

## **Justice achieved in Discriminatory Propaganda Case**

On June 25, 2012, the Nara District Court decided in favor of the Suiheisha Museum (Levelers' Association Museum), which had filed a suit against Dairyō Kawahigashi for his discriminatory propaganda activities carried out in front of the museum. The court ordered the defendant to pay 1.5 million yen (about US\$18,800) for defamation.

The decision reads as follows: "1. The defendant made a speech using publicly understood derogatory words in front of the Suiheisha Museum and took a video of his activities, which he posted online, making it available to anyone on the Internet; 2. Given the purpose and function of the museum and the time, place and manner by which the defendant carried out his actions, these activities constituted defamation. ; 3. His behavior and words have caused a considerable amount of tangible and intangible damage to the Museum, and compensation for this suffering amounts to 1.5 million yen."

The plaintiff Suiheisha Museum highly praises the court's recognition of the illicitness of the defendant's discriminatory propaganda, and has announced that it will not allow any act that encourages discrimination. At a meeting held after the court hearing, BLL Nara Vice President Tsujimoto expressed appreciation for the decision, which clarified that the discriminatory propaganda amounted to slander. BLL Nara President Kawaguchi made it clear that the purpose of filing the suit was not to receive compensation for damage, but to shed light on the defects in the present legal system, which only allows discriminatory incidents to be brought to court as incidents of defamation, and to work towards establishing a remedial mechanism for victims of discrimination. It should also be noted that the court decision recognizes discriminatory acts and behaviors as social evils.

### **Outline of the Case**

- On January 5, 2011: The defendant went to the Suiheisha Museum bearing a Japanese national flag, and began to complain that some of the displays did not reflect the historical fact.
- January 22, 2011: The defendant went to the Museum together with another man who was to take a video of what ensued. The defendant started to speak loudly using words that were derogatory against Buraku and Koreans.
- The video was then uploaded to an online video site.
- August 22, 2011: BLL Nara and the Museum consulted about the case, deciding to file a suit against the defendant at the Nara District Court.
- Oral proceedings were then held five times before the above conclusion was reached.

(Excerpt from Buraku Liberation News of July 9, 2012)