



## The Plight of Ainu, Indigenous People of Japan

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### Key Words

Ainu • Japan • public policy • history • indigenous people

### Abstract

After over a hundred years of forced assimilation and discriminatory policies, in 2008, the Japanese government finally recognized Ainu as an indigenous people of Japan. These policies eroded the identity and sense of worth of Ainu people, confiscated their homelands, and caused considerable suffering over several generations. The passage of such policies were unknown to the Japanese public who remained ignorant of Ainu cultural values and traditional ways of living, thereby devaluing and relegating them to an invisible status.

This article describes the systematic introduction of policies, which endangered the survival of Ainu as a people and continuance of their culture. The effects of these oppressive policies are examined as well as the need for indigenous research, which advocates for social justice.

### INTRODUCTION

A major issue in the twenty-first century is the recognition of indigenous rights and the preservation of indigenous peoples' unique cultures around the world. Since the 1980s, a worldwide movement—initiated by the United Nations together with international indigenous peoples' rights and advocacy organizations—has drawn attention to the education, culture and tradition, protection, self-determination and land rights of indigenous peoples. The Ainu in Japan are one such indigenous group.

When the Law for the Promotion of Ainu Culture and the Dissemination and Advocacy of Knowledge in Respect to Ainu Traditions (*Ainu bunka shinko-ho*) was passed in 1997, the Ainu people were finally freed from the term *kyu-dojin* (former aborigine), which had stigmatized them for more than a century. Iwasa (2009) states that the social status and identity of the Ainu people have shifted dramatically over the period since this promotion law took effect.

In June 2008, prior to the G8 summit in Hokkaido, twenty-one indigenous groups from all over the world gathered for the very first Indigenous Peoples Summit. There, they discussed the gaps in policy-making, education, and environment



and economics, and submitted a declaration to the participating nations of the G8 asking to be heard. This summit and many other efforts led to the Japanese government's 2008 recognition of the Ainu as an indigenous people for the first time in history, and the passage of a resolution to create a new law to help them recover their status, regain their culture, and rebuild relationships between Ainu and non-Ainu people in Japan.

Much of the literature indicates that issues remain in terms of education, socioeconomic status and quality of life after a century of policies that have enforced assimilation and led to discrimination. The law promised by the government has not been created as of 2011. Exacerbating the situation is the lack of any new policy-making discussion reports or meetings of the *Ainu Seisaku no Arikata ni Kansuru Yushiki-sha Kondan-kai* (an advisory panel) since 2009.



## AINU

### **Ainu Family photo (1902) (public domain)**

The word *ainu*, by comparison to *kamuy*, for gods, means people and human. Historians assert that by the thirteenth century (Uemura, 2008) the Ainu people had developed their culture and settlements in the northern island of Hokkaido, the northern part of Honshu (Japan's main island), the southern part of Sakhalin (called *Karafuto* in Ainu and Japanese) and the Kuril Islands (*Chishima* in Japanese). Their settlements—called *ainu mosir*, which means great calm lands where Ainu reside—were typically located near the ocean, and accordingly the chief methods of earning a livelihood were fishing and hunting. Their language and beliefs were distinguishable from those of the Japanese. However, because the Ainu language did not employ any method of writing, much about the history and origin of these people remains unknown (Ainu Minzoku Hakubutsukan, 1993).



### EARLY HISTORY OF AINU MOSIR

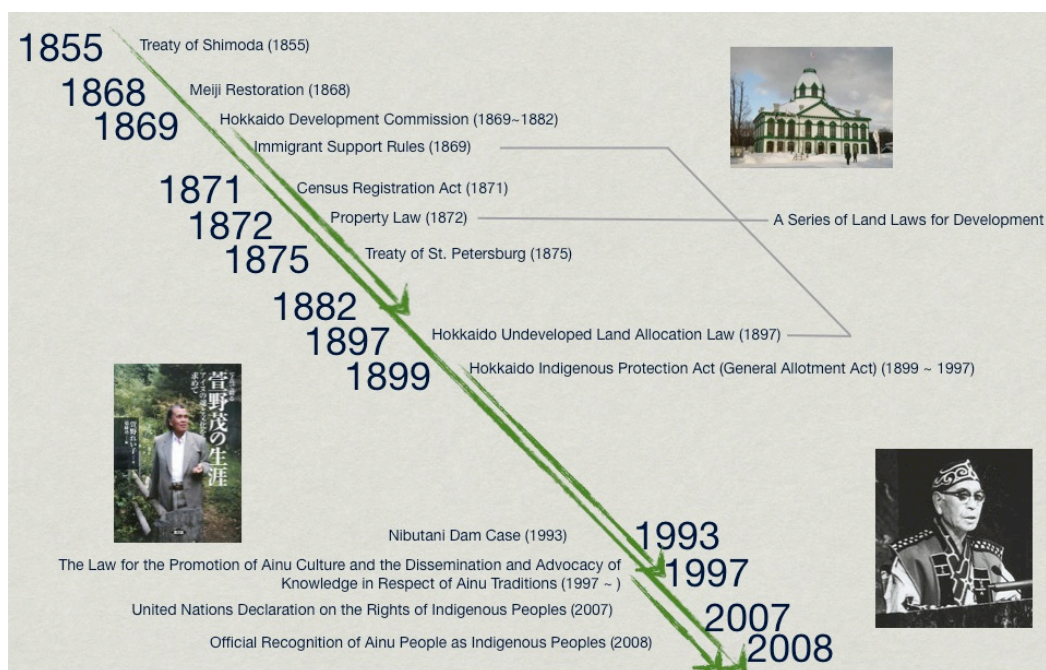
The first historical or documented appearance of Ainu occurred in the twelfth century in the Yuan Dynasty of China. It concerned a record of the people living in the region of Sakhalin (Namikawa, 2004). The Nivkh, another indigenous group of northern Sakhalin that was already subject to Yuan Dynasty rule, engaged in frequent combat against the Ainu, whom they called Kugi. From 1308 to the sixteenth century, the Ainu were also subject to rule by the Yuan Dynasty, and consequently trade within the groups of the Pan-Japan Sea remained active. During this period there was indirect trading through the Yuan Dynasty with the Ryuku (currently Okinawa), Kamakura and Muromachi governments of Japan.

It was in the fourteenth century that the first known indication of the Ainu in a Japanese document occurred. *Suwa Daimyojin Ekotoba* (1356) describes the Ainu as the image of *Oni* (devil), drawn as a means of discrimination against *foreign* people. Around this time, the *Wajin* (the term used to describe the dominant ethnic group of Japan) started living in the region of Matsumae and Hakodate (the southern part of *Ezo* or *Ezo-chi*, or what was eventually called Hokkaido). In or around the early fifteenth century, the *Wajin*'s trade with the Ainu became more abusive (Namikawa, 2004) under the control of the Ando family. That led to the Koshamain Revolt (*Koshamain no ran*) in 1457 by the Ainu because of the *Wajin*'s unfair business practices and exploitation of Ainu resources.

Trade between the Ainu and the *Wajin* in *Ezo-chi* became somewhat more stable under the rule of the Matsumae *Han* (clan), and it was strengthened to ensure stable supplies from *Wajin* amid the prolonged conflict between the Quin Dynasty of China and Russia during the sixteenth and seventeenth centuries. Given its interactions with other groups, especially in terms of trade, Ainu society had changed over the years. It had divided into groups, and there were multiple leaders from

different regions. Despite the fact that the Ainu never formed a unity as a nation, the Japanese government considered the Ainu to be a foreign group (Namikawa, 2004; Walker, 2006). The trade practices remained unfair, and there was a series of revolts in 1669 (Shakushain's Revolt) and 1789 (the Menashi-Kunashir Rebellion). After these incidents the government implemented a stricter policy by which to control the Ainu in Ezo. The government established Ezo-chi *Bugyo* (governing magistracy) and made efforts to assimilate and *Japanize* the Ainu people, thus putting forth the claim, "Where the Ainu (Japanese) live" is Japan.

### MAJOR POLICIES WHICH IMPACT THE PROBLEM



### Timeline for Major Ainu Policies

#### VICTIMIZATION OF THE AINU IN POLITICS BETWEEN JAPAN AND RUSSIA

Ainu people began to experience the negative ramifications of political maneuvering between Japan and Russia in the late nineteenth century. The Japanese government had sensed that the Russian government would also seek to extend its holdings, chiefly in undeveloped territory (Uemura, 2008). Japan and Russia had negotiated the borderline between their newly claimed territories. Initially, Japan and Russia set a line between the Kuril Islands of *Urupu* and *Etorofu* as the border according to the Treaty of Shimoda (1855). Sakhalin would therefore be a shared land.

It was in 1869, just after the Meiji Restoration (*Meiji Ishin* literally means starting something new; reorganization), that the Japanese government included *Ezo* as part of Japan. The name was changed to Hokkaido. Later, the Treaty of St. Petersburg (1875) between Japan and Russia was based in part on the proposal that Russia would control Sakhalin and Japan would claim the Kuril Islands. Ainu people had to choose their citizenship. Consequently, those who were forced to leave the homeland were not treated well in their new environments (Uemura, 2008).

#### ESTABLISHMENT OF THE HOKKAIDO DEVELOPMENT COMMISSION (1869~1882)

Japan claimed that undeveloped Hokkaido was part of the territory. In 1869, the central government sent commissioners to study the land and create a plan for the development of Hokkaido. The Ainu Association of Hokkaido (2006) claims that a

geographical study might have been done for the benefit of the government's knowledge, but they did not learn enough about how we lived and how much we were connected to our land. For the sake of Japan's own development, our traditions and culture were ignored.

#### CENSUS REGISTRATION ACT (1871)

The Ainu people were all registered in the census and were forced to use Japanese last names. At the same time, their language, culture and traditional ways of living were prohibited. Such prohibitions included tattoos on women, piercing on men and so forth. For the Ainu people, this act was an assimilation policy of ethnic cleansing.

#### A SERIES OF LAND LAWS FOR DEVELOPMENT (1869~1890S)

The central government wanted to promote emigration from the mainland to Hokkaido, and therefore enacted a series of laws to allocate land for development. The Immigrant Support Rules (1869) were established in order to provide travel expenses, housing, food and farming tools for immigrants. By the 1870s, however, it was clear that the policies of the central government had benefitted the immigrants in their efforts to farm the new land but that the opposite was true in regard to the Ainu people. In 1872, the traditional Ainu lands were taken by the central government under the Property Law to use for development because the lands were in a state of no use. The promotion campaign was a big success. The favorable treatment allowed by that law attracted business individuals and corporations to move to Hokkaido, particularly in the 1890s. Nevertheless, starting with the Hokkaido Undeveloped Land Allocation Law (1897), all such allocations excluded the Ainu people.

### THE HOKKAIDO FORMER ABORIGINE PROTECTION ACT (GENERAL ALLOTMENT ACT) (1899~1997)

The Hokkaido Former Aborigine Protection Act, passed in 1899 for the purpose of *protecting* people in Hokkaido, including the Ainu people, was modeled on the U.S. legislation known as the Dawes Act for Native Americans in Oklahoma. This act ignored the fact that the Ainu livelihood depended on fishing and hunting. Prior to this act, in the late 1870s and early 1880s, their traditional fishing and hunting activities were banned by the government in order to promote farming and controlled production. The act's main purpose was to allocate land to the Ainu people as a means to promote farming. This act also set a quota so that the land given would be taken away if no success could be proved within fifteen years. Most of the Ainu people, who were not used to farming, did not succeed in their attempts. Those who failed at farming were sent to factories and mines, where they worked as poorly-paid laborers (Uemura, 2008, *Ainu Minzoku Hakubutsukan*, 1993).

Another purpose of the act was to promote education. Teaching was conducted in the Japanese language. Some Ainu children were forced to move to Tokyo to be educated, but the curriculum was intended to ensure cooperation with the central government. This training enforced assimilation. In the name of protection, the 1899 act deprived the Ainu people of their traditions, culture, land, language, and identity (Fumoto, 2002; *Ainu Association of Hokkaido*, 2008).

### THE NIBUTANI DAM CASE (1993)

Nibutani is a small town in the Hidaka region of Hokkaido, along the Saru River and about 100 kilometers (approximately sixty-two miles) east of Sapporo. The population is only about 500 people, and eighty per cent of them are Ainu (Ogasawara, 2004). In 1993, this town suddenly became a trigger for the increased awareness of the Ainu people's existence thanks to a landmark legal case involving the Nibutani Dam injunction.

The government asserted that the project was obligatory in order to conduct flood control while providing energy and water due to the population increase. The government began to buy up land that had been provided for the people in Hokkaido under the protective laws (such as the Hokkaido Former Aborigine Protection Act and a series of land laws for development). At the same time, the Saru River is a sacred place for the Ainu people, because salmon come there for the spawning season. Salmon are considered by the Ainu to be important gods. Although two of the landowners, Shigeru Kayano and Tadashi Kaizawa, refused to sell their land, the government implemented the Land Expropriation Act and took their lands. Construction work began, but Kayano and Kaizawa sued the government.

Kayano became a politician at this time, and he continued his efforts to show that the government had implemented many unfair policies and laws against the Ainu. He also taught the Ainu traditional lifestyle to not only the Ainu community but the Japanese public. The dam was completed in 1996, but the Ministry of Works allowed the Ainu to use the lake for traditional events: *Chipusanke*, a ceremony for launching new canoes, and *Asircep nomi*, a celebration of salmon hunting.

#### THE LAW FOR THE PROMOTION OF AINU CULTURE AND THE DISSEMINATION AND ADVOCACY OF KNOWLEDGE IN RESPECT OF AINU TRADITIONS (1997~)

A law was passed in 1997 as the result of efforts by a team formed two years earlier. The team was comprised of Ainu representatives, the Ainu Association of Hokkaido, the Hokkaido government, the Agency for Cultural Affairs and Ministry of Land, Infrastructure, Transport and Tourism, and by the pressure from overseas human rights and indigenous peoples' groups. The new law declared that Japan would henceforth be a multicultural nation. The Hokkaido Former Aborigine Protection Act was thus taken out of effect, and the government's role shifted from *protecting* the Ainu to promoting Ainu culture.

The Ainu Association of Hokkaido, characterized the law as follows:

It is an historic move for us and for the nation of Japan. However, this law does not address anything about our land ownership, educational, political, social and economical rights. These need to be discussed, and we need to step forward. (Uemura, 2008, p.85)

#### THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (2007)

Beginning in the 1980s, the United Nations and international indigenous peoples' rights and advocacy organizations have initiated various efforts to promote attention to the world's indigenous peoples. As a result, there has been much discussion of education, culture and tradition, protection, self-determination and land rights. These organizations have served to monitor each nation. Japan has not been given good grades in regard to creating policies for indigenous peoples, but it has definitely applied some necessary pressure (*gaiatsu* - outside pressure) in regard to change.

In 2007, for example, the United Nations Declaration on the Rights of Indigenous Peoples was adopted by the General Assembly. Japan supported this declaration. It is not a legally binding, enforceable law, but it demonstrates the commitment of the membership to set a standard for the treatment of indigenous peoples, eliminate human rights violations against them, and assist them in combating

discrimination and marginalization. This led to Japanese government's 2008 passage of a resolution to create a new law to help the Ainu people recover their status, regain their culture and rebuild the relationship of communities between Ainu people and non-Ainu people in Japan.

#### THE GOVERNMENT'S PROMISE AND THE HOPE OF THE AINU PEOPLE (2008~)

In June 2008, just before the G8 summit held in Hokkaido, the Japanese government—for the first time in its history—officially recognized the Ainu as an indigenous people, and promised to create a new law and improve policies to support them. The Democratic Party of Japan (DPJ) defeated the long-governing Liberal Democratic Party (LDP) in May 2009, and Yukio Hatoyama, who is from Hokkaido, became the prime minister of Japan. PM Hatoyama joined the *Ainu Seisaku no Arikata ni Kansuru Yushiki-sha Kondan-kai*—an advisory panel of well-informed experts on Ainu policy, including Ainu members, Prime Minister Hatoyama and the governor of Hokkaido Prefecture—as a means to improve the environment for the Ainu people.

Erik Larson and other co-authors (2008) assert that the global norm of the movement as an empowered, transnational actor in indigenous rights shapes the potential for the Ainu people to influence domestic government. Laws and policies in the past have affected the Ainu people. Over the last few decades, there have been some achievements: the Law for the Promotion of Ainu Culture and the Dissemination and Advocacy of Knowledge in Respect of Ainu Traditions (1997), the recognition of the Ainu as indigenous people during the Nibutani Dam decision (1993), the progress in the International Negotiations on Intellectual Property meeting, creations of the liaison committee of ministries and agencies (1996), and the Foundation for Research and Promotion of Ainu Culture (FRPAC) (1997), Japan's voting for the Declaration on the Rights of Indigenous Peoples (2007), and the government's recognition of the Ainu (2008).

To influence the government and promote their movement further, some Ainu have chosen to use outsider strategies, or *gaiatsu* (outside pressure), or collaborative efforts with overseas human rights support groups and other indigenous groups from all over the world. The gap between the awareness of international movement and support for indigenous rights, and the lack of recognition of the Ainu as an indigenous people, create a continual motivation “to push for recognition in a variety of matters” (Larson, Johnson, & Murphy, 2008).

#### DISCUSSIONS AT THE AINU SEISAKU NI KANSURU YUSHIKI-SHA KONDAN-KAI

The Chief Cabinet Secretary requested that the *Ainu Seisaku no Arikata ni Kansuru Yushiki-sha Kondan-kai* (an advisory panel of well-informed experts on Ainu policy) produce a report about its discussions of policy changes. The Constitution



of Japan has often been discussed from the perspective of whether the creation of a special policy and the treatment of a specific population under the law would be contrary to Article 14, which sets forth the principle of equality. The report justifies the existence of Ainu policy as valid with the historical considerations and Article 2-2 of the International Convention on the Elimination of All Forms of Racial Discrimination (Ministry of Foreign Affairs of Japan, n.d.).

Article 13 of the Constitution has, as its basic principle, respect for individuals. Policies that value Ainu culture and spirituality, including the Ainu language, are important as a means of upholding this principle and allowing the Ainu to choose to live with a strong sense of identity. Addressing gaps in education, socio-economic status, and quality of life are crucial in meeting the intent of the Article.

The *Ainu Seisaku no Arikata ni Kansuru Yushiki-sha Kondan-kai*'s report also highlights the importance of ethnic harmony. The concept creates a model by which the members of a modernized multicultural nation can respect one another's individuality, culture, and dignity. Thus the government has recognized the Ainu as an indigenous people, and with the new policy changes, all of Japanese society should follow suit with respect and appreciation for diversity.

Even though there have been no additional reports or activities since the last report was issued in 2009, continued discussion and specific implementation plans will be beneficial for Japan as it endeavors to become a true multicultural nation.

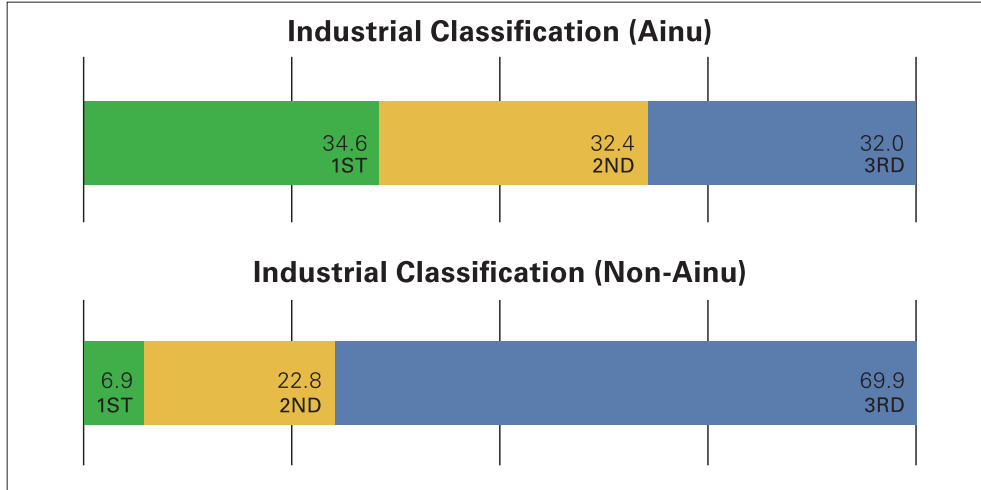
## **CURRENT ISSUES**

### **SIGNIFICANT GAPS IN SOCIOECONOMIC STATUS**

Much of the literature indicates that issues remain in terms of education, socioeconomic status and quality of life after a century of policies that have enforced assimilation and led to discrimination. Policies of assimilation and/or discrimination, implemented without negotiation or consideration, have made it difficult for the Ainu people to maintain their traditional methods of living, dignity, identity, beliefs, lands, language, culture, and education. In addition, the struggles of the Ainu people in Japan are evident in the significant differences in socioeconomic status (Uemura, 2008), as highlighted below:

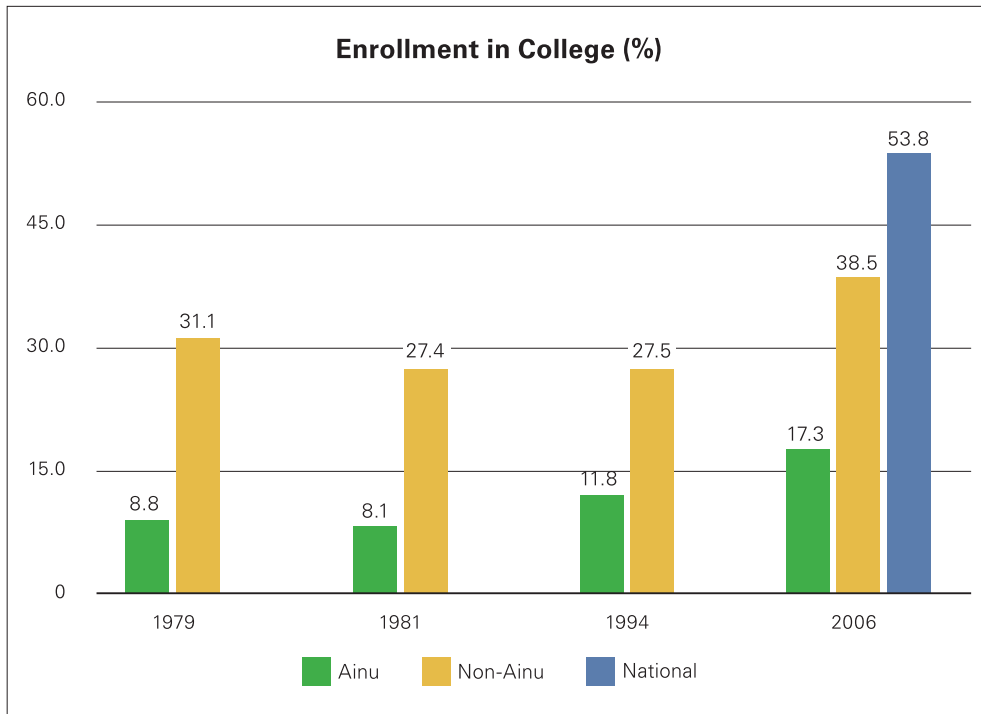
- 56.3% of Ainu people are employed in either primary (e.g. agriculture, agribusiness, fishing, forestry, and mining) or secondary (e.g. manufacturing and factories) industries with lower wages in Hokkaido (24.2% of non-Ainu people are in the same categories);

**CHART 1: INDUSTRIAL CLASSIFICATION COMPARISON IN HOKKAIDO**



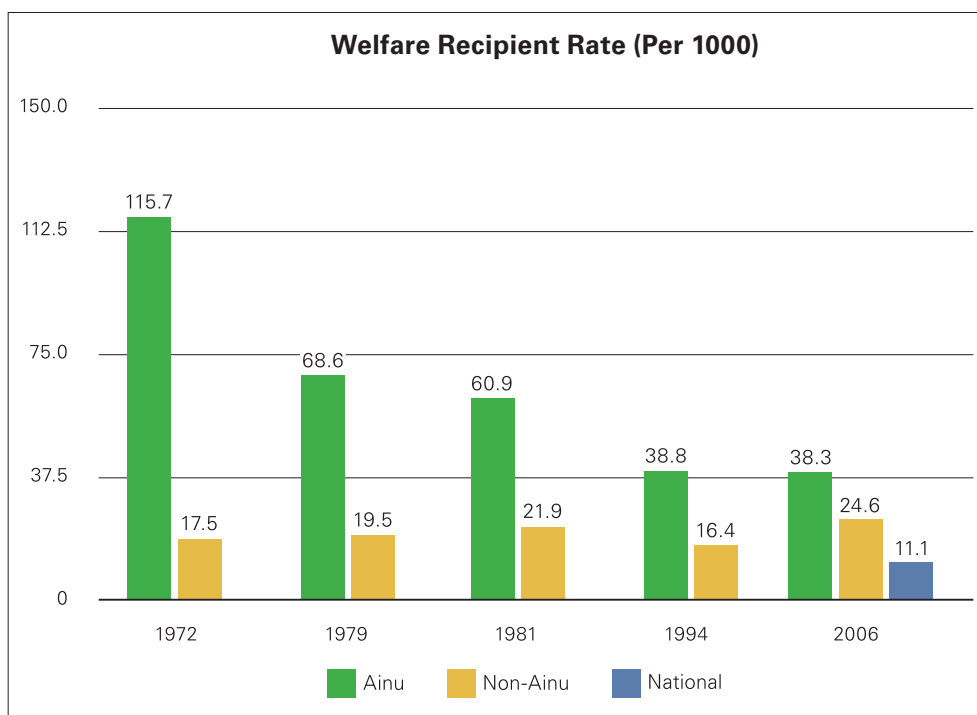
- Only 17.3% of Ainu people have college degrees, compared to 38.5% for non-Ainu people in Hokkaido (53.7% nationally);

**CHART 2: COLLEGE ENROLLMENT COMPARISON IN HOKKAIDO**



- More Ainu families receive welfare support from the government (38.3%) compared to non-Ainu families in Hokkaido (24.6%) (11.1% nationally) (Ainu Association of Hokkaido, 2006, Hokkaido Prefecture Government, 2006).

**CHART 3: WELFARE RECIPIENT RATE COMPARISON IN HOKKAIDO**



### SOLIDARITY ISSUES

Many Ainu hide their identity in everyday life, simply to avoid discrimination and the stigma of feeling ignorant or ashamed of their cultural heritage. Even though today there is a relatively higher number of Ainu people who are proud of their heritage and active in cultural events, society should create an environment in which all citizens can feel free to appreciate their roots and identity. In such a society it would not be necessary to disown one's heritage.

The long-standing assimilative and discriminative policies have brought forth certain consequences. To seek success and escape from racial discrimination in Hokkaido, many Ainu migrated to the Kanto area (greater Tokyo region). The creation of solidarity at the national level among multiple Ainu associations and groups can be an issue. Hokkaido is somewhat more rural, but the Kanto area is a

huge urban zone. Thus education, socioeconomic status, and quality of life can vary between these regions. The participation in the Ainu related activities and events and involvement in the Ainu association, and the means to air opinions may also differ between the Ainu people in Hokkaido and Kanto area.

### **GENERATION GAP**

A particular dynamic has been brought into play as a means to change the behavior of Ainu society. The sequence of laws has engendered different characteristics among the different generations of Ainu society. The generation right after the enforcement of assimilation had no other choice if it wanted to survive. They endeavored to act like Japanese, speak Japanese and farm for a living instead of hunting and fishing. They became the hidden generation. They did not teach their children the Ainu language, culture, and traditions. However, their struggle, frustration, and anger instilled in their children a desire to seek their roots and identity. The children did not speak the Ainu language and were not familiar with Ainu traditions; instead they sought a way to fight to get their rights back. Many members of that succeeding generation spent much time protesting and engaging in other political acts.

Shimazaki (2010) pointed out the difficulty of taking opportunities and developing leadership, particularly among people of the younger generation. Ainu have been invited to leadership programs such as the Advancement of Maori Opportunity (AMO) in Aotearoa (New Zealand) and the Americans for Indian Opportunity (AIO). They attended workshops and leadership seminars as observers. Given the working situation and conditions in Japan, the language barrier, and other reasons, few Ainu youth participate in such opportunities abroad. Shimazaki (2010) feels that the opportunities for leadership development have been wasted.

### **CONCLUSION**

The year 2008 was historic for the Ainu, since the Japanese government, for the first time in history, recognized them as an indigenous people of Japan. However, despite the government's promise to create a new law to help the Ainu recover their status, regain their culture, and rebuild relationships between Ainu and non-Ainu people in Japan, the corresponding law has not yet been created as of January 2012. The Japanese government has been reluctant to discuss injustices attributable to laws, which oppressed Ainu for the purpose of political gain. This tacit denial of responsibility continues to hamper any forward progress of policies that could begin true restoration of Ainu wellbeing.

Moreover, little is known about what the Ainu think in regard to their situation; their feelings about their historic oppression and the existing policies and law; how they would like to promote implementing cultural recovery through the protection

and maintenance of their identity and traditional ways of living; and whether there are geographical and generational disunities in awareness and perspectives on the aforementioned challenges to their way of life. Shimazaki of the Hokkaido Ainu Association (2010) attests to the difficulty of combining people's voices and social needs because currently there are no mechanisms to collect data. These are significant areas where research, which values and respects the indigenous standpoint (Morelli & Mataira, 2010) can provide evidence which promotes social justice and begins to restore the wellbeing of Ainu people.

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