

Joint Statement
Seeking Abolition Of “Organized Crime Exclusion Ordinances”
And
Protesting Against Revision To Anti-Boryokudan Law

On October 1st in 2011, the Organized Crime Exclusion Ordinances intended to hobble mobsters came into force in Tokyo and Okinawa. Every other prefecture has had their versions of anti-mob regulations in place for some time. All of the undersigned individuals feel ashamed and guilty of having been unable to come out against the enforcement of these by-laws.

As a matter of course, we are not at all against a safe society; however, while enshrining such a “safe society” into law, the “gang exclusion ordinances” are currently being used as a tool for those in power to draw a line among the citizens and squeeze particular groups of people out of life. Such discriminative regulations pose a significant threat to the people’s right to life on an equal standing under the law.

Meanwhile, the Anti-Boryokudan Law (Law Concerning Prevention of Unjust Act by Boryokudan) is one that was drafted by career bureaucrats at the National Police Agency who did not take a blind bit of notice of the sad fact that some people in our society have no other choice but to come down and join yakuza.

A further danger to those of us, who engage in expressing themselves, is that free expression will be seriously hampered as a result of a drive for thorough enforcement of these exclusionary rules.

Since enforcement began, there have already been reports on incidents involving violation of freedom of expression, including moves to shut out books, magazines, films, etc. dealing with yakuza from stores and theaters under the instigation of local police, who quite arbitrarily enforce their municipal ordinances. With the slogan of “exclusion of antisocial forces” or “elimination of mobsters,” self-imposed control is gradually taking root in a number of industries including financial services, construction, port transport, publishing, and film. We are now in danger of getting caught in the rat race of anxiety inviting in more anxiety.

However, it is not too late...yet. We, the undersigned, strongly demand that the Organized Crime Exclusion Ordinances should be all scrapped.

In the face of this course of unconstitutional events, we also need to look to the moves being planned for the beginning of the New Year by some forces calling for a revision to the Anti-Boryokudan Law for the worse.

A group comprising some heads of local governments, including Governor of Fukuoka Prefecture, has previously called on the Ministry of Justice to alter the anti-mobster law, in response to which the National Police Agency has swiftly set up a panel of well-informed people to prepare for the proposed revision of the law. The topics being discussed on the panel include a relaxing of various requirements for law enforcement to comply with under existing law, and a widening of the scope of objects of the regulation.

In fact, it was reported toward the end of 2011 that the head of Fukuoka Prefecture and some other key municipal personalities met with the Minister of Justice to urge the easing of regulations under the law authorizing wiretaps in investigations involving organized crime, and the introduction of undercover investigation and plea-bargaining.

Our concern over the current trend is that if we should ever permit said legal revision for the worse, the basic civil liberties of the people, such as freedoms of press, expression, communication and association, would be at stake, even more so than now. Tolerance to the existence of yakuza may be a good measure of a civilized society. It is often said, ironically, that there is no room for mobster in North Korea.

What seems to be taking place and taking shape in our country in this regard foreshadows a resurgence of the infamous pre-war “Peace Preservation Law” and is reminiscent of the brutish regime of the repressive states like ex-East Germany.

Given that the era of repression had begun with the “Red witch hunting” in pre-war Japan, the existing laws and regulations originally aimed at imposing restrictions on the activities of “mobsters” could end up being used as a device to police all of the people. We will remain on high alert for any signs of such a move, and stand against oppression of individuals’ rights and freedoms.

Those who engage in expressing themselves would have no place in this country unless they had the right to enjoy free expression. Therefore, we state our position herein that we demand the abolition of the Organized Crime Exclusion Ordinances which negate our *raison d’être* for being a writer, artist, performer or even an individual expressing his or her thoughts, and which represent the “death of freedom,” and that we are strictly against the proposed revision to the Anti-Boryokudan Law.

January 24, 2012