded in 1987, was under control of the NL group (Park, 2008, p. 119). Therefore, considering NL's representativeness of the Korean student movement after the democratization, analyzing the collective identity of the NL group would shed light on the majority of student activists' shared perception.

This article takes the approach of discourse analysis, which is "the qualitative and interpretive recovery of meaning from the language that actors use to describe and understand social phenomena" to examine the collective identity of the NL movement (Abdelal, 2009, p. 6). To this end, statements by NL groups and writings distributed in their booklets during the 1980s were collected through the online archives of the Korea Democracy Foundation and the National Library of Korea. In addition, monthly periodicals from the 1980s, describing collective vio-

lence by the NL movement, were reviewed.

With these sources, this article traces the process of the formation of the collective identity and the continuous use of violent actions in Korean student movements. Firstly, the influence of anti-Americanism will be discussed to discern the nature of the boundary constructed to provoke hostile sentiments toward the United States. Secondly, the influence of North Korean ideology, which students did not have a framework within which to use it before the eruption of anti-Americanism, will be analyzed to clarify the logic behind the armed struggle and the influence of the collective memory of the anti-Japanese armed struggle in the 1930s. Lastly, this article demonstrates how these processes resulted in reinforcement of the collective identity that provided justification for the violent actions in two cases of armed struggle divisions.

Eruption of anti-Americanism and a thirst for an alternative nation-state

Until the 1980s, Korea had been regarded as “the calm belt” of anti-Americanism (이강로, 2004, p. 248); moreover, many Koreans thought of the United States as “more than a friend; it was a savior of their nation, first from Japanese colonial rule and then from communist aggression” (Shin, 1996, p. 793). Anti-Americanism was neither popular nor widespread. However, in the early 1980s Korean student movements started expressing strong anti-American sentiment (이강로, 2004; 조대엽, 2007). Their justification for this stance stemmed from the understanding that the United States was complicit in its support of the Korean military regime that carried out the *Kwang-ju massacre*. Consequently, as many Korean scholars point out, it seems reasonable to recognize the *Kwang-ju massacre* as the primary spark that spread anti-Americanism within the student movements.

The memories and emotional impact of and the *Kwang-ju massacre*

also helped create a clear boundary between “us” and the “enemy.” Furthermore, anti-American sentiment in the Korean student movements had drastically escalated at this time. “Subjugation and clamor,” one of the influential documents distributed inside these groups, insisted “the origin of all misery and suffering we are experiencing is America. Unless we liberate ourselves from America, we will not be able to escape from this annoying poverty, political oppression, and the poor culture” (필자미상, 1984, p. 1). Here we can see the student movement’s underlying logic and radicalness: that all the socio-economic inequality and political backwardness in Korean society as well as the oppression by the military regime was caused by the imperialism of the United States.

Violent actions based on anti-Americanism started to emerge in the early 1980s, as seen in the arson attacks on the United States cultural centers in *Kwang-ju* in 1980 (임종수 & 정순철, 1988) and in Busan in 1982 (김현장, 1994). In both cases, the anger over the *Kwang-ju massacre* and antagonism toward a capitalist system controlled by the United States were motives for the arson by student activists (동아일보사, 1990, p. 116; 임종수 & 정순철, 1988, p. 593). Also in 1985, 14 students from various universities located in Seoul occupied the American Chamber of Commerce in Korea by force. The statements by these students also focused criticism on the attitude of the United States toward South Korea. Specifically, the students demanded an official apology from the United States for its political responsibility for the *Kwang-ju massacre* (동아일보사, 1990, pp. 125–126).

However, even now, it is difficult to discern the focal point of the late 1980s anti-American sentiment in the student movements. Because the 1985 statement clearly insisted that the demands of the student protesters were not anti-American, and the students appealed to American citizens to reconsider “the mutual respect to the autonomy” (동아일보사, 1990, p. 126). In other words, the central grievance expressed in the statements in 1982 and 1985 centered on the unequal relationship between the United States and South Korea, signifying that the protesters’

conception of sovereignty was limited to the soil of South Korea and excluded the northern part of the Korean peninsula, North Korea. Thus, their boundary of “us” was as conceived as a national border, meaning there was no difference between the conception of the border between North and South and that between South Korea and the United States.

Effect of *Juche* ideology for “alternative nation-state”

The identity tied to the students’ desire for an “alternative nation state” was preceded by the eruption of anti-Americanism in the student movements. This emotion is clearly expressed in the statement of “The student league to save our country,” which was established on March 29, 1986. Here, the students call for “struggle to pulverize neo-colonial and fascist system of American imperialism” and the “construction of autonomous and independent state of our nation” (민주화실천가족운동협의회 & 민족민주운동연구소, 1989, p. 147). This type of logic demanding an autonomous and independent nation was not new, as it can be found in other statements of Korean student movements. For instance, “The patriotic student league” expressed in their founding declaration in 1986, the necessity of “pulverizing colonial rule by American imperialism” and its urgency for the “termination of the dictatorship by *Chun Doo-hwan* [in order] to establish an autonomous nation and people-democracy” (동아일보사, 1990, p. 150).

Kim Young-Hwan was the iconic leader of “The student league to save our country” (민주화실천가족운동협의회 & 민족민주운동연구소, 1989, p. 146; 박찬수, 2017, p. 98). He authored several documents, such as “The prologue of the liberation” (필자미상, 1986) and “The epistle of Kang-Chol” (눈편집부, 1989), which helped to escalate hostility toward the US and foment anti-American sentiment among numerous student activists (김영환, 2015, pp. 120–124). These documents worked as a catalyst connecting anti-Americanism and “*Juche*-ideology,” the North Korean national ideology.

“The prologue of the liberation” is filled with hostility toward the US. It begins by stating “if you do not feel furious against American imperialism, first of all you must feel remorse for not feeling it before reading my words,” and ends with “if you do not hold hostility against American imperialism even after you finished reading this document, you have no right to say you understood my words nor to criticize them” (동아일보사, 1990, pp. 127–134). Moreover, this document stressed not only anti-Americanism, but also the inevitability of struggle and rebellion for the liberation and unification of the Korean Peninsula. Although it clearly defines the “enemy” and expresses a strong desire for the “alternative nation state,” it does not demonstrate how the students should fight for these goals and what their ideal model for struggle would be. Kim Young-Hwan developed these aspects, the maneuvers and ideal model for rebellion in “The epistle of Kang-Chol,” the most influential text for student activists in the 1980s.

In “The epistle of Kang-Chol,” which was seen as an explicit training manual for student activists, Kim Young-Hwan stressed the importance of 1) the philosophy of *Juche* (self-reliance) which was the official state doctrine of the Democratic People’s Republic of Korea (DPRK, Hereafter North Korea), 2) the history of revolution in the Korean Peninsula, and 3) Marxist economics (눈편집부, 1989, p. 53). These topics had been treated as taboo in South Korean society, because the country was strongly anti-Communist, and showing sympathy toward North Korea was strictly forbidden.

However, even in this anti-Communist society under an authoritarian regime, the historical narrative of struggle from the bottom (ordinary people) possessed legitimacy, mostly because the struggle against Japanese imperialism was an undeniable historical fact of life in South Korean society. The difference between the existing consensus and Kim Young-Hwan’s historical narrative was the focus of the movement in this context. Kim Young-Hwan stressed the militant resistance against Japanese imperialism in the northern part of the peninsula (눈편집부,

1989, pp. 53–54), instead of the March 1st Independence Movement, which occurred in the Korean peninsula in 1919, and which was generally regarded as one of most important independent movement in the 1980s (강만길, 1984, pp. 39–47; 한국사연구회, 1987, p. 499).²⁾ His strong emphasis on armed rebellion during the colonial period exhibits a drastic change of perception regarding North Korea, because the rebellion was led by Kim Il-sung, the North Korean leader (徐大肅, 1998; 2013, pp. 79–87). Kim Young-Hwan's sympathy for the rebellion shaped the protesters' geographical understanding of the nation state, which expanded from the limits of South Korean soil to the entire peninsula.

Kim discusses the following events in his overview of historical acts of rebellion: the *Donghak* peasant revolution (1884), the militant rebellion against Japanese imperialism (1930s), the Korean War (1950), the 4.19 Revolution (1960), and the *Kwang-ju* uprising (1980). Kim's historical narrative, which presents the development of Korean society as a history of the people's struggle, was not the only narrative of this type presented in the 1980s; other historians viewed ordinary people as the driving force in the development of modern Korean history (강만길, 1984; 한국민중사연구회, 1986; 한국역사연구회, 1989). Although Kim Young-Hwan and other historians of the time intended to represent Korean history as a record of revolutions, there is a clear difference between the two his view and the other narratives; that is, Kim's focus on militant rebellion (이종석, 1989, pp. 36–37). In this regard, “The epistle of Kang-Chol” constructed a new collective memory drawn from the new representation on the armed struggle in the 1930s.

Furthermore, in “The epistle of Kang-Chol” Kim outlined the moral character theory (Pumseong-ron), comprising five elements that he contended activists must possess: honesty, naivete, modesty, sincerity,

2) 3.1 independence movement is recongnized as a nation-wide struggle which made the Japanese colonial policy turn into a different type of repression, from “the military policy” to “the cultural policy” (Cumings, 2005, pp. 152–156).

and bravery (눈편집부, 1989, pp. 39–40). The underlying intent of this theory was to garner a wide range of support from students as well as the public (김원, 2011, p. 279; 신준영, 1990, p. 180). However, the result of this introduction of the moral character theory was not what had been intended. Ironically, it brought militarism and radicalism into the student movements (김원, 2011, p. 280). This unforeseen consequence was arguably due to the fact that the moral character theory was extracted from the historical narrative of the militant rebellion against Japanese imperialism; thus, it acted in the same way collective memory was constructed among student activists.

Kim contends: “Where can we find the ideal and practical moral to be respected as revolutionary activists by people? We can find the model in the passion of ‘anti-Japanese armed struggle in the 1930s’ [...] Not only were these anti-Japanese armed struggles successful, but revolutionary fighters who participated in the struggle also demonstrated the revolutionary morals (Pumseong) which we must take as an ideal model” (눈편집부, 1989, p. 22). From this account, we can confirm that Kim held the militant rebellion in high regard not only as a tactical model but also as moral model for student activists.

Nevertheless, the militant rebellion during the colonial period had been the subject of criticism because it was a symbol of “assault, plunder, and abduction of residents,” (이종석, 1989, p. 44) and, in Korean academic discourse of the 1980s, Kim Il-sung, the leader of the rebellion, was believed to be an impostor (이종석, 1989, p. 135). Against this background, Kim Young-Hwan’s stance was stunning and unacceptable in the anti-communist society of South Korea. His historical view was not limited to South Korea, he extended it to the whole peninsula, including North Korea. Thus, the moral character theory resulted in bringing the historical perception of North Korea into the students’ identity.

The radicalization of anti-American sentiment facilitated the student movements’ internalization of North Korean ideology through Kim Young-Hwan’s writings. The common character of these ideologi-

cal circumstances was a strong desire to build an alternative nation-state. This desire was the core of the “alternative nation-state” identity of Korean students in the 1980s, and this identity appeared under the condition that the possibility of a new recognition of North Korea could exist in Korean society. In this regard, the new identity was a challenge to the ruling ideology that strictly excluded a historical view of North Korea as a nation.

However, the new recognition of North Korea stems from the idealization of “the anti-Japanese armed struggle,” which justified methods of violent action. In other words, violence was justified through the “alternative nation-state” identity. In the following section, I will discuss how the alternative nation-state identity appeared in two of the armed struggle divisions in the NL group: “Unit of May” and “Unit of Nokdu.”

Violent action forms: Cases of Unit of May (O wol dea) and Unit of Nokdu (Nokdu dea)

The Unit of May of Chonnam National University and Unit of Nokdu of Chosun University were armed struggle divisions established in May of 1988. “May” here refers to the *Kwang-ju* uprising in 1980, and Nokdu (mung beans) was a symbol of the leader of the tonghak peasant rebellion, which occurred in 1884. Both divisions defined themselves as “political military organizations of the people” (남대협투쟁국, 1990, 106, 119). The Unit of May perceived the South Korean people as “colonial slaves of American imperialism” (남대협투쟁국, 1990, p. 107). The group justified their *raison d’être* as a military organization that seeks to “liberate our colonized nation whose every single content, that is, politics, economy, military, culture and ideology, are under American imperialism’s thumb” (남대협투쟁국, 1990, pp. 106–107), a statement of purpose that explicitly shows the division was strongly influenced by the anti-American sentiment that started to appear in the mid 1980s.

Based on its *raison d'être* as “a liberation army,” Unit of May poised themselves as an extension of the history of struggle for national liberation and as the inheritors of “the militia of *Kwang-ju*” (남대협투쟁국, 1990, p. 113). In addition to this self-consciousness, they expressed their eager desire for an “alternative nation state” in the peninsula in “The declaration of unit of may” as follows:

As a successor to the glorious May Revolution warriors, who have a prominent existence in the history of struggle for national liberation, I declare that not only have I never hesitated to fight against a firm enemy on behalf of my homeland and its people, but I also retain the posture of desperate resistance and no retreat before achieving independence, democracy, and unification of the homeland, which is the desire of the people of 70 million in this nation (남대협투쟁국, 1990, p. 113).

Although the population of South Korea was 42 million in 1990, the Unit of May used the expression, “the people of 70 million,” reflecting their vision of “the alternative nation state” that included North Korea. We can also see that the group rationalized militant action through self-representation as warriors. Similarly, the Unit of Nokdu characterized itself in its organizational rubric as follows:

Through the struggle against American imperialism, which is the origin of all evil in the southern part of peninsula, and the struggle for the national unification to connect a divided homeland, from Mt. Paektu to Mt. Hanla, into one, we develop the anti-autocratic democratization struggle against the military government, which flatters the U.S. imperialist and asks for power attestation (남대협투쟁국, 1990, p. 120).

The influence of the moral character theory can be confirmed in

both the Unit of May and the Unit of Nokdu. In these militant organizations, this theory claims that “while we undertake all the struggles, the mobilization for battle has to create both a struggle and a model that do not deviate from the public understanding, and has to have the morals which can instill faith in the public” (남대협투쟁국, 1990, p. 81). What should be observed here is not the similarity of expression between ‘the moral character theory’ by Kim Young-Hwan and the morale demanded by these militant student organizations, but rather the resemblance of the logical structure which extracts the importance of morals.

As Kim Young-Hwan extracted the importance of character from the anti-Japanese armed struggle, these militant organizations asserted that “the anti-Japanese revolutionary army received wide public support because this struggle always developed at the ideological level, and they undertook action that did not inflict damage on the public” (남대협투쟁국, 1990, p. 81). Put differently, the student organizations stressed that the anti-Japanese armed struggle must be an ideal model in order not to disillusion the public. That is, it can be said that armed struggle is justified through the same logic as the moral character theory.

These militant organizations had adopted the concept of “democratic centralism” originally proposed by Lenin as a principle of organizational management. Democratic centralism in these organizations stems from democracy, which rejects oligarchic structure, and allows the participation of all organization members in the decision making process (남대협투쟁국, 1990, p. 68). Such a principle can be evaluated as ‘democratic,’ because it assumes open discussion, public presentation of activities, and the freedom of criticism. However, democratic centralism also has an aspect that demands absolute obedience to decisions determined through the democratic process. The student organizations stated that “a militant organization is an organization which rejects individualistic activities and regards groupism and unity as important idea. If this idea cannot be thoroughly protected, the militant organization will be fragmented. In order to keep organizational coherence and unify its

activities, even though there are different opinions, the members must obey the decision by the organization” (남대협투쟁국, 1990, p. 71). This account of the role of the individual in democratic centralism in the end demanded absolute obedience of individuals to groups, driving the radicalization of student movements.

Furthermore, democratic centralism offered a logic that could act to justify the students’ armed struggle for building a peninsular nation-state. However, the identity which rationalized the armed struggle also functioned as an unconscious exclusion against femininity. This exclusion can be examined through an internal document that notes the duties of female students in these militant organizations: “A proposal for the movement of young female students and the organizational theory of female students’ armed struggle division” (남대협투쟁국, 1990, pp. 133-143).

The year 1990 is the 10th anniversary of the *Kwang-ju* people’s struggle and 46 years since our homeland was divided. At this moment female student activists, who have criticized their half-hearted and adaptive action, should adamantly rid themselves of the existing figure and accomplish its systematization to join the great rank of struggles for independence, democracy, and unification with a dignified figure (남대협투쟁국, 1990, p. 134).

What did “the dignified figure” of the female student activists refer to? The document encourages female students to engage in a struggle in various ways. However, the actual action recommended was “as a back-up unit, empowering the main unit with slogans and songs, and appealing to citizens and schoolmates that have been fragmented in participation” or “participating in a struggle through medical services and carrying injured male students who need first-aid” (남대협투쟁국, 1990, p. 134). Namely, this document claims that female students should act as assistants rather than primary participants. Thus, the logical structure of

this document that places female students as a “backup unit” results in both the rationalization and acceleration of violent action and the unconscious elimination primary female participants.

The logic which appeared in democratic centralism, prioritizing the organization over the individual, can be understood as the consequence of military culture stemming from the anti-Communist South Korean culture (권인숙, 2005). However, to understand the militarization of movement culture in a historical context, it needs to be noted that this logic justifying armed struggle existed in South Korean society even prior to the 1980s. Incongruently, the radicalization of the student movement started to appear in the 1980s, not before. The militant organizations, such as Unit of May and Unit of Nokdu, used North Korean ideology and radical anti-Americanism to justify armed struggle. In other words, the violent actions which appeared in the 1980s were intertwined with an identity that was obviously different from that which predated the 1980s. This unique identity of Korean student movements in the 1980s is what this article refers to as “alternative nation-state” identity which internalized anti-Americanism and *Juche* ideology and strongly craved an alternative nation-state on the entire peninsula.

Conclusion

This article traces the process of the identity construction that rationalized violent action in Korean student movements in the 1980s. The radical anti-American sentiment formed a clear nemesis and produced an alternative political arena that allowed participants in the movement to adopt elements of North Korean ideology, regarded as a social taboo in South Korean society. As a result, anti-Americanism made it possible for the student movements to embrace North Korean ideology, while at the same time foregrounding the desire for an alternative nation-state at the peninsular level as the revolutionary goal. Accordingly, anti-American sentiment and North Korean national ideology acted to mutually rein-

force each other and led Korean student movements to construct an identity that rationalized violent action.

The idea of a unified nation and nation-state building on the peninsula had repeatedly appeared before the 1980s, even in the face of the reality of the North-South divide. However, the arguments for the unified nation before the 1980s were rooted in the belief that that the Western model of modernization was universal and that nation-states should be established naturally on the Korean peninsula as part of the modernization process (김원, 2012; 이혜령, 2012). Yet, as this article illustrates, the yearning that emerged in Korean society in the late 1980s for a peninsular-level nation-state was centered on an interpretation of the armed struggle that developed in the northeast region of China in the 1930s, and was decidedly different from the earlier cognitive framework. The student movement of the late 1980s continued to be a militant force as it by based its historical view on such a model of armed struggle.

The focus of this article has been to demonstrate only the internal process of forming collective identity. However, as della Porta (1995, p. 107) and Steinhoff (2006; 2013) argue, isolation and marginalization from society have a key effect in the construction of violent identity. Future research should address the interaction between the public discourse and the student identity construction and examine the effects of this interaction on identity.

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Legal Mobilization as a Movement Tactic:

A preliminary study of war responsibility related cases in Japan

Hye Won Um and Yoojin Koo

Introduction

While the Second World War ended more than 70 years ago, many civilian victims, both Japanese and foreign, have persisted in efforts to make the Japanese government take legal and socio-political responsibility for war crimes committed against civilians, as well as other civilian suffering that occurred due to governmental wrongdoing, both during and after the war. Chinese and Korean forced laborers, comfort women, Japanese war orphans, victims of the air raid on Tokyo, and other civilian victims have filed a series of lawsuits against the government in Japan, often demanding official apologies and adequate compensation for the victims and their families. The lasting impact of these legal actions in Japanese society clearly reveals that post-war compensation is still a significant trigger for acrimonious debates in domestic politics and can also result in serious conflicts in international relations. Increasing lawsuits related to civilian suffering during and after the war also indicate that legal action has become a more common strategy for individuals and organizations to achieve movement goals in Japan. Why do activists and

civilian war victims choose litigation as their tactic when there exist other options? How can we understand this activism and litigation?

While, in recent years, victims and activists dealing with war responsibility related issues have chosen to pursue their cause more frequently in Japanese courts than on streets, many of the existing studies focus on analysis of individual cases and fail to build theoretical frames to deepen our understanding of legal mobilization in the broader spectrum of social science research. Unlike the growing interest and the future potential for interdisciplinary study, most research on legal mobilization has been conducted in legal scholarship, which puts much emphasis on legal institutions and logic (Marshall and Hale, 2014; Sarat and Scheingold, 1998; 2001; 2006; Scheingold and Sarat, 2004); these research, which heavily focused on Western cases,¹⁾ primarily analyzed the roles of cause lawyering or cause lawyers in the process of legal mobilization. However, as the term “legal mobilization” indicates, mobilization in and out of courtrooms must be a critical element of our analysis for understanding the nature of this phenomenon. In light of the mobilization process, analyzing legal mobilization as a movement tactic can provide persuasive and nuanced explanations of the recent increase in post-war compensation lawsuits against the government in Japan.

As activists and civilian victims of the war continue to select the courtroom as their major battlefield, regardless of the results, researchers have recently sought to conceptualize legal mobilization as a movement tactic (Cummings, 2018; Lehoucq and Taylor, 2020). This article attempts to explore how the lawsuits around war responsibility related issues can be understood in a framework combining sociolegal and social movement literature. As a preliminary study of legal mobilization as a movement tactic, this research expects to draw a rough but convincing

1) There is emerging literature on cases in other parts of the world. However, these articles also focus on legal institutions and their relations to the respective societies. See Dezalay and Garth 2010, Liu and Halliday 2011, Merry 2009, Santos and Rodríguez-Garavito 2005, Sarat and Scheingold 2005.

picture linking legal mobilization to social movement literature. Here, we emphasize the relations between social movements and legal institutions, examine appeals to the court as a last resort, and compare the advantages and limitations of this tactic.

In the following, we first examine existing research on legal mobilization as a movement tactic. Next, we explore war responsibility related cases in Japanese courts and their processes, outcomes, and implications. Then, we analyze how legal mobilization as a movement tactic has worked in these cases. In the conclusion, we summarize our arguments and discuss the implications of our work.

Legal mobilization as a movement tactic

Social movement scholars have long focused on how and why specific tactics are selected for a movement; this has been done primarily through various movement theories, including the repertoires of contention (della Porta & Diani, 2006, pp.163-191; Tilly, 2008; Wada, 2016). Although these studies explore diverse tactics, from street protests to acts of violence, they seldom examine the institutional methods of political negotiation, such as lobbying and litigation, in the context of social movements. Since the ultimate goal of social movements is bringing about social change through collective actions of resistance against established structures and values, it may not be surprising that social movement researchers have been primarily interested in novel methods of resistance. However, the conventional methods of political negotiation are still significant in social movement studies because the powerless must obtain concessions from the powerful to achieve their movement goals (Lipsky, 1968; Piven and Cloward, 1979), and the powerful prefer to use institutional settings for negotiations with the powerless. It has also been empirically observed that movement actors attempt to use a variety of tactics, often combining the old and the new, in order to awaken social awareness and achieve social reforms.

Accordingly, research on the integration of movement tactics with forms of conventional action has grown in recent years (Rafail & Freitas, 2017). As more social movements have used the law to justify their causes and attract public attention, many researchers have focused on legal institutions and analysis based on the significance of lawyers and lawyering in the process of legal mobilization. As a result, these researchers have often failed to theorize legal mobilization within the larger socio-political and cultural contexts. Tarrow also calls for “the general theory that accounts for the relations between social movements, the courts, and legal systems” and “legal mobilization” can be a good start (Tarrow, 2012, p. 22).

Despite the need to conceptualize legal mobilization, there has been a lack of clarity about how to do this; in much research of social movements and socio-legal studies there is deep disagreement about legal mobilization, ranging from the definitional boundary of activities to the type of target groups (Lehoucq and Taylor, 2020, p. 169, 172–175). Attempting to overcome such disagreements, this paper adopts Lehoucq and Taylor’s definition: legal mobilization as “the use of law in an explicit, self-conscious way through the invocation of a formal institutional mechanism” (Lehoucq and Taylor, 2020, p. 168, 178). This definition explains legal mobilization in relation to legal framing and legal consciousness. Lehoucq and Taylor define legal framing as an explicit, self-conscious way of using law, and they see legal consciousness as the implicit, non-articulated use of law to give meaning to an event (Lehoucq and Taylor, 2020, p. 178–179); therefore, socio-political and legal environments around issues that are the subject of litigation are also at the center of debate in exploring legal mobilization.

The definition first emphasizes “the use of law in an explicit, self-conscious way” and its significance of “the invocation of a formal institutional mechanism.” Furthermore, legal mobilization as an element of social movements and a tactical choice should be noted. This approach helps deepen our understanding of litigation as a method used in social

movements and leads us to examine the basic conditions of this tactical choice: why do certain movement actors choose legal mobilization among many other strategies? In other words, under what conditions do these actors choose litigation? In light of this definition, we will choose cases and briefly analyze them based on each definitional aspect of legal mobilization: legal consciousness, legal framing, and legal mobilization. The analysis of deploying legal mobilization as a movement tactic will help to situate litigation of war responsibility related cases in social movement literature.

War responsibility related cases in Japanese courts

The legacy of tragedies incurred during Japanese imperial expansion and the war in the early twentieth century still lingers, even seventy years later. The aforementioned cases involving Chinese and Korean forced laborers, comfort women, Japanese war orphans, victims of the air raid on Tokyo, and other civilian victims remain unsettled and unheard; the wounds remain unhealed. Victims have filed lawsuits against the Japanese government to achieve compensation on one hand, and to demand social justice, human rights, and even rehabilitation of their community on the other. We will briefly introduce cases related to war responsibility and narrow them down for further analysis in this section.

A number of legal actions have been filed against the government for its policy failures or misconduct during the colonial period as well as the war. This paper will only discuss cases for further analysis that were filed against the government in Japanese courts.²⁾ Table 1 shows major

2) Accordingly, lawsuits of Hansen disease survivors (Arrington 2014; 2016) and Yasukuni shrine (an issue involving an enshrined deity to another shrine) are beyond the focus of this paper; the former is not war responsibility related, the latter is not against the Japanese government but rather Yasukuni Shrine. We also leave out cases such as the lawsuits concerning history textbooks, the so-called Inaga litigation (Nozaki 2008), and the unconstitutionality suit concerning the Prime

cases under this categorization.

Table 1. Major Cases on War Responsibility Related Issues

	Case	Period	Process and Results
1	Compensation Lawsuit on Japanese Civilians' Overseas Properties	1968	The supreme court criticized "the logic of embracing the war damage."
2	Compensation Lawsuit against the Japanese Government on the Great Air Raid over Nagoya	1976~ 1980	Nagoya District Court Plaintiffs lost the case in 1980.
3	Compensation Lawsuit by Taiwanese Soldiers and Civilian Employees in the Japanese Army	1977~ 1992	Tokyo District Court dismissed the case in 1982. Tokyo High Court dismissed it in 1985. Plaintiffs lost the case at the Supreme Court in 1992.
4	Compensation Lawsuit by Korean (Chosun) Victims of the Atomic Air Raid	1978	Plaintiffs won the case at the Supreme Court.
5	Lawsuit on the Great Air Raid over Tokyo	1980 2007	Tokyo District Court dismissed the case. Plaintiffs filed compensation lawsuit against the government at the Tokyo District Court. Plaintiffs' demands were dismissed in 2009. Plaintiffs' appeal was dismissed at the Tokyo High Court in 2012. Plaintiffs' appeal was dismissed at the Supreme Court in 2013.
6	'The Council of Demanding Compensation for Detainees in Siberia' Lawsuit Demanding Compensation on the Unpaid Wages to Detainees in Siberia. Detainees in Siberia filed the lawsuit.	1981~ 1997 2007	Plaintiffs lost the first and second trials at the Tokyo District Court. Plaintiffs lost the final trials at the Supreme Court in 1997. Kyoto District Court Legislation of the Siberia special law sponsored by legislators was approved in 2010.
7	Lawsuit filed by Comfort Women	1991	Korean, Filipino, Zainichi Korean, Dutch, Chinese, and other victims filed compensation lawsuits. All the cases were dismissed at the Supreme Court.

Minister's visit to Yasukuni Shrine, in that although they overlap in addressing war responsibility and targeting the state, war victims are not directly involved. In addition, similar cases have been filed in other countries, especially in Chinese and South Korean courts; admittedly, comparative analysis will enrich our understanding on the issue and its activism, which will be our next project.

8	Beginning Compensation Lawsuit by <i>Zainichi</i> Koreans against Japanese Government	1992	Seong-il Seok and Seok-il Jin, <i>Zainichi</i> Koreans who have lived with disabilities due to the war filed the lawsuit at the Tokyo District Court in 1992 and lost the case in 1994. The first appeal was dismissed at the Tokyo High Court in 1998. Plaintiffs lost the case at the Supreme Court in 2001. Henceforth, <i>Zainichi</i> Koreans continuously filed compensation lawsuits against the government. However, they lost all the cases.
9	Compensation Lawsuit by Korean Forced Laborers	1995	Plaintiffs filed compensation lawsuits against the Japanese government and Japanese companies. They lost all cases at the Supreme Court.
10	Post-war Compensation Lawsuit of Compulsive Hauling and Forced Chinese Laborers	1996	Compensation lawsuits against the Japanese government and Japanese companies. Reconciliations were achieved in some cases, but plaintiffs lost all cases at the Supreme Court.
11	Lawsuit on the Great Air Raid over Osaka	2007	Compensation lawsuit against the Japanese government. Plaintiffs' demands were dismissed at Osaka District Court. Plaintiffs lost at Osaka High Court in 2011. The Osaka High Court dismissed the plaintiffs' appeal in 2013. The Supreme Court dismissed the plaintiffs' appeal in 2014.
12	Compensation Lawsuit against the Japanese Government on the Battle of Okinawa	2012	Naha District Court Naha District Court dismissed the plaintiffs' demands in 2016.

Source: Kurihara Toshio (2016) *Post-war Compensation Trial: Civilians' Unfinished 'War'*, NHK Shuppan. pp. 280-283, Nakayama et. al. (2015) *Unresolved Issues in the 70th anniversary of the end of World War II*. Sousisha. Tsubokawa and Omori (2011) *Judiciary Recognition of "Comfort Women" by Japanese Military*. Kamogawa Shuppan.

Table 1 reveals two major features. First, the trials have for the most part taken place in the 1990s and after. The cases before the 1990s can be roughly categorized based on two characteristics: the plaintiffs mostly demanded governmental support for physical and material damages, rather than pursuing social justice including equality or other civilian rights, and the plaintiffs were only Japanese or those formerly under Japanese rule, primarily former colonial subjects such as Koreans and Taiwanese. These plaintiffs won only one case: the compensation lawsuit

by Korean (Chosun) victims of the Atomic Air Raid. While Korean victims of the atomic air raid won the case, this case was also in line with a series of legislative actions that provided compensation to other civilian victims of the atomic air raids in Japan (Toshio, 2016, p. 280). Since the 1990s, a relatively wide range of cases with both domestic and foreign victims have been filed. Korean Comfort Women (as well as Comfort Women from other nations), Okinawan war victims, and Chinese forced laborers sued the Japanese government claiming compensation and demanding official apologies. Some victims of the air raids who were excluded from the beneficiary criterion for the existing governmental support programs also filed compensation lawsuits against the government in 2007.

Secondly, except for the Chosun case above (No. 4), the victims lost all these cases ultimately at the Supreme Court. Some occasionally achieved partial victory in lower courts, but in the end all the cases were overturned at the Supreme Court. Such results were possible because Japanese society, including the government and the courts, has developed and accepted the logic of “embracing and bearing the war damages (戦争被害受忍論).” This logic indicates that the war impacted every single person in Japan, and thus, everyone should collectively bear the consequences rather than expecting or even demanding special support for damage or suffering (Toshio, 2016, p. 4). The Japanese government has also maintained an inflexible stance claiming that all Japanese, to a greater or lesser degree, are victims of the war. Therefore, it would be unfair for the government to provide any specific victim groups special support programs (Efird, 2008, 365–366; Sugawara, 2009, 73).

As these victims lost all the cases, many activists and lawyers alike doubt the effectiveness of legal action, especially cases against the Japanese government. Regardless of the unfavorable precedents in Japanese courts, many victims and their supporters have ceaselessly continued litigation in issues related to war responsibility. How could they do this for such a long period of time? We need to understand the significance

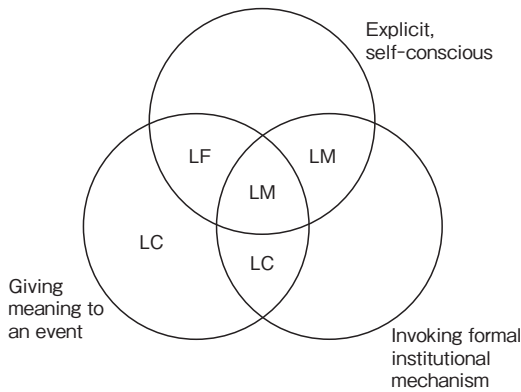
of this extended struggle and how it has been possible for the victims and supporters to continue in their actions.

The Tokyo Air Raid case as legal mobilization

Why do the victim groups persist in litigation while recognizing they will almost certainly continue to lose these cases? A legal mobilization framework can help us to understand the mechanism behind this phenomenon. According to Tarrow, social movements are defined as “the collective challenges, based on common purposes and social solidarities, in sustained interaction with elites, opponents, and authorities” (Tarrow, 2011, p. 9). In this sense, litigation in itself is closely tied to social movements. As noted above, there have been attempts to conceptualize legal mobilization, combining insights of sociolegal and social movement studies; researchers have produced an integrated framework to investigate such cases. In light of this work, we now turn to explore the compensation lawsuits that the victims of the Tokyo Air Raid filed against the Japanese government. Analysis of the cases through this framework may reveal why victims and activists continue their legal struggles even when they perceive these lawsuits may ultimately fail. This approach will also allow us to explain legal mobilization as a movement tactic.

As noted above, the definition of legal mobilization states “the use of law in an explicit, self-conscious way through the invocation of a formal institutional mechanism.” In relation to the legal framework, by using law in an explicit and self-conscious way, legal mobilization helps to give meaning to an event. Raising legal consciousness is an implicit and non-articulated way to use law, which also makes it possible for people to support legal mobilization as a reasonable approach to resolve issues. How the legal framework, legal consciousness, and legal mobilization are related is roughly shown in Figure 1 (Lehoucq and Taylor, 2020, p. 168, 178).

Figure 1. Different Types of Law in Mobilization (Lehoucq and Taylor, 2020, p. 178)



Taking this definition into account, claim-making by the victims of the Tokyo Air Raids to seek state compensation can be delineated as follows. As legal consciousness of “embracing and bearing with war damages (戦争被害受忍論)” has been widely shared by many Japanese, the public may widely consider any victim groups who expect more institutional compensation than others by claiming greater suffering from governmental wrongdoing during the war to be selfish and immature. Hence, rather than laying the entire burden of caring for all the victimized people on the government, many Japanese have a strong belief that all Japanese people should share the burden and take care of each other to overcome the terrible experiences of the war.³⁾ Furthermore, the victims are heavily influenced by this perception and see the legal-political system as not being favorable to their cause. This reflects the implicit, non-articulated use of law to give meaning to an event. Accordingly, social activists including lawyers, who see the law as a useful tool to redress the problems surrounding the state’s war responsibility, have also attempted to develop a wide range of activities to heighten public aware-

3) On the emphasis on Japanese victimhood, see Efirid 2008, footnote 6.

ness, as suggested by legal framing. The legal mobilization then began as victims and activists together chose to invoke a formal institutional mechanism.

The process can be constantly repeated. For instance, the victims of the Tokyo Air Raids along with activists filed a compensation lawsuit against the government and lost the case in 1980. However, the case was filed again in 2007 after a significant period of time had passed.

The plaintiffs' demands were dismissed in 2009, and the activists⁴⁾ gathered together to launch the Network for Victims of Air Raids in Japan (Zenkuren, 全国空襲被害者連絡協議会) on August 14, 2010. Although these lawsuits were also defeated in 2013, Zenkuren has strengthened its solidarity with other victims, activists, and members of the public. Zenkuren has also supported other causes such as peace, human rights, and the eradication of nuclear weapons. They have sued legislatures for compensation and other supporting measures for various victims' groups, and the cases have not followed a specific agenda. Here, greater solidarity to bring about social change has emerged, and the significant role of lawyers has also been highlighted in the process of legal mobilization (Sarat and Scheingold, 2006; Arrington and Moon, 2019).

The perspective of litigation as a part of social movements — and in further discussion, legal mobilization as a movement tactic — enables us to deepen our understanding of the significant impact of mobilization, both in and out of court. Litigation combined with other movement tactics gains effectiveness to resolve or, at least, alleviate victims' problems even when the victims' groups lose their cases, as these actions, in the process of legal mobilization, can create socio-political pressure to motivate bureaucrats and politicians to support the causes (Arrington, 2016). The compensation lawsuits by the victims of the Tokyo Air Raids

4) Joint representatives are Katsumoto Saotome (早乙女勝元, writer), Taketoshi Nakayama (中山武敏, lawyer), Shin'ichi Arai (荒井信一, historian), Tetsuo Maeda (前田哲男, journalist), Takao Saito (斎藤貴男, journalist).

demonstrate how legal framing and legal consciousness in relation to legal mobilization work together and can bring about larger social changes in Japanese society. This article reveals that it is critical to explore Japanese war responsibility related issues from this new perspective of legal mobilization as a part of social movements. This approach may provide an apt framework to investigate legal cases with civil activism and contribute to further theory-building processes, which would attempt to combine insights of legal mobilization from socio-legal and social movements studies.

Conclusion and discussion for future study

This article attempts to explore war responsibility related cases brought to the Japanese courts through the framework of legal mobilization. Scholarly work in this field as well as a necessity to combine sociolegal and social movements studies have emerged in recent years, and in this context we take into account that in spite of repeated courtroom defeats civilian victims of the war and the activists who support their causes have had a propensity to choose litigation as a tactic among many others.

Previous studies on war responsibility related cases have predominantly chosen sociolegal approaches. We turn our attention to the combination of sociolegal and social movement studies, focusing on the legal mobilization framework in particular. This paper attempts to illustrate how the framework could apply to war responsibility related issues in Japan and what implications we may draw from this approach.

In summary, this preliminary study enables us to raise critical questions about war responsibility related cases, legal mobilization, and movement tactics. These questions involve why victims and activists have chosen litigation to make claims and whether they had other options for claim-making. We must also ask if these claims are merely legal issues, and if not, how we can understand this type of litigation and its social impact. Furthermore, there are the issues of why the victims and

their supporters continue to choose the courts as the place to pursue their struggle and the reasons behind their repeated losses in the Japanese courts. What implications does activism by these victims and their supporters have for our society? Finally, what affects their choice of litigation for claim-making?

These questions pave the way for future study. In closing, we would like to address some assumptions based on the theoretical background we have used in terms of future research. Viewed in light of a legal mobilization framework, we attempt to articulate war responsibility related issues as a collective challenge that impacts society and governmental decisions. Namely we focus on social movements and why they choose litigation as a movement tactic and what affects their decision to select this tactic. Previous research suggests that structural factors and a cultural definition of repertoires of contention are essential for social actors to choose their movement tactics. We will investigate political opportunities and threats, along with legal opportunities and threats as structural factors (Kitschelt, 1986; Meyer, 2004; Hilson, 2002), as well as the role of brokerage and the degree of familiarity of litigation as cultural dimensions of repertoires (Shermon, 2008; Arrington and Moon, 2019; Tilly, 2008; Wada, 2016). Clarifying the relationships between explanation of structural and cultural repertoires and the tactical choices of movements will enrich our understanding of war responsibility related issues and their impact on our society.

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Afterword

Yoojin Koo

The EAA, a two-year old program at UTokyo, aims to build a new liberal arts that looks ahead to the next thirty years. The EAA also encourages young scholars to present their own research and engage in fruitful, constructive, and open exchanges with one another. With these objectives in mind, we were able to embark on our current project a new project.

We have just concluded our first workshop, which took place in November of 2021. Dr. Hye Won Um, who recently finished her dissertation and received her Ph.D. in Political Science from the University of Hawaii at Manoa, was invited to give a talk on her research topic. Her presentation, entitled “Identity, History, and Legal Mobilization: Focusing on Japanese War Orphans from China,” addressed the entangled case of Japanese war orphans, Japanese children who had been left behind in China after the Second World War, by questioning why it took more than five decades to resolve the issues surrounding the process of their repatriation and settlement. Interestingly, she accounted for the matters of defining Japanese-ness, recognizing state responsibility for civilian damages during the war, and examining the peculiarity and univer-

salinity of the war orphans' case in the wider context of East Asian history.

In the course of our discussion, Takeshi Shirakawa, a PhD student at University of Hawaii, Manoa, raised the relevance of the applicability and comparability of Japanese-ness. Specifically, he noted the wavering response of the Japanese government, which embraced Okinawans and Ainu people as Japanese on the one hand while refusing to recognize war orphans as Japanese on the other, a stance that reflects the twisted development of the modern Japanese nation-state, which remains entangled in territorial expansion schemes. Participants actively engaged in the discussion, raising questions regarding issues such as post-activism and what occurs after movements have obtained so-called "success," whether these movements or activists have solidary networks with other relevant cause based civic movements across East Asia, why Japanese war orphans desperately cling to legal mobilization as a movement tactic, whether "Japanese-ness" as an identity in itself has been static or reconstructed, and whether it is possible to see identity as a means rather than a cause or a goal.

The success of the first workshop in tackling a number of thought-provoking topics led us to feel that we should organize another workshop to broaden and deepen the discussion. We were slightly surprised that identity, which sounds like an old-fashioned or dated concept, still lingers as an essential part of the socio-political arena in East Asia in the 21st century. This time, with Hye Won Um's contention as a starting point (Chapter 1 of this booklet), we attempted to revisit the issue of "identity and movements" in our approaches. Takeshi Shirakawa and Sana Sakihama (EAA Project Research Fellows) tackle identity issues and Yoshiyuki Aoki (Visiting Lecturer, Dokkyo University), and Hye Won Um and Yoojin Koo examine movements that have resulted from matters related to identity.

Takeshi Shirakawa grapples with the identity issue in the context of the nation-state (Chapter 2). Viewed in light of Japan as a "striated space," as suggested by Deleuze and Guattari, he analyzes identity as Jap-

anese in the process of the repatriation Japanese citizens — many of whom were children — left behind in China following the war and highlights the inherent tension of this process in relation to the nature of “Japanese-ness.” Sana Sakihama expands on this issue with her work discussing the thoughts of Ifa Fuyu on the Okinawa issue and Okinawan people in modern Japan (Chapter 3). She elucidates the limitation of “politics” as outlined by Jacques Rancière and the possibility of Ifa’s thinking as being “political philosophy”, thus building a framework that allows us to subtly scrutinize the Okinawan issue.

Yoshiyuki Aoki addresses how identity correlates with movements and affects movement tactics — violence in particular — by looking into Korean student movements following democratization (Chapter 4). He especially emphasizes how the identity of student movements in South Korea had evolved and incorporated anti-Americanism, the militant legacy of the Japanese colonial period, the issue of North Korea, and the discourse surrounding reunification of the Korean peninsula. This was an evolutionary process that in turn resulted in pronounced violent tactics.

Lastly, Hye Won Um and Yoojin Koo raise the issue of identity in an effort to understand its possible role in viewing legal activism related to Japanese war responsibility as social movements rather than as legal cases. Their approach uses the framework of legal mobilization, which has gained more attention in recent years (Chapter 5). As a preliminary study, they suggest the legal mobilization framework can provide new insights on and motivation to sustain war responsibility related litigation, as these cases have almost always ended in defeat for those who have brought them.

During this time, we were also privileged to have Professor Ching-Yuen Cheung, who specializes in Japanese and East Asian philosophy and has a critical view on Hong Kong issues, as a commentator. Professor CY generously accepted our request to join the workshop and also write the preface to this booklet. In the course of our workshop Profes-

sor CY pointed out issues such as the importance of “social death” of Japanese returnees; the pre-conditions that affected Ifa’s thought; the similarities and differences of student movements between democratized and democracy-consolidated periods in South Korea; and the expansion of legal cases as related to legal mobilization (such as cases related to war dead enshrined in Yasukuni Shrine, a practice which subsumes the ethnicity of non-Japanese war dead into the Japanese nation). These topics Professor CY raised during the workshop are extremely important in accounting for identity and movements. He has also contributed to our group through his critical gaze on the situation in Hong Kong and pointed to the implications of this crisis and the alarming signs that it could act to undermine social justice and democracy in other nations across the world.

Last but not the least, to publish this booklet, we have received generous support from EAA leaders, staffs, and DAIKIN: special thanks to Takahiro Nakajima, EAA Director, and Tsuyoshi Ishii, EAA Deputy Director, who provide platforms for young scholars to gather together and encourage us to give a try to do our own research without fear, all EAA staff, especially, Hanako Takayama, Hana Tateishi, Mark Roberts, and Kyoko Ino, who help organize editing schedules and others concerned in holding workshops and booklet publication, Takuya Kuroda from UTokyo Press, who always kindly guides whole publication process, Richard Jones, who pleasantly and patiently edits all manuscripts with great enthusiasm, and DAIKIN Industries, Ltd., who, through their generous financial support, enable us to challenge ourselves!

Further discussion of the issues raised in this booklet is, of course, on the way, and we continue to work on our view of “identity and movements,” as we hope it unfolds through fruitful conversations in our daily lives and in our scholarship.

Note: This afterword has been rewritten based on two activity reports (report on November 24, 2020, and on March 22, 2021).

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Identity and Movements

