

“Habits of the Heart¹”: Japan’s Shintoism and ‘Lived Human Rights’²

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Abstract

¹ This title is inspired by Bellah (1985).

² I would like to thank Professor Jean Do for her patience and encouragement. I am also deeply indebted to two anonymous reviewers for their careful readings and helpful comments.

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⁴ Abe Shinzo unexpectedly resigned as Prime Minister of Japan on August 28, 2020. This paper had been written before then. Mr. Abe is described as current PM of Japan in this paper.

⁵ This passage is also quoted in Fukuoka and Schwartz (2010, 71).

⁶ "Devotions upon Emergent Occasions (1624), XVII" (Donne 2012).

This paper interweaves Japan's human rights attitudes toward North Korea with indigenous Shinto religion. Normative claims of universal rights protection demand demystification from a careful contextualization where the norms are confronted with 'lived' violations. This research analyzes the way in which abduction of Japanese citizens and Chosŏn school are intertwined against the backdrop of ethnocentric Shinto ethos. This analysis contests the rhetoric that all human beings are equal and born with inalienable rights irrespective of time and places. Shintoism, primary cultural fabric in Japan, justifies ethnic hierarchy and prioritization in responsibility to protect in the name of communal tradition. The rights violation of Chosŏn school and preoccupation with abduction of citizens demonstrate a useful contrast. This research concludes by calling for more studies on subtler manifestation of 'lived human rights' as a reflection of religious ethos.

Keywords: Japan, human rights, religion, ethos, Shintoism, North Korea, abduction of citizens, Chosŏn school, Shinzo Abe⁴

Any man's death diminishes me because I am involved in mankind, and therefore never send to ask for whom the bell tolls; it tolls for thee. Neither can we call this a begging of misery or a borrowing of misery, as though we were not miserable enough of ourselves but must fetch in more from the next house, in taking upon us the misery of our neighbors. Truly it were an excusable covetousness if we did; for affliction is a treasure, and scarce any man hath enough of it.⁵

John Donne
*Meditations XVII*⁶

1. Introduction: ‘Lived Human Rights’

⁷ Schmidt-Leukel (2006), for example, argues that Buddhist teachings on benevolence resonate with human rights aspirations while reincarnation dissociates itself for its passive acceptance of status quo.

⁸ This is a conceptual, not quantitative, paper. In other words, hypotheses testing of other plausible explanations such as political calculations, national interests and formation/sustainment of ethnic identity is not a good fit for the research question. These alternative accounts, however, are factored in the analyses of the Shinto context of human rights topics in Japan. Hypotheses testing has two unviable limits: first, it will create a poor fit between the paper topic (exploration of the nuanced nexus between religiosity and perceptions of responsibility to protect) and the method (testing of statistical significance). It can be done only when carefully worded questionnaire survey targeting ordinary citizens as well as opinion leaders on their religiosity, ideological orientation and political propensity vis-à-vis two North Korea-related human rights topics is conducted. And second, as an extension of the first point, testing of alternative explanations is not doable unless there is an opinion poll survey data with specific questions on respondents' attitudes towards abduction and Chosŏn school issues as dependent variable(s). Given non-existent data to construct these variable(s), multivariate analyses will not work. The Cabinet Office of Japan conducts annual opinion poll survey which includes the question "Are you interested in any issues related to North Korea? Please select all applicable answers." This survey item is as far as it goes for now.

⁹ This conceptualization was aided by Ammerman (2013), Hurd (2015) and McGuire (2008).

This paper aims to explore the understudied question of ‘how the habits and dispositions are expressed in ethical actions?’ (Markheim 2007, 49) by interweaving Japan’s askance approximation of North Korean human rights with its indigenous Shinto religion. Juxtaposition of religious worldviews and human rights praxis can appear odd because human rights studies have been dominated by legal, political and institutional perspectives (cf. Schmidt-Leukel 2006⁷). Human rights universality and religious particulars add more to the skepticism. The idiosyncratic concoction yet allows us to go beyond the conventional research paradigm connecting the subtle and the real, the theoretical and the empirical, and the normative and the lived.

A caveat is that this article does not claim to establish a causal association between religious ethos and human rights. This is a conceptual, not quantitative, paper.⁸ It aims to contextualize ‘why a community behaves in a certain way?’ In other words, this work is another addition to the body of works that tries to address the question of ‘why does it do what it does?’ (Mannheim 1993). In due exploration, this paper introduces the concept of ‘lived human rights’ in explicating the chasm between the normative and the lived drawing on Japan’s eclectic slant toward North Korea.⁹

Japan is a liberal democracy.¹⁰ Article 14 of its Constitution states that “All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin. Peers and peerage shall not be recognized. No privilege shall accompany any award of honor, decoration or any distinction, nor shall any such award be valid beyond the lifetime of the individual who now holds or hereafter may receive it.”¹¹ This spirit parallels to the United Nations Declaration of Human Rights as universal, indivisible, interdependent and interrelated regardless of political, economic and cultural values (Iovane 2007). This claim demands contextual elucidation where ‘lived discrimination’ confronts the norms. In doing so, this research analyzes the

¹⁰ A growing number of voices is challenging the nature of Japan's democracy since Abe's second term began in 2012. The related discussions are beyond the scope of this paper.

¹¹ https://japan.kantei.go.jp/constitution_and_government_of_japan/constitution_e.html, accessed on July 10, 2020.

way in which abduction of citizens and Chosŏn school issues are intertwined against the backdrop of Shinto ethos in Japan. Shintoism, a cultural fabric of moral reasoning, justifies ethnic hierarchy and prioritization in responsibility to protect in the name of communal tradition where the rights of Korean residents are violated.

2. Religious Worldviews and Human Rights

¹² Human rights analyses have been dominated by legal, international relations and political science fields (Breskaya, Giordan and Richardson 2018, 420).

¹³ These authors called for sociological perspectives such as culture, religion and tradition in order to contribute to human rights studies.

¹⁴ The modern conception of human rights, as embodied in UN texts, is a secularized version of Christian faith that all human beings have all human rights irrespective of their cultural and religious identity (Freeman 2019).

¹⁵ Similar arguments have been made on the relationship between Protestant ethics and capitalism (Weber 2010). As a counter-argument, Vogel (1993) linked Confucian ethics to industrialization by examining the "four dragons of Asia" (Hong Kong, Korea, Singapore and Taiwan).

¹⁶ The discussions below benefitted from Breskaya, Giordan and Richardson (2018).

This work is neither about entitlement to religious freedoms (Lim Ji Bong 2011; Hepner 2014; Jackson 2018; Arifin et al. 2019; Fokas 2020) nor an advocacy of religious tolerance (Huang 1995). It instead addresses much subtler manifestation¹² of 'lived human rights' as a reflection of religious ethos (Connell 1995; Somers and Roberts 2008; Morgan 2009; Turner 2009).¹³ Another caution is that this paper does not assume Christian ethos a *priori* in human rights discourse.¹⁴ It, therefore, does not agree with the opinion that the modern conception of human rights is a secularized expression of Christian faith (Freeman 2019).¹⁵ This research adopts agnostic stance.

Several arguments support a neutral positionality.¹⁶ The neutrality starts with a failure in finding a satisfying answer to the question of "what is religious in religions?" (Neville 2002, 115). Until Christian ontology is clearly explicated for the cause of human rights, any *priori* should be avoided. Lynn Hunt (2006), for example, traces the genesis of human rights revolution to the French Revolution (1789–1799) with a clarification that human rights are not linked to any religious tradition. Hans Joas (2013), on the other hand, sees an association between Christian personalism and an individual-centered human rights project. Joas cites the Catholic Church's shifting attitudes toward human rights from "repudiation of its original condemnation of human rights as a form of liberal individualism" to the defense of such rights as an evidence of the weak link (Joas 2013, 4). Joas (2013, 5), then, moves on to introduce an alternative explanation that "the history of

¹⁷ As for the dissenting voice from non-Western countries, see Bangkok Declaration of Human Rights (<https://digitallibrary.un.org/record/170675>, accessed August 7, 2020).

¹⁸ Annan wrote that Imam Ali, the fourth Khalifa after Prophet Muhammed, instructed the governor of Egypt to rule with mercy and tolerance towards all his subjects: "... Let the dearest of your treasures be the treasury of righteous action... Infuse your heart with mercy, love and kindness for your subjects. Be not in the face of them a voracious animal, counting them as easy prey, for they are of two kinds: either they are your brothers in religion or your equals in creation." Sa'adi, the great thirteenth century Persian poet, also offered a moving tribute to the values of tolerance and equality among all peoples and nations: "The children of Adam are limbs of one another and in their creation come from one substance. When the world gives pain to one member, the other members find no rest. Thou who are indifferent to the sufferings of others do not deserve to be called a man." Almost 2,000 years earlier, Confucius spoke of the dignity of the individual and the tolerance of the State towards the freedom of expression of all its citizens:

"When the good way prevails in the State, speak boldly and act boldly. When the State has lost the way, act boldly and speak softly." Finally, and much closer to our time, Thomas Jefferson framed human rights as universal rights to freedom and dignity in the American Declaration of Independence of 1776. He wrote: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed, by their Creator, with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness."

<https://www.un.org/sg/en/content/sg/speeches/1997-12-10/universal-declaration-human-rights-enshrines-and-illuminates-global>, accessed July 30, 2020.

the sacralization of the person" draws on the Weberian idea of "charimatization" of human rights. Sacralization here pertains not solely to the religious domain but to the secular one as well. He views the emergence of human rights as an extension of sacralization of person. A compromise can be made with the differentiation of anticlerical Enlightenment from the Christian tradition of personalism. The gray zone between Christianity's personalism and Church's institutional ambivalence problematizes the acceptance of Christian ethos solely pertinent for the rights discourse. Furthermore, Banchoff and Wuthnow (2011, 13) situate the relationship between human rights and religion within modernity that "modern conception of human rights triumphed only as traditional religious authorities eroded." Protection of human rights cannot co-exist with dogmatic, authoritarian religiosity, they assert.

Caution towards Judeo-Christian Western ethos as discursive *priori* actuates cross-cultural exploration on the relationship between religious worldviews and human rights praxis. This study on Japan alludes to two criticisms of the above-mentioned literature. First, their preoccupation with individual and modernity fail to resonate with non-Western societies where group- and community-based norms are still strong. Robust communal spirit can push individual to the margin of a society leading to the neglect of his/her rights. Communalism with a strong emphasis on utilitarian values can have adverse impact on minorities who do not share the ideational attributes of the community. Second concern regards the politicized amplification of Western influence on the 1948 Universal Declaration of Human Rights.¹⁷ Kofi Annan cites the multi-religious teachings in his 1997 statement for the celebration of the 50th anniversary of the Declaration.¹⁸ The UN Secretary General's message clearly intended to quell the dissenting voices on the 1948 Declaration's rootedness in the 1776 US Declaration of Independence.¹⁹ A comparative perspective is thus critically needed to consider the "tensions between rights and responsibilities, between individual and community, and between the material and the spirit" (Henkin 1998, 239).

Mullins' (1998) questions about Christianity's self-

¹⁹ The second paragraph of the US Declaration states that “We hold these truths to be self-evident, that all men are created equal, that they are endowed, by their Creator, with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.” <https://www.archives.gov/founding-docs/declaration-transcript>, accessed July 30, 2020.

proclamation as a “world religion” makes Japan a useful case study. With about 1% of its population as Christian, both Catholics and Protestants, Japan is a good place to examine the linkages between the subtle (ethos) and the obvious (praxis). Ventura (2015, 163) adds more against a “paradigm [that] rests on the assumption that each of the two categories of human rights and religion corresponds to a clear and distinct set of concepts.” Ventura’s warning entails methodological bias which reduces a metaphysical phenomenon to a quantifiable variable. Orchestrated resistance against Western influences, reverence for ancestors and the “spirits of things” obstructs the acceptance of Christianity by the mainstream society (Hong Min-gi 2019, 211).

This paper is a response to Breskaya, Giordan and Richardson who write that “...the internal dynamics of religious traditions in their relationship toward human rights should become a current sociological issue ripe for research. This process needs to be analyzed at the level of religious institutions and their internal conceptualization of human rights, as well as at the level of practical application of human rights practices within religious communities” (Breskaya et al., 2018, 427). Japan, a national community of Shintoism, is an interesting laboratory to interrogate an association between religion and human rights.

3. Shintoism and Human Rights in Japan

a. Shintoism

A wide spectrum of faiths is practiced in Japan. Ministry of Culture acknowledges four primary religion: Shintoism, Buddhism, Christianity and others (Park Kyu-Tae 2007, 135–36; *Religion Yearbook 2019*, 1).²⁰ Whereas Shintoism is rooted in prehistoric myths (Hardacre 2017, 47–70), Buddhism has been a main belief system since the 6th century. Catholicism was introduced in the 16th century followed by Protestantism at the time of the Meiji Restoration in the 19th century. Whilst new religions offer teachings on ‘Kokoro-naoshi’(心直し, to

²⁰ Park Kyu-Tae (2012) introduces Kurozumikyo(黒住教), Konkokyo(金光教), Tenrikyo(天理教), Hitonomich(ひとのみち), GLA(God Light Association), Kofuku-no-kagaku(幸福の科学), Yoshimoto Naikan(吉本内観) and Aum Shinrikyo(オウム真理教) as examples of other religions.

²¹ Major religions demonstrated situational adaptability by engaging in practical assistance such as provision of shelter and basic necessities filling the void of administrative ineptness during the unprecedented disaster of March 11 Great Earthquake in the Northeastern part of Japan in 2011 (Kimura and Park Maeng-su 2017).

²² This is an interesting phenomenon vis-a-vis other religions. Christianity puts salvation at the core, Buddhism on reincarnation and Confucianism on virtue. Japanese eagerness to control the ‘mind’ reflects its preoccupation with the wellbeing of present world (Park Kyu-Tae 2012).

correct mind’s mistakes), major religions also focus on the issues related to the “mind” (Park Kyu-Tae 2012).²¹ Matters of the ‘mind’ is at the center of spiritual pursuit in Japan.²²

2019 Religion Yearbook shows Shintoism with the highest level of corporatization and Buddhism with the largest number of religious sects. High level of corporatization subjects Shinto groups to government regulations and protection. Buddhism, on the other hand, has the biggest number of sects because of its undogmatic adaptability amid thirteen centuries of tumultuous history (see Table 1).

Table 1: Distribution of Religions in Japan

	Number of Religious Corporations			Number of Religious Sects		
	Non-Comprehensive Corporations	Unit Corporations	Sub-Total	Corporations	Non-Corporations	Sub-Total
Shintoism	82,599	2,049	84,648	129	26	155
Buddhism	74,293	2,749	77,042	168	32	200
Christian	2,854	1,850	4,704	72	15	87
Others	13,830	441	14,271	30	5	35
Total	173,576	7,089	180,665	399	78	477

Source: *Religion Yearbook* (Ministry of Culture 2019, 1, author’s translation)

(https://www.bunka.go.jp/tokei_hakusho_shuppan/hakusho_nenjijohokusho/shukyo_nenkan/pdf/r01nenkan.pdf, accessed July 20, 2020)

As of December 31, 2018, Shinto has the largest number of followers at 87,219,808 people (48.1%) followed by 84,336,539 Buddhists (46.5%). Table 2 provides illuminating information on women and foreigners in leadership positions. Unlike major religions, “other” religions, primarily a post-World War II phenomenon, have highest number of female priests given their undogmatic nature compared to “traditional” religions. Christian churches have the largest proportion of foreigner priests at about 10%. Considering the miniscule proportion of foreigners in other religious categories, insertion of the particular information accentuates the “foreignness” of Christianity.

Table 2. Number of Organizations, Priests and Believers
(Per Religion, as of December 31, 2018)

Number of Organizations	Number of Priests (number of foreigners)			Followers	Religion
	Male	Female	Total		
<i>Total</i>					
180,665	315,579 (2,821)	344,079 (1,248)	659,658 (4,069)	181,329,376	
84,648	45,595 (30)	26,102 (39)	71,697 (69)	87,219,808	<i>Shintoism</i>
77,042	165,912 (374)	189,582 (221)	355,494 (595)	84,336,539	Buddhism
4,704	26,959 (2,259)	4,660 (824)	31,619 (3,083)	1,921,484	<i>Christianity</i>
14,271	77,113 (158)	123,735 (164)	200,848 (322)	7,851,545	Others

Source: *Religion Yearbook* (Ministry of Culture 2019, 35, author's translation and emphases)

(https://www.bunkago.jp/tokei_hakusho_shuppan/hakusho_nenjihokokusho/shukyo_nenkan/pdf/r01nenkan.pdf, accessed July 22, 2020)

Shintoism like other religions shapes people's attitudes in daily lives. Jinjahoncho's (Association of Shinto Shrines) definition of Shinto is enlightening in that regard:

Shinto is the **indigenous faith** of the Japanese people. In general, **Shinto is more than a religion and encompasses the ideas, attitudes, and ways of doing things that have become an integral part of the Japanese people for the better part of 2000 years.** Shinto, unlike other major religions, does not have a founder, nor does it possess sacred scriptures or texts. On a collective level Shinto is a term which denotes all faiths, however, on a personal level, Shinto implies faith in the deity (*kami*), incorporating the spiritual mind of the *kami* through worship and communion. Shinto arose with the advent of **Japanese civilization** and has progressively developed through the centuries until modern times. The word Shinto first appears in the *Nihonshoki* (The Chronicles of Japan) in the early 8th century with the intention of distinguishing this native faith from the recently arrived religions of Buddhism, Confucianism and Taoism. The word Shinto ("Way of the Gods") was adopted from the written Chinese (*shén dào*) combining two Chinese characters: "shin", meaning *kami*; and "tō", or "do" meaning a philosophical path or study. (<https://www.jinjahoncho.or.jp/en/shinto/index.html>, original in English, italics in original, author's bold face, accessed August 2, 2020)

²³ The government literature continues like the following: “Shintoism is organized mostly around Shinto shrines. In addition to about 80,000 corporatized shrines, many other non-corporatized shrines are also drawing followers. The gods worshipped at the shrines are diverse in their characters as 8 million gods are believed to exist in this country...The reason why gods are worshipped at the shrine has a lot to do with religiosity of ancient Japanese people and subsequent state of affairs. According to *Kojiki-den*, ancient Japanese believed that things, virtuous as well as supernatural, embed divinity deserving respect and fear” (Ministry of Culture 2019, 2–3, author’s translation).

²⁴ The “sea-crossers (渡来人)” are the people from China and the Korean peninsula who settled in Japan during 3-7 centuries.

²⁵ There are other types of classification such as Koshitsu (State Shinto), Jinja (Shrine Shinto), Kyoha (Sect Shinto), and Minkan (Popular Shinto). See for example, <https://www.myss.com/free-resources/world-religions/shinto/the-forms-of-shinto/>, accessed August 2, 2020. Myss’ classification is interesting because it identifies Palace and State Shinto. It also equates “minkan (civilian)” and “minzoku (ethno).” These confusions reflect the tight intersection and overlap among the practices throughout history.

²⁶ For more details, visit the Association of Shinto Shrines, <https://www.jinjahoncho.or.jp/en/>.

²⁷ On Palace Shinto, the Association of Shinto Shrines provides the following narratives: “In Shinto, the Emperor of Japan (*Tenno*) is believed to be a descendant of *Amaterasu-Omikami* (the Sun Goddess) who is enshrined in the Grand Shrine of Ise. Since the founding of the nation, *Tenno* himself has conducted Shinto rituals in the Imperial Palace to pray to the deities centering on *Amaterasu-Omikami* for the happiness of the people, for the long continuation of the nation, and for world peace.

Unlike other religions which separate rituals from everyday life, Shintoism embeds countless communal gatherings, seasonal celebrations, spiritual commemorations and other customary daily rituals in its practice. Human rights can be lost in translation within community-oriented activities because non-Japanese ethnic groups are excluded in the religious tradition. The distinction between tradition and religion is blurry in Shintoism. It is the workings of “habits of the heart.”²³

Religion Yearbook provides similar information on the roots and contents that “Shinto started and has been evolving as a religious faith worshipping *Japanese ethno’s authentic gods and spirits*. Shinto is not limited to convictions and practices entrenched in religious tradition. It includes *inherited attitudes and thoughts widespread in Japanese people’s daily lives*” (Ministry of Culture 2019, 2, author’s translation and emphases). The *Yearbook* does not allocate equivalent space to Buddhism and Christianity. The descriptions are mostly on brief history: “Japanese Buddhism was transmitted from India through China and the Korean peninsula. Although AD 538 (or AD 552) is believed to be the year of the transmission, it is likely that the religion was transplanted with the arrival of ‘sea crossers’”²⁴ (Ministry of Culture 2019, 7). The narratives on Christianity, again, are primarily on evangelical trajectory (Ministry of Culture 2019, 19) and post-war Christianity (Ministry of Culture 2019, 21).

Shinto faith has several factions according to primary emphasis and historical evolution.²⁵ They are Shrine Shinto,²⁶ Palace (Imperial) Shinto,²⁷ State Shinto,²⁸ Religious Shinto and Folk Shinto (Park 2007, 155–160). Shrine Shinto is most popular with about 80,000 registered shrines.²⁹ Palace Shinto oversees celebrations and rituals primarily for and by the royals. State Shinto, a combination of Shrine and Palace Shinto, emerged during the Meiji Restoration (1868) which enacted laws to regulate religions. Religious Shinto was also organized in the 1800s as Japan was transiting from feudal to modern era.³⁰ And Folk Shinto, the most relevant for ‘lived human rights,’ refers to an unorganized form of Shinto faith referring to customary traditions observed by individuals and families.

There are clergymen and women in the shrines of the Imperial Palace who assist *Tenno* to perform the rites. *Tenno* performs these rites around forty times a year. This is perhaps why there are some scholars who call *Tenno* 'the highest priest' of Shinto." <https://www.jinjahoncho.or.jp/en/>, accessed August 2, 2020.

²⁸ The controversies on State Shinto are not addressed in this article where the Yasukuni Shrine is at the center of highly charged political contentions.

²⁹ A total number of shrines is about 140,000 when non-registered shrines are added to the estimate.

³⁰ The organization was taking place when the Edo period was ending with Japan's encounter with the West since the arrival of Commodore Perry's Black Ship in 1853. Japan ended its isolationist foreign policy and changed from a feudal Tokugawa shogunate to the modern empire of the Meiji government in 1867.

³¹ There are many different *matsuri* festivals all over Japan. The Association of Shinto Shrines describes the centrality of *matsuri* in Japanese life that "An incredible number of festivals are conducted by each Shinto shrine throughout the year" (<https://www.jinjahoncho.or.jp/en/>, accessed August 2, 2020). The number of Shinto festival is between 100,000 and 300,000 where each festival has its own individuality containing the soul of the local people (<https://www.nippon.com/ja/features/h00010/> accessed July 25, 2020). Association of Shinto Shrines also describes the internalization of Shinto ethos in people's lives like the following: "Shinto festivals are not only limited to shrines but are also conducted by families. People set up altars in the center of their homes. This is the spiritual residence of their ancestors, to which they give thanks for daily life and pray for peace" (<https://www.jinjahoncho.or.jp/en/> accessed August 2, 2020).

³² <https://www.jinjahoncho.or.jp/en/>, accessed August 2, 2020.

The Shinto Online Network Association defines Folk Shinto "a Shinto faith which was customarily practiced by common people without being systematized." *Matsuri* (festivals) is a most notable example where the people of Japan participate without much sense of religiosity (Park Kyu-Tae 2007; Ministry of Culture 2019).³¹ Ancestor worship, a household ritual, continues from ancient times and is practiced until present day. Those who are not of Japanese ancestry are naturally excluded from these religious customs. A sense of community marked by ethnicity, region, neighborhood, blood ties and occupation constitutes the basic threads of Shinto faith. The Association of Shinto Shrines asserts that "Basically, every Japanese person is a parishioner of a local shrine, no matter whether he/she is conscious of it. Local shrines are called *Ujigami* and are considered as guardians of the village."³²

The distinction between religion and tradition is irrelevant in Shinto. As the Association of Shinto Shrines asserts, every Japanese is the follower of the indigenous religion simply for having inherited Japanese ethnicity. His/her soul belongs to the ethno like unalterable destiny. The social construction of "Japanese-ness" and Shinto practice highlight the formation of ethnic homogeneity leaving little room for others. This is the very nexus between religious ethos and 'lived human rights' in Japan.

b. Human Rights in Japan

Japan has a set of human rights problems. They are death penalty, freedom of speech and of the press, sexual discrimination, child abuse, rights of persons with disabilities, minorities³³ and workers' rights among others. Among the league of advanced countries, Japan is ranked about average on its performance scale (Fariss 2019). A series of war-making in the 20th century and externally imposed democratic system upon its defeat make human rights a foreign introduction where the reparation demands for state violence (ex. *hibakusha*,³⁴ Black Rain³⁵ and conscripted workers) still remain highly contentious.

Burakumin [villagers] problem is uniquely of the Japanese

³³ Minorities include ethnic (ex. Ainu), gender-based (ex. LGBT) and racial (ex. foreigners) categories. The Japanese government places more importance on the foreign residence system and puts it above the human rights protection of foreigners. The administrative discretion or policy priorities of the legislature can infringe on individual rights (Kuroda 2006).

³⁴ *Hibakusha* is a term for the atomic bomb victims in Hiroshima and Nagasaki.

³⁵ "Black Rain" refers to the rain immediately after the atomic bombings containing harmful radio-active materials.

³⁶ *Burakumin* discrimination refers to socio-economic problems arising from age-old prejudices against a group villagers called "outcasts." An outcast group at the bottom rung of the traditional social hierarchy has historically been the victim of severe discrimination and ostracism. They were originally members of outcast communities in the Japanese feudal era composed of those with occupations considered impure or tainted by death. Those who were ostracized as *burakumin* were segregated in their own communities, hamlets, or ghettos. Residential segregation was to keep the impure elements at bay. Severe social stigmas of "defilement" are of religious influence which shuns impurities and desecrations. Shinto and Buddhist teachings have particular relevance for the stigmatization where a leading Buddhist sect, *Honganji*, made a conspicuous departure from the *buraku* (village) movement after being labelled as "dirty sect" by other sects in the 1960s.

³⁷ The Japanese government defines the discrimination as "assimilation problem" (Cho Sang-gyun 2010, 100).

³⁸ "Comfort women" is a euphemism for wartime sexual slavery.

society for the obstinate history.³⁶ The ascribed status-based discrimination against the *burakumin* was abolished after the Meiji Restoration in the 19th century. In reality, however, disadvantage for employment, education and marriage continue due to cultural prejudice violating the norms of modern society.³⁷ While Japan's legal institutions declare the discrimination illegal, the *burakumin* problem depicts cultural intolerance conditioned by religious ethos.

Some of the topics are uniquely of Japan and the Korean peninsula. They are comfort women,³⁸ abduction of Japanese citizens and Chosŏn school. The topics are about the sufferings of the weak at the unfortunate intersections between Japan and the Korean peninsula.

The 'lived human rights' of Korean residents in Japan demonstrates a gap, again, between the rhetoric and the reality like the prejudice against *burakumin*. A comparison of two empirical cases, Japanese citizen's abductions and Chosŏn school, shows how human rights is constructed as 'lived' experience.

4. Abduction of Japanese Citizens and Chosŏn School

Universal human rights fail to consider 'identity' and 'difference.' It is suspected of constituting an ideological disguise for the domination of a particular form of moral and political perspectives. The so-called "Eurocentric" bias has arisen at least in four contexts: 1) the relations between the West and non-Western cultures; 2) minority rights; 3) the rights of indigenous peoples; 4) the rights of women (Freeman 2019). The cacophony can be reconciled with the legitimate claims of 'difference' demanding rethinking of the concept. Exploration of the subtle is a way to reconcile the universal and the particular. A careful attention to 'ideational' components can enrich the paradigm without undermining its aspirations. A comparison of abduction and Chosŏn school problematizes differential protection of different identities. The Shinto ethos of racial uniqueness works as a backdrop for

the (un-)conscious ideational hierarchical order.

*a. Abduction of Japanese Citizens*³⁹

The abduction always has been a very big concern for the Japanese since 2000, except the brief period after North Korea's Hwasong-12 ballistic missile launching over the Japanese archipelago in August 2017. In October 2018 opinion poll survey conducted by Japan's Cabinet Office, the most frequently mentioned answer to the question of "Are you interested in any issues related to North Korea? Please select all applicable answers" was the abduction of Japanese citizens (81.4%) followed by nuclear development (66.7%), missile launchings (59.9%) and political system (38.2%) (Japan's Cabinet Office 2018).⁴⁰ Similar response pattern was repeated in 2019. For the same question, the answers were in the order at abduction of Japanese citizens (77.6%) followed by missile launchings (70.3%), nuclear development (63.8%) and political system (36.1%) (Japan's Cabinet Office 2019).⁴¹

Among the abductees, Megumi Yokota is the tragic icon. Movies, dramas, and even animations have been made about her.⁴² Megumi Yokota was kidnapped by North Korean agents in 1977 at the age of thirteen and married a South Korean citizen, Kim Yōng-nam, a kidnapped South Korean in his high school days. She gave birth to a daughter, Kim Hye-gyōng, and is known to have died of depression due to home sickness. North Korea has consistently claimed that she died in 1994, but many suspicious circumstances over her death still linger on. North Korean experts, however, including Thae Yong-ho,⁴³ and other North Korean defectors believe that her chances of survival are very slim.

In the 1970s and the 1980s, North Korea kidnapped Japanese citizens in Japan and Europe mainly to train spies in the South. Kim Hyōn-hŭi, who carried out the 1987 KAL bombing, testified that she was trained by one of the kidnapped Japanese⁴⁴ to disguise herself as Japanese.⁴⁵ Kim Hyōn-hŭi's testimony raised suspicions about North Korea, and it was not until 2002 that the whole abduction story was revealed during the Pyongyang-Tokyo summit.

The Japanese government officially recognizes a total

³⁹ This discussion is greatly benefitted from Maeil Economy, "The 13-year-old girl was dragged to North Korea and never returned... In the end, Abe is to blame," July 11, 2020 (<http://news.naver.com/main/read.nhn?mode=LSD&mid=sec&sid1=001&oid=009&aid=0004613202>, accessed July 11, 2020).

⁴⁰ "Overview of the Public Opinion Survey on Diplomacy" (<https://survey.gov-online.go.jp/h30/h30-gaiko/summary.pdf> original in English, accessed August 3, 2020).

⁴¹ "Overview of the Public Opinion Survey on Diplomacy" (<https://survey.gov-online.go.jp/r01/r01-gaiko/gairyaku.pdf> original in Japanese, accessed August 3, 2020).

⁴² For example, *Abduction: Yokota Megumi Story* (2006) drew international attention.

⁴³ Thae Young-ho, a high-ranking North Korean diplomat, defected to the South in 2016 and has been elected as a Member of the National Assembly in 2020.

⁴⁴ Kim Hyōn-hŭi's instructor is known to be Yaeko Taguchi.

⁴⁵ For the accounts on the methods of abduction, "How were abductions committed?" (<http://www.sukukukai.jp/English/how.html> accessed August 3, 2020).

⁴⁶ PM Abe with no experience as a hereditary lawmaker was able to join the ranks of leading politicians over the abduction issue. Abe, the Chief Cabinet Secretary during the 2002 summit between North Korea and Japan, confronted Hitoshi Tanaka, a dovish “negotiator” vis-à-vis North Korea over the abductions. The news of the deaths of eight Japanese abductees, including Megumi Yokota, stirred up anti-North Korean public opinion. As a result, Hitoshi Tanaka was accused of being a traitor and was pressured to resign, while Abe gained popularity and a high-speed promotion. He has become a prominent politician over the abduction issue by breaking his promise with North Korea to repatriate the five survivors, declaring that he will bear responsibility for the decision withstanding consequences and sticking to a hardline response. With this popularity, he took office as the second-highest ranking secretary of the Liberal Democratic Party in 2003 with only three-term lawmaker’s experience, and became the youngest post-war prime minister in Japan at the age of fifty-two. He is currently breaking the record as Japan’s longest-serving prime minister.

⁴⁷ *Japan Times*, “Shigeru Yokota’s Death a Reminder that Time is Running Out on Abduction Issue,” June 6, 2020 (<https://www.japantimes.co.jp/news/2020/06/06/national/politics-diplomacy/shigeru-yokota-abduction-obit/#.Xyg17i2B3FQm>, accessed August 3, 2020).

⁴⁸ *Sankei Shimbun*, “Shigeru Yokota’s Death A Call for PM Abe to Break the Deadlock Over Abductions,” June 9, 2020 (<https://japan-forward.com/editorial-shigeru-yokotas-death-a-call-for-pm-abe-to-break-the-deadlock-over-abductions/>, accessed August 3, 2020).

⁴⁹ The families of abduction victims deserve sympathy where Pyongyang’s dubious acts has

of seventeen Japanese abductees. And twelve of the cases, excluding five who returned to Japan in 2002, remain unresolved. North Korea, however, says eight out of total thirteen abductees have died with five returnees. Pyongyang asserts that the abduction issue, therefore, has been resolved.

Japan’s Prime Minister Shinzo Abe has declared the resolution of abduction to be his “political ultimatum.”⁴⁶ Megumi Yokota’s father, Shigeru, who had been waiting for her return for more than 40 years, died in June 2020 without being able to reunite with his only daughter. As the average age of families of Japanese abductees reaches 88 years old, they are passing away without being reunited with the victims (*Japan Times*, June 6, 2020).⁴⁷ With Shigeru Yokota’s passing, Toru Hasuike, the former secretary general of the Family Association of the Abductees, immediately called for PM Abe’s accountability (*Sankei Shimbun*, June 9, 2020).⁴⁸ He is the brother of Kaoru Hasuike, one of the five Japanese abductees who were released after twenty- four years of captivity in North Korea.⁴⁹ Hasuike argued that Abe had vowed to resolve the abduction issue, but that he has only used it for political gain. Many other question Abe’s sincerity in resolving the abduction issue that his uncompromising words are nothing but political performance.⁵⁰

In 2019, the Japanese government was suspected of covering up the two abductions after receiving information from North Korea. The controversy did not subside easily. In addition to the Japanese government-recognized abductees, twenty-five of the 876 missing people reported as “suspected abductees” are known to be alive or confirmed dead in Japan. A series of confusions makes it difficult for Japan to negotiate with North Korea. Yet the Japanese government is refusing to acknowledge these concerns.

Before Shinzo Abe took office as Prime Minister, he had pledged “Abe’s three principles.” Abe’s three principles are: 1) resolution of abduction issue is the most important task for the Japanese government; 2) without the resolution, bilateral relations will not be normalized; and 3) all of the abductees recognized by the Japanese government should come back alive. The most problematic is the third principle: the return of all victims alive. Many experts say that it is impossible to

further deepened anxiety and suspicion.

⁵⁰ Even after taking the post of prime minister, Abe has been rallying his supporters by properly using the “North Korea threat” theory, which calls for the abduction issue, whenever he has the opportunity (Mikyong Kim 2012). In fact, Abe has repeatedly called the families of the abductees to the campaign site of his and his favorite candidate to appeal to the public as if he was receiving the families’ support.

⁵¹ Abe has gained popularity for setting high hurdles and vowing to resolve the abduction issue. Although he insists that thorough and complete verification under the three principles is the only solution, the window for negotiations between North Korea and Japan has been closed. Abe administration has raised the expectations of the Japanese people by catering to the emotions of public opinion, but it seems impossible to solve the problem while meeting those expectations.

⁵² The Japanese government ratified the International Convention in 2009.

⁵³ It is called “Choch’ongnyōn” in Korean and “Chosensoren (朝鮮総連)” in Japanese. For details, visit www.chongryon.com with a caution that the site is blocked for its “harmful contents” when accessed from South Korea.

⁵⁴ Japanese’s perception towards the Korean peninsula and North Korea, in particular, has been unfavorable, in general, as shown by the opinion polls during the past (Mikyong Kim 2008).

make any progress because of Abe’s three principles (Wada 2003; Lim Sangsoo 2013).⁵¹

Abduction allows the reversal of Japan’s positionality vis-à-vis the Korean peninsula. Yoshimoto (2008, 3) asserts that “the abduction of Japanese citizens by North Korea is not only a crime against humanity, but also the violation of Japanese sovereignty.... North Korea is the offender and the Japanese citizens are the victims.” This framing transposes traditional identities of Japan as ruthless colonial master and wartime aggressor.

The Japanese government and the Family Association of the Abductees engage in energetic campaigns in and outside of the country accentuating its victimhood. Japan joined the International Convention for the Protection of All Persons from Enforced Disappearance in February 2007⁵² and designate the week of December 10–16 as “North Korea Human Rights Violation Awareness Week.” Japan has successfully transformed itself from the perpetrator to a victim of human rights violations.

The US has been the principal target of Tokyo’s aggressive appeal framing abduction as “terrorist act” during the Bush administration, “immoral act” during the Obama government and “horrendous act” under Trump’s reign (Mikyong Kim 2012). In order for Japan to self-designate itself to be a torchbearer of human rights cause, abidance by international norms should be a prerequisite. The ‘lived human rights’ of Chosŏn school regrettably overshadows Japan’s new identity where ethnic uniqueness vindicated by Shinto ethos undermines the rights of “others” within.

b. Chosŏn School

Japan sanctions pro-North Korean ethnic groups as a means to indirectly punish the Pyongyang regime. The pro-Pyongyang General Association of Korean Residents in Japan (heretofore, Chosensoren⁵³ is the most visible target of its anti-North Korea bashing. The hostility has worsened with abductions.⁵⁴ When Chosensoren declared bankruptcy in the early 2000s, the Tokyo District Court ordered the Association to pay up its debt at the amount of 628 million yen without

granting the customary probation period. The Japanese Parliament passed a law in February 2004 prohibiting trading with and remittances to North Korea. This penalization was in addition to the international sanctions already imposed on North Korea as a terrorism-sponsoring country. The castigation continued with the withdrawal of tax exemption privileges for Chosŏn-owned properties the following year.⁵⁵

Amid deteriorating public sentiments over the abductions, anti-Korean hate speech targeting Chosŏn schools and the students became so vexing that the National Diet passed a law banning hate speech in 2016.⁵⁶ The Kyoto District Court on November 29, 2019 found a former member of the anti-Korean group Zaitokukai⁵⁷ guilty of defamation via hate speech for the first time in Japan. According to the ruling, the man delivered a speech at a park near the former location of Kyoto Chosen Daiichi elementary school on April 23, 2017. He shouted “the Korean school that used to be located here kidnapped Japanese nationals,” and “the abductor was a member of the Korean school.” He streamed online the footage of his 10-minute speech, which he performed with a loudspeaker. The man was fined 500,000 yen (approx. USD 5,000) for defamation of Kyoto Chosŏn school (*Mainichi Shimbun*, November 29, 2019).⁵⁸

The Abe administration’s scapegoating of Chosŏn school over the abduction impasse has been translated into the students’ ‘lived human rights’ violations. Upon the beginning of Abe’s second term, the government started to link Chosŏn school to the abductions. Hakubun Shimomura, who was nominated as Abe’s Minister of Education, Culture, Sports, Science and Technology (hereafter MEXT), said at a December 2012 press conference that “with no progress in the abduction of Japanese citizens in North Korea and the Chosŏn school’s close ties with General Association of Korean Residents in Japan, designation of the school for free obligatory education cannot be understood by the people.” Abe responded by saying, “Please carry it out steadily in that direction” (Yeom Kyu-hyun 2013, 110).

The connection between the two is not convincing. Whilst Pyongyang’s financial support to the schools has decreased

⁵⁵ As the Japanese government has been trying to cut off the cash flow to North Korea, the livelihood of ethnic Korean-Japanese is increasingly at risk. Many ethnic Koreans are employed in informal sectors of the economy because of employment discrimination. *Ppachiko* shop, a popular pinball game parlor, is one ethnic Korean business. About 70% of the Korean-owned shops went out of business during the past ten years amid the economic depression. Tokyo’s measures sanctioning North Korea are actually hurting people of Korean origin (aka, *zainich*), who suffer from the triple jeopardy of traditional discrimination, economic depression, and increasing social ostracism.

⁵⁶ While the students of Chosŏn schools had nothing to do North Korea’s nuclear tests and missile launchings, they became the target of verbal and physical assaults over Pyongyang’s provocations (Mikyong Kim 2012).

⁵⁷ Zaitokukai is short for Zainichi Tokken o Yurusanai Shimin no Kai (Association of Citizens against Special Privileges for Korean Residents in Japan).

⁵⁸ A certain faction of the Japanese society equates Chosŏn school with the North Korean regime. Such radical view has been gaining currency in Japan as a function of the pressure generated by its relative decline vis-à-vis other Asian countries including South Korea.

⁵⁹ For example, visit <http://www.mongdang.org/kr/>. Kim Bok-tong, a former comfort woman, also left her entire assets to Chosŏn school in Japan.

⁶⁰ The majority of their ancestors came from the southern part of South Korea, not North Korea.

⁶¹ “Chaeil” means ‘In-Japan.’

⁶² Supreme Commander for the Allied Forces General Douglas MacArthur instructed the enactment of the School Education Law in 1947. This required all Japanese schools to be accredited by the state and made Japanese the only official language of instruction. The Korean language could be adopted only for extracurricular activities. The ethnic schools did not comply with these regulations, and were ordered to shut down. As a result of the 1947 School Education Law, the Governor of Hyogo Prefecture ordered all Korean ethnic schools to close down on April 10, 1948. Thirteen days later, on April 23, Japanese police and military used force to close down schools by physically removing students and nailing the doors shut. The protests were held all over Japan, with one of the biggest occurring in Osaka, where over 7,000 were in attendance. In Hyogo Prefecture, the government closed the Korean ethnic schools and forced students to transfer to the local Japanese schools. These actions resulted in the closure of most of the 337 schools that were administered by the League of Koreans in 1948 (excerpts from https://en.wikipedia.org/wiki/Hanshin_Education_Incident, accessed July 6, 2020).

⁶³ See Morris-Suzuki (2007).

substantially due to economic hardships, civic groups in South Korea take up a substantial portion of donations.⁵⁹ The students of Chosŏn school are the fourth-generation of Korean residents in Japan who have nothing to do with the abductions.⁶⁰ The Abe administration is condemning the ethnic educational institution in order to cover-up its own shortcomings in resolving the abduction deadlock.

This argument is not to deny North Korea's historical ties to the ethnic Korean community in Japan. *Mongdang*, a South Korean civic organization, states the background like the following:

In 1945, when Chosŏn was liberated from Japan, Koreans in Japan began to build a “Korean language school” with the anticipation of going home. It was to find our language, our writing, our history, and to prepare for our return home. At the end of that year, more than 500 schools were already built nationwide. In October 1945, the “Chaeil⁶¹ Korean Residents’ Union” was established to protect the rights and interests of Korean residents in Japan. Most of all, Chosŏn schools were transformed from “Korean language school” to “Korean school” by training activists who were going to work for national education.

The Chosŏn School, which had entered the dark age (in the form of public Korean schools and branches of Japanese schools) after the 1948 Hanshin Education Struggle and the 1949 second school closure order,⁶² revived with the 1955 formation of the General Association of Korean Residents in Japan and the 1959 “Project to Return to the North.”⁶³

According to a 1961 Japanese government survey, more than 160 Chosŏn schools were open nationwide. The revival of the Chosŏn school was not an easy task for poor Korean residents in Japan. The schools often had no windows, desks, or textbooks. In 1957, the North, which recognized Koreans in Japan as “overseas citizens,” began to support national education by sending 100 million yen of subsidies in scholarships and textbooks. On the other

⁶⁴ The formation of Chosŏnsoren in 1955 was underway when new movement of Korean residents in Japan was gaining speed. As North Korea was strengthening direct connections with overseas citizens, Chosŏn school began to embody ethnic identity. Reorganization of the educational system resulted in the clash between pro-North Chosŏnsoren and pro-South Mindan ending in the former's victory where the educational subsidies funneled from North Korea was a big factor (Yoon Song-Ah 2019).

⁶⁵ Park and Park (2020) provides a unique insight that teacher's professionalism in the case of Chosŏn schools in Japan has added dimension where their professional competence is closely linked to the issues of the identity of teachers who have to live as Koreans within Japanese society. The Chosŏn school teachers believe that their professionalism is not only about their teaching skills, but is also about teaching the Chosŏn ethnicity in Japan.

⁶⁶ They are Chosŏn schools in Hokkaido (three cities), Iwakaki (seven cities), Tokyo (twenty-five cities), Kanagawa (three cities), Aichi (twelve towns and villages), Kyoto (three cities), Osaka (sixteen towns and villages), Hyogo (eleven cities), Hiroshima (four towns and villages) and Fukuoka (three cities). The information in parentheses indicate the number of local governments providing subsidies at the local level to the schools (https://www.mext.go.jp/result_js.htm?q=朝鮮学校+数&search=#resultstop, accessed July 23, 2020).

⁶⁷ The review result reported by MEXT as of July 23, 2020 include the following:
Review Status of Chosŏn High Schools (as of March 26, 2020)
1. *Compliance with Review Standards*
• Out of the screening criteria, all schools meet the formal criteria (i.e., number of teachers, area of school sites and school buildings, etc.)
• Among the contents of the report, (1) Matters that may conflict with the review criteria (i.e., the management of schools based on laws and

hand, the South Korean government has been ignoring ethnic Korean education in Japan. This is why Chosŏn schools still consider the North “true fatherland.”⁶⁴ (http://www.mongdang.org/kr/bbs/content.php?co_id=fact01, author's translation, accessed August 4, 2020)

Japan's system exempts public high school students from tuition fees, and provides equivalent amount of “educational subsidy” to private school students. Foreign schools offering equivalent courses to Japanese schools are also eligible for government aid. Since the 2010 implementation of the system, MEXT requires three qualifying conditions for foreign schools: 1) verification that foreign high school's curriculum is commensurate with that of Japanese schools with its embassy; 2) certification by internationally recognized review organization; and 3) the review categories such as the number of school and class days, the number of teachers and their areas of expertise,⁶⁵ and the site and the size of school. The Chosŏn school obviously cannot satisfy the first two criteria due to absence of bilateral diplomatic relations, but it meets the third requirement.

MEXT under Abe's rule has been investigating ten Chosŏn schools for the past five years.⁶⁶ The previous Democratic Party of Japan administration managed to exclude the Chosŏn schools from the subsidy program by postponing the reviews citing time-consuming investigation as for the reason (Yeom Kyu-hyun 2013, 111). The vacuum-cleaner investigation of Abe's MEXT has found problems and cite them to justify the exclusion from the subsidy program.⁶⁷

Japan's discrimination against Chosŏn school is nothing new. It started with Korea's liberation in 1945 and the grip became tighter by shutting down the schools in the aftermaths of 1947 School Education Law, 1947 Alien Registration Law, and Hanshin Education Incident (1948–1949). It continued through the enactments of Foreign School Law in the late 1960s and 1970s, and Free School Law in the early 2000. After the 1948 Hanshin education struggle, the ethnic schools continued to grow in number where the number of students reached the peak in the 1970s (Yim Young-Eon 2018).

PM Abe's hostile strategy towards the ethnic Korean

regulations) Example: Board of Directors has not been held for a long time

(2) Items that could constitute misstatements in the contents of school application material Example: False report on the minutes of the meetings of board of directors, false financial statements.

2. Relationship with Chosonsoren

• It has been pointed out that Chosonsoren is “unjustly controlled” according to Article 16 of the Fundamental Law of Education. If the business operator is suspected of legal violations, it is necessary to confirm the contents. In some reports, however, it was not confirmed whether the association controls the management of the school being consisted of parents or guardians, school graduates, and representatives of school supporters in other regions.

3. Contents of Education

(1) The contents of textbooks commonly used by advanced level classes are selected by the Textbook Compilation Committee established by the “Sakuho Shobo” (a publishing company for educational materials) belonging to the Tokyo Choson School (the majority of the members are teachers of advanced level classes).

(2) According to the schools, although the Chosonsoren does not provide guidance on the educational contents, they obtained the cooperation of Chosonsoren to incorporate the opinions of scholars from North Korea on the subjects on national identity (Korean language and social subjects). This is recognized as a fact.

4. Human Resources

• Although officers and employees of Chosonsoren were appointed as directors and auditors of each school in some cases (e.g., two Aichi and one Hokkaido and one Kyushu schools), all of the schools answered that personnel decisions were made by the board of directors.

5. Fiscal Management

• As a result of checking the balance of payments for high schools over the past five years, it was not possible to confirm that schools made donations to Chosonsoren. Even if they receive donations from Chosonsoren, the percentage of school income is small. Income: Revenues from related

school, called “assimilation policy,”⁶⁸ is succeeding. The number of schools decreased from 100 in 2000 to 60 in 2017. In Osaka Prefecture, as an example, Choson school students have to pay 450,000 Yen (approx. USD 4,500) for annual tuition since 2010 where the tuition revenue alone cannot pay for teachers’ salary let alone overhead costs. The City of Osaka also made a similar decision not to provide subsidies to middle and high Choson schools in 2012. Abe’s plan to exterminate Choson school is succeeding with the decrease in students’ enrollment and the increase in teachers’ resignation.

The school’s invisible boundaries are also making its continuing existence a challenge.⁶⁹ The students attending Choson school are regarded “elite Choson residents” who can afford to pay the expensive tuition and dormitory fees. With the increasing visibility of Korean “new comers,”⁷⁰ “Choson” is different from “Korea” where Choson/zainichi blood has a different meaning from “Korean blood.” Furthermore, the language taught is “Choson-language” different from “Korean language” (Ito 2018).⁷¹

Any country in the world would take the abduction of their citizens very seriously. But a comparison of two North Korea-related cases, Choson school and abduction, effectively shows a very clear discernment in Japan’s R2P (responsibility to protect) priorities. This paper contextualizes the hierarchy of priorities within the ethno-national Shinto ethos. Japan ratified the International Covenant on Economic, Social and Cultural Rights in 1979, but was delaying to carry out Article 13, Paragraph 2, (b) and (c) which stipulate the gradual implementation of free education until 2012 (Yeom Kyu-hyun 2013, 112). The Abe administration has adopted a more cosmopolitan stance towards foreign schools to improve its global image while singling out only the Choson schools.

Whereas both groups, Japanese abductees and Korean students, were not directly involved in any of the historical crossfires leading to their victimization, ethnocentric Shinto beliefs assign higher significance to the abduction issues vis-à-vis the extermination policy of ethnic Korean schools. In the intolerant socio-cultural milieu, the residents of Korean ancestry are forced into existential oblivion. Shinto nationalism remains oblivious to the students’ multilayered

organizations (i.e., education associations, associations of commerce and industry, etc.) range from several hundred to several million yen

Expenditures: Less than one hundred thousand yen per case to affiliated organizations (i.e., insurance premiums, purchase of materials, etc.)

- It was confirmed that North Korea provided funds through the Central Education Association for Korean Residents in Japan to its alumni bookshop, which belongs to Tokyo Chosŏn School for the free distribution of the materials to other schools all over the country.

- When local governments examined the issue of subsidies, there were cases in which local governments pointed out misconduct in the execution of subsidies, but each local government recognized that there were no malicious cases such as illegal acquisition of subsidies.

6. School Management

- The only decision-making body for all schools is the board of directors.

When we checked the status of meetings of the Board of Directors and other organizations, we found that some reports were not properly prepared. However, the schools responded that the proceedings were clerical errors. We could not confirm the falsification of the minutes.

*In the past, it has been confirmed that the following cases have happened, but no similar problems have been detected this time....

- In addition, regarding the influence of Chosŏnsoren,

- The teaching material was revised at the request school principal for the modification of the descriptions on the abduction issue and the 1987 Korean Air bombing.

- Aichi Chosŏn School has decided not to appoint officers and employees of Chosŏnsoren for the next term.

- In the lawsuit with the Organization for Consolidation and Collection, the university denied the loan related to the Chosŏnsoren.

7. Concerns About the Main Teaching Materials

- For specific educational content, (1) Does it violate Article 2 (Education Objectives) of the Basic Act on Education?

identities for having South Korean ancestry with North Korean affinity who are often simultaneously stateless and Japanese. Chosŏn school, therefore, is not merely a seditious link with the North Korean regime as suspected by the society. Cultural reduction of the multifaceted Korean identities to a simplified entity, the Other, obstructs harmonious co-existence in the increasingly diversifying society.

5. Conclusion: Shintoism and ‘Lived Human Rights’

While the universalistic project of human rights can be consistent with the individualistic conception of dignity when aligned with liberal regimes, the voices of discontent also exist over their mutual incompatibility where Japan serves as a powerful case study (Eun Young Hwang 2020). The tenacity of community-oriented Shinto ethics emasculates minority rights as compellingly demonstrated by the ‘lived human rights’ experiences of Chosŏn school students. The way the national community has been responding to the violations is in general incongruence with the attitudes of morally sincere persons. The moral attitudes entail responsible citizenship, intolerance towards discrimination, obligation to be factually informed, disciplined practice on the cultivation of virtue, consciousness of sociological conditioning, an ordered interior life, and commitment to moral conversation (Markheim 2007, 181–182) These undertakings require critical self-reflection as opposed to racialized self-indulgence.

Japan’s human rights discourse as social construction has two directions: inward-looking and outward-looking. Inward-looking human rights refer to social consensus granting the power and authority to the state in setting policy priorities on the development and implementation of human rights agendas. Outward-looking human rights, on the other hand, is about granting power and authority to the state to represent the prioritized agendas in the international community (Hao 2012). The state of Japan has been effective in relinquishing Chosŏn school issues as inward-looking

(2) Should voluntary improvement be suggested as a matter of concern when designating the business operator?

The following is the outline of confirmed points after reviewing the main teaching materials.

- It was confirmed that the revised materials on the abduction issue and the Korean Air bombing were used.
- It was confirmed that there were different statements in the textbooks regarding North Korea's missile launches, territorial issues (ex. Takeshima, Northern Territories) and the designation of Sea of Japan, etc. from the Japanese government's views.

- Other than this, there was no descriptions contrary to the views of the Japanese government.

(1) In order to foster the goodwill between the Japanese society and international community, some descriptions on Japan, South Korea, the United States, etc. are not necessarily appropriate (e.g., Yankees even surpassed Hitler in Korea).

(2) Statement emphasizing the legitimacy of North Korea's political system and political leaders (https://www.mext.go.jp/a_menu/shotou/mushouka/detail/1342909.htm, author's translation, accessed July 23, 2020).

⁶⁸ The "*burakumin*" problem is also described as "assimilation policy." This labelling reveals the dominant social perception where the minority is objectified as the powerless group who needs to be assimilated into the majority. This is a direct challenge to human rights ideals.

⁶⁹ For efforts to enhance inter-cultural understanding between Chosŏn school and Japanese students, see Karibe (2002).

⁷⁰ The "new comers" came to Japan as students or professionals unlike generations of Korean residents whose history began with colonization.

⁷¹ For the linguistic and ideational resilience, negotiation, flexibility and survival adaptation of Chosŏn school students, see Shin 2019.

concern, while promoting abduction of citizens to the international community primarily as outward-looking agenda. Both cases, unfortunately, stem from its own sense of victimhood being dismissive of respective historical contexts. In this equation of cultural conditionings and political calculations, ethnic membership carries supreme importance over universal equality. One irony here is that the outward-looking cosmopolitan modality is generally incompatible with nostalgic traditionalism. It is because our modern dilemmas cannot be solved simply by a naïve return to the good old days.

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