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1) Introduction

I understand that material in this volume relates to forced evictions affecting slum areas throughout Asia. However, discussions of eviction in contemporary Japan must be approached a little differently as Japan has no slum areas—at least not in the same sense as many other Asian countries. Thus, this article discusses homeless rather than slum populations. In the following pages, I will report on changes in conditions surrounding forced evictions of homeless communities, while also providing an overview of homelessness in Japan and related government policies.

Homelessness in Japan has been rising rapidly since the 1990s. In 2002, the national government enacted the Law Concerning Special Measures to Support the Self-Reliance of the Homeless and, in 2003, it conducted its first National Survey of Homeless People. In the years since, the national government has announced repeatedly that the number of homeless persons is in decline. However, in this article I wish to investigate, while providing several sample cases: a) whether homelessness in Japan is truly shrinking, b) the relationship of trends in government figures to forced evictions, and c) changes in factors underlying forced evictions since 2008.

2) Changes in conditions surrounding homelessness

2-1) The rise of homelessness in Japan

During a period of rapid economic growth in the 1960s and 1970s, expanding construction and public works projects across Japan required massive numbers of day laborers, a majority of whom

were poor and migrated alone from rural to urban areas. Day labor markets called *yoseba*, where laborers gathered in the day to find work, took shape in major cities and served both as a source of labor and a means for industries to closely adjust work forces in accordance with supply and demand. Once employed, workers stayed at *hanba*—where employers provided them on-site accommodations—and, once work was done, they returned to the *yoseba* to find the next job. Laborers staying, and working, at the *hanba* faced harsh work conditions and regular disregard for their rights, often in the form of unpaid wages and violent treatment at the hands of employers.

Following its period of high growth, Japan's economy entered in the late 1980s a "bubble" phase, which subsequently burst in the early 1990s. The collapse of the bubble caused a swift drop in the number of construction jobs and, accordingly, the number of *hanba* fell. As a result, large numbers of laborers were thrown from the *hanba*. Individuals returned to the *yoseba* only to find that there was not enough work, and they could not afford accommodation (at *doya*). Ultimately, these people had nowhere to go, or stay, but on the streets. Over time, street homelessness became visible not only in the *yoseba* but also in nearby urban areas—particularly in public spaces such as parks, train stations, rivers, and roads. While most people initially slept on top of flattened cardboard boxes, a growing number eventually began to build small structures and "*blue sheet*" (tarp) tents for survival in parks and along rivers. Moreover, unemployment and homelessness struck not only the day laborers but also increasing numbers of factory workers and "salarymen" (corporate businesspersons) as, at the same time, Japan's shifting industrial structure and intensifying market competition compounded the negative effects of the post-bubble recession. In particular, as the recession deepened in the mid-1990s, mounting numbers of homeless persons appeared first in Tokyo and Osaka, and then across other urban cities. Hence, small structures and tents in parks and along rivers became more conspicuous. At the time, local evictions of homeless communities were frequent and the national government had neither developed any policy regarding homelessness nor embarked on a survey to assess their actual numbers.

With regard to this, the United Nations' Committee on Economic, Social and Cultural Rights addressed the Japanese government in a report adopted on August 30, 2001 observing that it: a) "[is] concerned about forced evictions, especially of the homeless from their temporary abode"; b) "urges...an investigation...to assess the extent and causes of homelessness in Japan", and c) "urges...adequate measures to ensure full application¹ of the existing laws, such as the Livelihood Protection Act, ensuring an adequate standard of living for the homeless"².

In 2003, the Japanese government conducted its first national survey of homeless persons,

¹In Japan, social assistance provided for under the Livelihood Protection Act is based on Article 25 of the national Constitution, which guarantees each citizen the "right to maintain the minimum standards of wholesome and cultured living". For this reason, if the law were being applied as intended, homelessness would not exist.

² U.N. Document: E/C.12/1/Add.67. Committee on Economic, Social and Cultural Rights (CESCR). Concluding Observations of the Committee on Economic, Social and Cultural Rights: Japan. 09/24/2001. [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/E.C.12.1.Add.67.En](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/E.C.12.1.Add.67.En). (accessed May 29, 2013).

counting a total of 25,296 persons nationally and 6,361 in Tokyo. Figures from subsequent surveys indicate that the street homeless population had peaked in 2003—with the latest report (from 2012) showing 9,576 persons nationally and 2,299 in Tokyo (see Figure 1). However, two matters must be raised with regard to these figures: 1) surveys are conducted by sight mainly during afternoon hours, which significantly underestimates actual numbers³, and 2) as described below, the government definition of homeless persons is inherently problematic.

2-2) Changes in policies affecting homeless persons

As homelessness grew throughout the 1990s, government agencies did not take or engage in any action other than forced evictions. However, in January 1996, an eviction of a “cardboard village” in the underground passageways of Tokyo’s Shinjuku station⁴ caught the general public’s attention as the media broadcast widely brutal tactics exercised by authorities. Later, as a result of negotiations by homeless persons and their allies, the Tokyo metropolitan government reconsidered its stance of responding to homelessness with evictions alone and began to implement local measures for providing assistance for the “self-reliance⁵” of homeless persons. However, while the metropolitan government and its administrative wards undertook these measures, the national government remained inactive regarding matters of homelessness.

This, however, changed in August 2002, when the Law Concerning Special Measures to Support the Self-Reliance of the Homeless (hereinafter referred to as the “Law Concerning Special Measures”) came into force. This legislation was backed by several local-level homeless support groups, each generally convinced that central government efforts should be welcomed. However, other groups—concerned by provisions for eviction inserted into the legal document by the ruling Liberal Democratic Party during the legislative process—feared that the law would serve as a basis for further legitimizing forced evictions and social exclusion of homeless persons. The Law Concerning Special Measures included a time limit of ten years from its date of effect. It was renewed in May 2012 and remains in force today.

Following enactment of the 2002 Law for Special Measures, government policy at the national and municipal levels could be described as, in short: eviction and containment (in shelters and special facilities). Government agencies throughout the country currently implement *self-reliance support measures*⁶, as derived from the Law Concerning Special Measures. These measures, however, are little more than neoliberal instruments that shift the responsibility for homelessness due

³ Civil society organizations also conduct surveys much like the government’s, and even where they apply the same definition, their total counts are roughly 1.5 to 2 times higher than official government numbers.

⁴ Approximately 100 homeless persons were aggressively evicted by roughly 800 police officers and guards.

⁵ In Japanese, *jiritsu*; also translated as “independence”. Government policy has adopted the stance that addressing homelessness requires helping homeless persons become “self-reliant” or “independent”. Embedded in this is the neo-liberal idea that, among other things, government need not be ultimately responsible for individual socio-economic welfare; instead, that too should be left to the free (labor) market.

⁶“Self-reliance support” typically consists of providing homeless persons with entry into a temporary shelter, where they may receive a health check and general consultation. They are expected to search for work on their own.

to unemployment away from structural factors and onto (the individual efforts of) homeless persons instead. By expediting “admission” of homeless persons into shelters, the measures reinforce systemic removal of homeless persons from public spaces, especially when it comes to persons staying in tents and small structures.

In Article 2 of the Law Concerning Special Measures, homeless persons are defined as, “persons who *without reason* carry out their day-to-day lives in city parks, by rivers or roads, and in or around stations and other facilities.” (italics mine) There are two substantial problems with this provision. One problem is with the phrase “without reason”. As explained earlier, rising homelessness in Japan predominantly stems from unemployment, which itself derives from a prolonged post-bubble recession, structural changes in domestic industries, and intensifying competition in the market, among other things. Circumstances such as these suggest that homelessness is in fact “with reason”. However, it is nonetheless regarded as being “without reason”, which presents to society a view of homelessness as the personal responsibility (or fault) of homeless individuals. Thus, *self-reliance support* measures, operating on this premise, effectively force *self-reliance support*—including entry into a temporary shelter—onto homeless persons. The second problem relates to the definition of “homeless persons” and, by extension, government figures suggesting homelessness is in decline. In the eyes of government agencies, homeless persons are limited to those who base their daily lives in one place, often marked by tents or other small structures, in public spaces such as parks, riversides, and roads. Hence, persons who do not return to the same place day by day and move throughout the city are excluded, by definition. Also, Japan, unlike many Western countries, does not count persons in insecure housing in its definition of homeless, such as those who stay in shelters, internet cafes and other accommodations. In the following pages I will demonstrate that if only some of these persons were included in official figures, the number of homeless persons would appear as anything but in decline.

Treatment of homelessness has also changed dramatically as a result of Article 11 of the Law concerning Special Measures, which stipulates, “authorities in charge of city parks and other facilities used for public purposes shall, wherever appropriate use of that facility is prevented by the occupation by homeless persons, take necessary measures for securing appropriate use of such facilities while working in cooperation with shelters providing self-reliance assistance to homeless persons”. Prior to the law homeless persons managed to sustain themselves by building their own shelters, as part of coping with their circumstances, in public spaces—and authorities managing these spaces or facilities often gave tacit approval. However, Article 11 requires that authorities exercise responsibility for controlling public spaces, and this has led to a rapid rise in the number of forced evictions implemented *together with self-reliance support measures* (including entry into temporary shelter).

In recent years, growing numbers of temporary shelters (often run by non-profit organizations)

have cropped up across the country, as these are an integral part of the system of *self-reliance support*, as provided for under law. Inside these shelters, homeless persons are provided with minimal assistance such as a health check and a consultation to help them achieve “self-reliance”. However, if unemployment is at the root of homelessness (which it often is), and this unemployment is due to structural change and intense global market competition (which it is), then how could the state expect anyone to escape homelessness through mere “consultations” for work—or work searches alone—without any guarantee that adequate employment is out there? Since the start of this system, a majority of people who enter temporary shelters have ended up returning to the streets. At the same time, public and other authorities are laying out strict prohibitions preventing homeless persons from building new structures in parks and public spaces. Therefore, persons returning to the streets face increasing difficulty in securing a space of their own and, instead, have little choice but to move nomadically through the city.

Also, as *self-reliance support* measures—including entry into temporary shelters—are targeted at homeless persons as defined under Article 2, authorities have begun rolling out successive evictions (paired with these measures) through city parks that are densely-populated and visibly marked by tents and other abodes.

As mentioned in footnote 1, Japan has a Livelihood Protection Act based on Article 25 of the national Constitution. This Act provides that each citizen is guaranteed the “right to maintain the minimum standards of wholesome and cultured living”. Hence, if government agencies carried out “full application of the existing laws”, as urged by the United Nations’ Committee on Economic, Social and Cultural Rights, then there would be no homelessness in Japan. Also, considering that most people experiencing homelessness in Japan are homeless due to unemployment, it seems that the national government could eliminate homelessness simply by ensuring that adequate employment opportunities exist. Hence, the Law Concerning Special Measures would be rendered *unnecessary* if only government bodies better maintained, and/or generated, high employment levels and fully applied the existing Livelihood Protection Act. However, this has not yet become a reality; homeless persons have been fundamentally excluded from the *livelihood protection* system, often on technicalities, since 1991. When I once explained the Law Concerning Special Measures and related *self-reliance support* measures to a French activist from DAL (Federation Droit au logement), she gave a perplexed look and said, “It seems there are two classes of people in Japan: those eligible for *livelihood protection* and those eligible for ‘special measures’—first class and second class citizens.” That is exactly how the present system works. However, the Japanese public is not yet aware of this discrimination—or division.

Over the last decade there has been a gradual rise in the number of civil society organizations addressing issues of homelessness, and the backing of these groups has, for one, significantly improved chances for homeless persons to access *livelihood protection* assistance. However,

although the Livelihood Protection Act clearly states that persons receiving *livelihood protection* assistance are entitled to enter an apartment, homeless persons who are now gaining assistance find it difficult to do just that. Most often, the social welfare office has them placed in residential facilities. Thus, just as temporary shelters within the *self-reliance support* system serve as a vessel for “holding” homeless persons who have been evicted, residential facilities also serve to “hold” homeless persons receiving *livelihood protection* assistance⁷. Based on these evidences, I would venture to say that the government’s principal measures for addressing homelessness since the enactment of the 2002 Law Concerning Special Measures essentially amount to no more than eviction and containment (in shelters and special facilities).

In the following section, I will use data on the number of *persons in insecure housing* in Japan to estimate how many homeless people there would be if *persons in insecure housing* were included in calculations. At the same time, I would like to explore the relationship of government figures to forced evictions.

2-3) Forced evictions and the changing dimensions of homelessness

Let us start this section by recalling the government figures for homeless persons as given in Figure 1⁸. These figures represent only the number of persons who fit the legal definition of homeless persons, namely, persons who base their day-to-day lives around parks, riversides, roads and other public areas in tents or other structures. The media and general public seem to assume that government policy has been successful in addressing homelessness, as numbers have declined steadily since 2003—the year of the Japanese government’s first national survey. Over this time, authorities have been evicting homeless persons from public spaces and temporarily sending them to shelters and residential facilities linked to *self-reliance support* measures and *livelihood protection* assistance, respectively. While both the *self-reliance support* and *livelihood protection* systems provide access to shelter, neither facilitates access to secure housing, such as in an apartment. Therefore, homeless persons entering the social welfare system end up in substandard living environments—environments they often wish to leave, with nowhere to go but the streets, once any small problem arises. In 2008, the mass media began drawing attention to problems with shelters and residential facilities for homeless persons and this led to two government surveys on conditions in 2009 and 2010. Shelters and residential facilities began to proliferate throughout Japan since around 2000 and, today, a wide variety operate as part of the *self-reliance support* or *livelihood protection* systems. Some are managed directly by government, some are contracted out by government to the

⁷ Many of these residential facilities do not even provide residents with private rooms, but only cohabitation in dormitory rooms instead. Moreover, many facilities strictly control residents’ entry and exit, and even enforce order through violence, spurring some formerly incarcerated residents to comment that the environment is worse than prison. This does not apply to all facilities, but conditions are often so difficult to tolerate that many residents opt to return to the streets.

⁸ The National Survey of Homeless People (as provided for in the Law Concerning Special Measures) began in 2003. Data from Tokyo preceding that date comes from independently conducted metropolitan surveys. The total number of homeless people in Japan for 1999 and 2001 was compiled from a number of municipal surveys.

private sector, and some are run by non-profit or other civil sector organizations. Due to this variety and geographic range, it is almost impossible to estimate how many people stay in such facilities. However, I have produced a tentative estimate by taking official survey data from 2009-2010, which includes the populations of two types of residential facilities⁹ going back, in some cases, to 1999. I added these numbers to government figures for the homeless population as shown in Figure 1.

Figure 2 shows an estimate of the national homeless population, inclusive of persons in public spaces and in Type A and Type B facilities. Figure 3 provides an estimate of the Tokyo homeless population but, since locally specific data on facilities was harder to find, it includes only figures from Type A facilities after 2007. In 2003, government figures showed a homeless population of 25,296 persons nationally and 6,361 in Tokyo, and those numbers declined each subsequent year until, in 2012, there were 9,576 persons nationally and 2,299 in Tokyo. However, once the two types of facility populations are included, the overall homeless population rises to over 30,000 in 2003 and remains at over 30,000 through 2011¹⁰, based on the latest data. Also, the overall homeless population for Tokyo, even though data is limited to only Type A facilities, stays at roughly 8,000 persons from 2008 to the present¹¹.

The above figures above show that it is questionable whether government policy has come any closer to solving the problems of homelessness since 2003—or whether the overall homeless population is even in decline. So, then, what might government figures tell us? Since the Law Concerning Special Measures was brought into force in 2002, homeless persons staying in self-built structures in parks and other public areas have increasingly faced eviction via *self-reliance support* measures, which “complements” their removal with “placement” in shelters. After evictions, authorities monitor the spaces to ensure that new structures are not built and, in some cases, they seal off public locations like parks with fences and close them down at night. When viewed in that light, it becomes clearer that the decline in the number of homeless persons as defined in the Law Concerning Special Measures actually represents the number of tents and structures demolished for occupying public space. In other words, this is basically equivalent to a count of homeless persons forcibly evicted from their place of abode in Japan.

Here, I refer to persons “forcibly evicted”, but evictions described here are somewhat different

⁹ Type A facilities are free and low-cost accommodations as provided for under the Social Welfare Act; Type B facilities are those targeting homeless persons but not provided for under the Social Welfare Act.

¹⁰ Persons in insecure housing—such as those staying at internet cafes and fast food restaurants at night—caught the attention of the mass media in 2007 and, that same year, the national government conducted a survey titled, “Survey on Conditions of Workers Facing Housing Loss or Insecurity”. According to this survey, an estimated 5,400 persons across Japan were using internet cafes as a place of rest at night due to a loss of housing. Conditions are not viewed as having improved in the time following this survey.

¹¹ Figures showing that the overall homeless population has not changed since 2003 should not be interpreted to mean that homeless persons from 2003 were unable to escape homelessness or, in the government’s words, becoming “self-reliant”. There are indeed cases of individuals finding work through *self-reliance support* measures and moving into an apartment, or of individuals who received *livelihood protection* assistance and managed to find secure housing. However, since the social mechanisms producing homelessness (and homeless people) have not been remedied, formerly homeless persons placed in shelters—and persons who had never experienced homelessness before—are regularly finding themselves newly homeless. Therefore, over the course of ten years, little overall change has occurred in the numbers.

than those conducted against slum communities throughout Asia. In Japan, authorities have, for the most part, not conducted aggressive forced evictions since 2002. Instead, what commonly occurs is, for example, night guards making rounds will harass or otherwise attempt to coerce homeless persons they encounter into entering shelters linked to *self-reliance support* measures¹² and, as such persons go, the tents and properties they leave behind are destroyed. In this way, authorities have effectively reduced the number of tents and structures in parks. Later, when persons who had entered the shelters end up returning to the streets, they find that they are no longer able to construct a place to stay. In other words, they have been subject to a “soft” eviction. Many homeless persons foresaw the likelihood of this scenario from the start, and some therefore refused to leave their abodes to take part in *self-reliance support* measures. However, persons refusing were a distinct minority and—to deal with them—municipal (and sometimes central) government actors have initiated violent evictions using the system of *administrative subrogation*¹³. Such evictions included: one in 2005 in Nagoya’s Shirakawa Park¹⁴, two in 2006 in Osaka’s Utsubo and Osaka Castle Parks¹⁵, one in 2007 in Osaka’s Nagai Park¹⁶, one in 2010 in Tokyo’s Miyashita Park (Shibuya Ward), one in 2012 in Tokyo’s Tatekawa Kasenjiki Park (Koto Ward), and one more in 2012 in Tokyo’s Mitake Park (Shibuya Ward)¹⁷.

Another example of a “soft” eviction is the Tokyo metropolitan government’s 2004 program of “Support for Transfer [of homeless persons] to Local Living¹⁸”, a municipal measure designed to provide *self-reliance support* in the form of subsidized apartments to homeless persons¹⁹. The municipal government continued the program for four years, from 2004 to 2007, while specifically targeting: a) only persons staying in self-built structures (not rough sleepers), and b) only areas/parks that were highly populated with homeless persons. The program was unrolled in two phases and, over the course of the first three-year phase, 1,541 people were removed from parks and had their structures destroyed. Government figures (see Figure 3) show a reduction in the Tokyo homeless

¹² Authorities today have begun pushing homeless persons to apply for *livelihood protection* assistance in districts where facilities for *self-reliance support* do not exist.

¹³ Legal procedures for eviction. Administrative subrogation is based on Japan’s Act on Substitute Execution by Administration, a national law which stipulates that, “where parties obliged to act do not carry out their duty, the government may have its own parties implement their rightful duties or similarly entrust third parties.” In Japan, it is common practice to use this law to clear and demolish tents and other property belonging to homeless persons—in violation of international law and the Japanese constitution.

¹⁴ In 2003, there were 116 people staying in Shirakawa Park. Over the subsequent years all but 28 people were removed through “soft” evictions. Then, on January 24, 2005, approximately 600 police officers and guards were mobilized to forcibly evict the remaining few.

¹⁵ In 2002, there were 40 persons staying in Utsubo Park, and approximately 700 in Osaka Castle Park. Over the subsequent years, all but tents for 20 people were removed through “soft” evictions. Then, on January 30, 2006, roughly 1000 police officers and guards were mobilized to forcibly evict the last remaining few.

¹⁶ In 2000, approximately 500 people were staying in Nagai Park. Over the subsequent years, all but 6 people were removed through “soft” evictions. Then, on February 5, 2007 approximately 600 police officers and guards were mobilized to forcibly evict the last remaining few.

¹⁷ The Shibuya Ward evictions of Miyashita Park in 2010 and Mitake Park in 2012 are described later in this article.

¹⁸ *Chiiki Seikatsu Ikuu Shien Jigyō*, in Japanese.

¹⁹ This program operated on the conditions that persons must have a tent in one of the metropolitan areas large parks and entrants would receive 2-year contracts for an apartment. On its face, such a measure may seem like a better option relative to placement in a temporary shelter, but at the end of the 2-year period entrants were ejected from their residences. As to what happened to them, even the government cannot say as it has not conducted any follow-ups. As far as I have seen in Shibuya, approximately 50-60% of former entrants returned to the streets after briefly receiving *livelihood protection* assistance and living in residential facilities following ejection from their apartment.

population from 6,361 persons in 2003 to 4,690 persons in 2007—a total of 1,671 persons. Thus, the 2004 program—which resulted in 1,541 persons expelled from their public abodes—accounts for nearly all of this “decline”.

2-4) Changing civil sector support for homeless persons, and homelessness today

The Law Concerning Special Measures stipulates government support for and cooperation with private organizations and civil sector groups providing assistance to homeless persons. For this reason, a large number of civil society and legal aid organizations, among others, have become active in issues surrounding homelessness over the last decade. Their involvement has made it somewhat easier for homeless persons to find placement in various facilities and, when accompanied by such groups, persons experiencing homelessness have had greater success in obtaining *livelihood protection*. On the flipside of the coin, however, homeless persons now find it nearly impossible to sleep or construct a place to stay in public spaces, as parks and other public areas are more strictly controlled. Furthermore, not only have structural social and economic problems in Japan (or the world, similarly impacted by global economization) not been substantially remedied, but they continue to worsen as they produce growing numbers of newly homeless persons. Current *self-reliance support* programs under public, private, and civil sector actors do not help newly homeless persons successfully escape homelessness. Furthermore, program entrants are rarely able to find anything more than insecure employment and, when a problem arises somewhere down the line, they typically end up back on the streets. Thus, in the eyes of anyone either new to, or returning to, street homelessness, the lack of public spaces available for lying down, or even just sitting, at night to rest (much less setting up a tent) means that conditions have actually deteriorated. Life on the streets is presently more life-threatening than it was in 2002.

3) Recent changes in forced evictions: Redevelopment and exclusion/eviction

Lastly, I would like to discuss the substantial changes that have taken place since 2008 that underlie forced evictions affecting homeless persons in Japan (including “soft” evictions described above). Prior to 2008, municipal and/or local level governments headed evictions whenever they deemed “beautification” of public infrastructures necessary, such as prior to international events. The evictions of 2005 in Nagoya’s Shirakawa Park (before the Aichi Expo), 2006 in Osaka’s Utsubo and Osaka Castle Parks (before the World Rose Convention), and 2007 in Osaka’s Nagai Park (before the IAAF World Championships) all follow this model.

In recent years, however, especially in Tokyo and other large metropolitan areas, there has been a powerful wave of urban redevelopment led by private sector actors such as multi-national corporations looking to capitalize on the market—and this has spurred forced evictions of its own kind. Urban redevelopment projects generally take the form of public-private partnerships and, in

practice, large private companies may exercise far more power than public sector bodies. As a result, evictions have become more forceful than ever before. Prior to 2008, whenever organized communities faced the threat of eviction, they could often stave off the worst possible outcomes—and/or reach a relatively favorable agreement—through negotiations with public authorities. However, when private sector actors lead evictions, government bodies (democratically accountable to the public) are not in control. Thus, evictions tend to run their course—often in a heavy-handed manner. In addition, seeing as how private sector companies have links to mass media, the press rarely covers protests or the eviction. Frequently, evictions are over before the public even knows.

Two prominent cases of post-2008 evictions in Tokyo include one in Sumida Ward linked to urban redevelopment near the Tokyo Sky Tree, and one in Shibuya Ward linked to a large-scale redevelopment project. I will introduce the Shibuya case herein, as I was personally involved.

In Shibuya, there have been three major evictions/exclusions since 2008.

- 1) The forced eviction at Miyashita Park of September 15, 2010²⁰
- 2) The total closure of the Metropolitan Children’s Hall on November 1, 2011²¹
- 3) Three simultaneous evictions (“triple eviction”) held on June 11, 2011

The first case (1) began to take shape in 2008 when Nike Japan approached the Shibuya Ward government in secret talks with a proposal to turn Miyashita Park into “Nike Park”. Civil sector groups, such as organizations working with homeless people and citizens’ groups opposed to privatizing the public park, organized protests once they learned of plans and succeeded in transforming the local matter into a relatively visible, larger social issue. The fight against Nike Park lasted for a long while²² but, ultimately, on September 15, 2010, the park was forcibly shut down. Then, on September 24, an eviction via *administrative subrogation* was (violently) carried out²³. Miyashita Park re-opened as Nike Park in late April 2011. Today usage fees are required for much of the park, and the entire property is closed in the evenings. Consequently, homeless persons have little to no access²⁴.

The second and third cases of the Metropolitan Children’s Hall and the triple eviction are likely related to each other. In September 2011, the metropolitan Tokyo government applied to have part of Shibuya Ward designated as one of Japan’s “Comprehensive Special Zone for International Strategic

20 <http://www.hic-net.org/news.php?pid=694>

21 <http://www.hic-net.org/news.php?pid=4078>

22 It was over this time that I realized that the media does not report on evictions and anti-eviction protests when they are led by private sector actors.

23 On September 24, there were two homeless persons forcibly removed from Miyashita Park. However, over the course of the previous two years, over 30 persons had been sent away through “soft” evictions. (Incidentally, in 2003, approximately 100 persons had been living in Miyashita Park.) Also, on September 15, when Miyashita Park was sealed off, roughly 160 police, guards, and riot squad officers arrived early in the morning and overtook the area by force.

24 Presently, a lawsuit seeking state compensation for the eviction is underway on the basis that the privatization of Miyashita Park and the subsequent eviction were illegal.

Development²⁵” and, more specifically, as the (only) Special Zone for Asian Headquarters. This move was proposed by a Japanese conglomerate known as the Tokyu Group, comprised of Tokyu Railway, Tokyu Construction, Tokyu Land Corporation, Tokyu Department Store, and Tokyu Hotel, among other corporations. The Special Zone for Asian Headquarters is meant to recruit foreign firms to the area, and thereby promote large-scale urban redevelopment, by offering “bold deregulation” benefits and preferential tax treatment from the Japanese government. Initially, the Tokyu Group proposed the arrangement to the Tokyo metropolitan government, which prompted the metropolitan government to file an application for the same with the central government. As a result, the area around Shibuya station was designated as the Special Zone for Asian Headquarters on December 22, 2011. The closure of the Tokyo Metropolitan Children’s Hall in Shibuya occurred over the course of this process—in November. Nojiren, one of Tokyo’s older organizations working with homeless persons, used the space in front of the Children’s Hall (a public facility) for 15 years to cook weekly communal meals²⁶ and provide a collective space to rest at night for persons with nowhere else to go. The location was suddenly cordoned off early one morning, supposedly for repairs to damage caused by the earthquake earlier that year²⁷. However, it is most likely that Shibuya authorities have an interest in “clearing” spaces where homeless persons congregate, prior to the planned large-scale redevelopment around Shibuya station. Incidentally, considering that: a) the construction of Nike Park was carried out by Tokyu Construction, and b) Miyashita/Nike Park is also located within the Special Zone for Asian Headquarters, it seems likely that the first case of eviction in Miyashita Park also has some relation to Tokyu Group’s plans to attract foreign firms and redevelop the area.

At the fore of Shibuya’s redevelopment is Tokyu’s Hikarie commercial complex, opened at Shibuya station in April 2012. Both Japanese and international media publicized the opening widely, claiming that the complex marked the beginning of a new Shibuya, and a new Tokyo. One and a half months later, on June 11, a “triple eviction” took place in the vicinity. One of the targeted locations was Mitake Park, which neighbors the Tokyo Metropolitan Children’s Hall and had been used by Nojiren as an alternative location for its weekly meals since the Children’s Hall closed. In addition, nine homeless persons who lost their space at the Children’s Hall set up tents in this small park. A second targeted location was an underground parking lot beneath the Shibuya Ward Office. As with the Children’s Hall, the parking lot had been used for over ten years by approximately 30-50 persons needing a place to rest at night. At the same time, an outdoor communal dinner for over 200 persons was held every Friday night (by another organization) at the same location. In other words, just as with the Children’s Hall, Shibuya Ward had Mitake Park and the Shibuya Ward Office parking lot—two locations in the Special Ward where large numbers of homeless persons gathered to eat and

²⁵ *Kokusai Senryaku Sougou Tokubetsu Kuiki*, in Japanese.

²⁶ Approximately 200 persons gathered every Saturday.

²⁷ Roughly 40 guards arrived early in the morning to quash resistance and erect a steel fence at the site. At present (June 2013), the Children’s Hall entrance remains restricted by the fence, and no repairs have taken place.

rest—suddenly cordoned off with fences. Moreover, in order to remove the tents located in Mitake Park, Shibuya Ward (with the backing of the Tokyu Group) carried out an aggressive *administrative subrogation* to destroy and dispose of the structures on July 30, 2012²⁸.

This wave of redevelopment in Shibuya has only grown since the start of 2013. In March, the Tokyu Toyoko and Fukutoshin lines were linked at Shibuya station and, starting in 2014, the Tokyu Group will embark in earnest on its massive redevelopment of the Shibuya station area—with a planned construction period of 15 years. The situation is critical in Shibuya, as profit-seeking corporations are leading urban redevelopment projects that threaten the very ability of homeless persons to survive; After all, not only are they deprived of space for tents and other structures, but also space to just lie down—or remain in place.

4) Conclusion: Prospects for Japan, and a message for other Asian countries

In this article, I discussed how government figures illustrating a reduction in the number of homeless persons, when considered strictly through the legal definition of “homeless persons”, are basically reflecting the number of persons evicted (including those through “soft” evictions). I also discussed how, if we apply the broad definition of homeless persons as used in many Western countries, then the overall homeless population appears to *not* be decreasing at all. Moreover, I explored how conditions for homeless persons in Japan today—even with a more active and involved civil society—are harsher than those prior to the 2002 Law Concerning Special Measures and, correspondingly, more life-threatening.

It does not seem as if circumstances will improve anytime soon. Over the course of the last decade, it has become easier for homeless persons to find placement in shelters and, when accompanied by support organizations, successfully file applications for *livelihood protection* assistance. However, this progress, too, is being thwarted. In order to reduce the fiscal burden of *livelihood protection* assistance, the government is now: a) looking to make assistance harder to receive by enforcing stricter conditions, and b) lowering the amount provided to recipients, even though the percentage of people on assistance in Japan is far below that in Western countries. It is very likely that, over time, homeless persons who enter facilities—or even apartments or other stable housing—after receiving *livelihood protection* assistance will face complications in the system and find themselves returning to the streets. However, it is already nearly impossible for anyone turning to the streets to put up a tent or any other survival structure. Therefore, under such circumstances, we cannot ignore the danger that, come winter, the number of persons who freeze to death on the streets may rise once again.

Also, lastly, I have discussed how the principal factor behind forced evictions of homeless

²⁸ The July 30, 2012 *administrative subrogation* targeting homeless persons at Mitake Park was carried out, in plain view of allies, by approximately 20 Shibuya Ward guards, 60 plainclothes police officers, and 70 security police.

persons in Japan has shifted from government-led initiatives to urban redevelopment led by private sector actors such as multi-national corporations looking to capitalize on the market. However, these circumstances apply not only to Japan. Therefore, I would like to comment on the escalating power of private capital in development projects in Asia. In particular, I have learned about many such forced evictions affecting slum and rural poor communities in Cambodia and Burma (Myanmar). These projects are typically based on public-private partnerships but, in reality, they derive from more than the power of government alone; they derive from the demands of neoliberal globalization. At present, community-led development practices—where slum communities form partnerships with government and work to make improvements to their own living environments—are flourishing across Asia as an alternative to forced eviction. However, the power of private capital is getting radically larger. I believe we must now strengthen our networks linking poor communities and civil society globally and prepare to resist the profit-seeking schemes of global private capital. We have to remain vigilantly aware of the fact that corporate profit should never be placed above the rights—and lives—of people.

Figure 1. Number of Homeless Persons: National & Tokyo (Government figures)

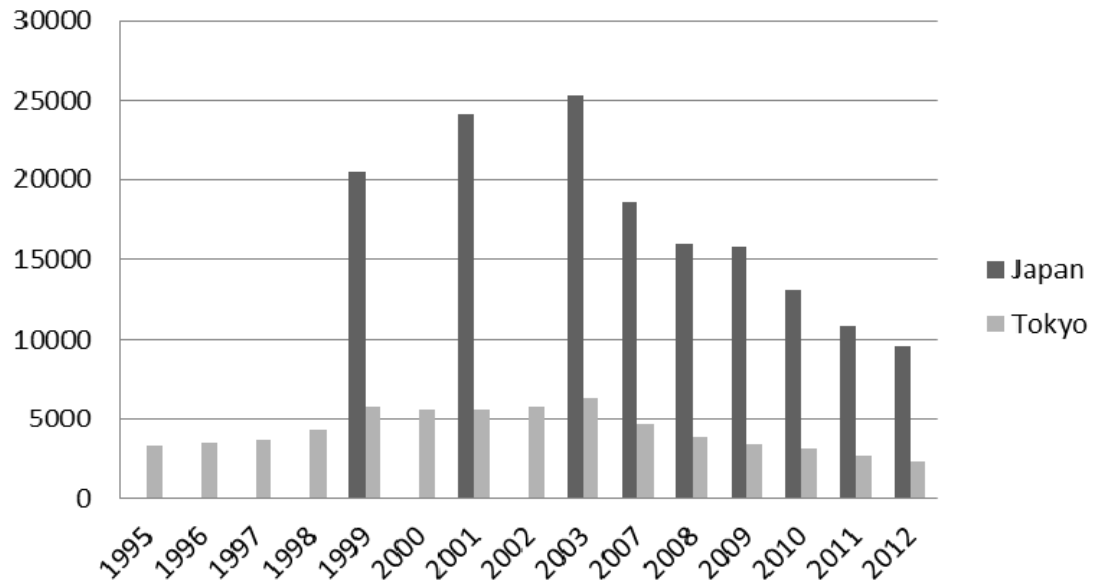


Figure 2. Number of Homeless Persons: National

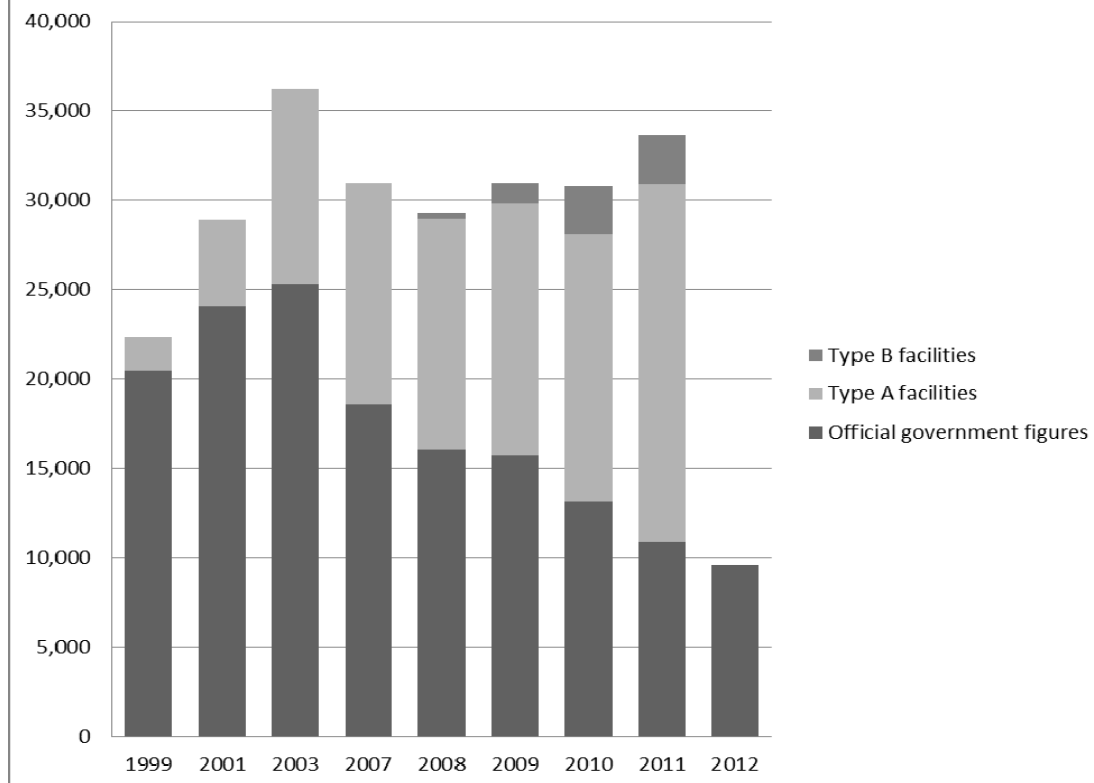


Figure 3. Number of Homeless Persons: Tokyo

