

Chapter 10

UNCONVENTIONAL MORALITIES, TOLERANCE AND CONTAINMENT IN URBAN JAPAN

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Introduction

The social contract between government and people is influenced by two striking macro socio-economic characteristics in the Japanese case, which give morals of legitimacy their characteristic hue in that country. First, Japan is perceived as a country of Big Government, in the sense that government involves itself in regulating spheres of life that are thought none of its business in other countries. Over-regulation and the need to dismantle it has become a dominant media theme in Japan ever since the bursting of the economic bubble sent the nation into prolonged recession at the start of the 1990s. Second, Japan is a country of relatively *small* government in terms of personnel and taxation: as of 1995, only 6 per cent of the workforce was in the public sector, and taxation accounted for a much smaller share of GNP than in most West European economies.¹ In the area of law and its enforcement, the implication of these two elements is that there are many laws and regulations and relatively few prosecutors, judges and police to enforce them. At the

same time, there are very few lawyers in Japan to defend those who fall foul of the judicial system.²

This mismatch between the massive self-perceived role of public authority, and the relatively limited resources available, implies a certain subtlety in relations between state and citizens. In the realm of law it implies a degree of voluntary compliance on the part of the public; selective enforcement when such compliance is not forthcoming; and hence a double standard between the written and enforced law. Some things are illegal but tolerated; others are legal but socially stigmatised. I will present examples of both in this chapter. On the other side of the coin, there tends to be a similar disparity between what the government promises its people on paper and what it delivers in practice. The fact that there are thousands of people living in cardboard boxes in major Japanese cities sits uneasily with the Japanese constitution's guarantee of 'minimum standards of wholesome and cultured living for all people' (Article 25), to take just one particularly striking example.

It is against this backdrop that Japanese individuals negotiate the meaning of citizenship and construct their own personal morality relative to cultural and legal norms. In this chapter I propose to discuss the concept of the 'control society', often used to explain how the Japanese state works; and then measure that concept against ground-level observation in the case of two marginal groups: day labourers and *yakuza* (the so-called Japanese mafia). I will conclude that the Japanese state's handling of these two groups is marked not so much by obsessional social control as by an improvised morality, subtly mingling tolerance and containment in response to perceived social interests.

The 'Control Society' concept and its transformations

Accounts of Japanese society, whether by Japanese or foreign observers, tend to emphasise the strictness of social controls and the relatively limited space within which individual freedom may be exercised. We are told that there is a high degree of conformity in lifestyles, and a low degree of tolerance for those who deviate from social norms. Japan is often described as a 'control society' (*kanri shakai*), and the most commonly quoted Japanese proverb in the literature of Japanological clichés is 'The nail that sticks out gets hammered in' (*Deru kugi wa utareru*).

In this chapter I intend to question critically the whole notion of the control society. First, however, let us examine the recent history of this

idea. The control society model was influenced by images of the pre-1945 fascist state and post-war Stalinism. The term first came into vogue in the late 1960s, and was summed up by Arakawa Ikuo (1970). His is a broadly Marxist approach, which sees industrialised society as divided between 'the controllers' (a small élite), and 'the controlled' (the masses), whose lack of control over their own lives leaves them in a state of permanent alienation. Japan is seen as little different from any other capitalist state.

Later control-society theorists increasingly isolate Japan as a special case. Hidaka Rokurō (1980) introduces the term 'soft control' to describe the Japanese-style control society: 'Domination of the masses is carried out not in a hard way but a soft way; not in a unified way but in a multifaceted, multipurpose manner. In particular, control of everyday life, culture, education and consciousness is important' (1980:106; my translation). Rather than an Orwellian police state (a model which Hidaka discusses at some length), Japan is a society where people are controlled by subtler means: a combination of cultural/educational brainwashing and material affluence makes them obey authority instinctively and without the threat of heavy penalties for deviance. The 'soft control' theme has also appeared in the English-language literature on Japan (e.g., Pharr, 1989; Sugimoto, 1997). For Sugimoto the preferred expression is 'friendly authoritarianism' (1997: 245–59).

Kurihara Akira (1982) takes the idea one step further, claiming to identify 'a mechanism of internalized [subservience to] domination' in the Japanese consciousness. Kurihara sees all industrialised societies as control societies, but cites instinctive loyalty to the emperor and the values associated with him as particular to the Japanese case. The four key characteristics of Japanese internalised control he cites are: vagueness in drawing moral boundaries; extreme concentration of values in the political centre; a systematic division between speech and thought; and a strong tendency to divide social groupings between 'us' and 'them'.

Shōji Kōkichi (1989) has perhaps the bleakest vision of all the control-society theorists. A control society is one 'permeated by general and oppressive control' (1989: 10) and the Japanese version is a state-level replica of US control over global society. Moreover, he sees an inevitable increase in the strictness of social controls accompanying intellectual and technological advances. As recent debate on the libertarian potential of the Internet has shown, this is at best a questionable assertion. Shinohara Saburō's contribution to the debate (Shinohara, 1994) views the business corporation, rather than the state, as the chief

locus of social control. In the various ways in which reward and punishment are used to inculcate worker loyalty, and in the vast interlocking shareholdings that link major corporations together, he sees an overwhelmingly powerful control centre. This is also a theme of the popular Japanese discourse on the control society, which usually puts corporate capitalism in a three-way nexus with government and bureaucracy, the so-called 'iron triangle' (Sugimoto, 1997: 193–219). The triangle has no centre, leading to questions as to where the centre of authority and responsibility is to be found. In one celebrated case (van Wolferen, 1990) it is argued that there is no such centre, leaving Japan as a fundamentally flawed state. While I believe that is to overstate the case, there is no doubt that the extremely powerful bureaucracy and relatively weak legislature in Japan have greatly complicated issues of power and responsibility over the years.

I hope that this brief and necessarily incomplete sketch of the Japanese debate on the control society at least shows what a protean concept we are dealing with here. My own view is that the model is seriously flawed. It has been adapted over the years in an attempt to make it conform to perceived social reality: the evident dissimilarities between Japan and a police state have been skirted round by such devices as the 'soft control' concept, and striking instances of personal liberty have been written off as 'safety valves' – special cases of people, places or situations where the usual rules do not apply, designed to make the overall control society function smoothly. I think these areas of liberty are too large and numerous to be disposed of so easily. At the very least, I think it is fair to say that the nail that sticks out is not always hammered in. Often it is simply left to rust in the wood. The control society is rhetoric – a useful idea for the Japanese authorities, but one which conceals the reality that Japan is probably no more 'controlled' than any other industrial society. It is just that different areas are subject to control and tolerance in each society.

At the level of personal morality, the apposite theme is containment rather than control. Zones of tolerance are defined, often in terms of social geography. Thus prostitution, for example, is illegal in Japan but the law is not strictly enforced within the flourishing red-light districts to be found in every Japanese city. Again, people in mainstream Japanese society may not openly identify themselves as homosexuals, yet there is a thriving gay scene, and within the artistic and theatrical professions homosexuality is tolerated and even expected. Effeminate and transvestite males are even more widely accepted, and may often be observed on

television, not as figures of fun but as sought-after commentators on fashion and popular culture.

In short, the imposition of public morality in Japan includes elements of benign neglect and selective enforcement that are not properly accounted for in the control society model, even in its 'softer' manifestations. To illustrate my theme, I will discuss a particularly striking case of social tolerance and containment, that of the *yoseba*.³

This term, literally meaning 'a gathering place', describes an urban casual labour market where day labourers (*hiyatoi rōdōsha*) gather early in the morning to find work. The larger *yoseba* also serve as residential and recreational centres, featuring concentrations of cheap lodging houses called *doya*, from which they are sometimes known as *doya-gai* ('lodging-house towns'), a term which some people consider discriminatory. The three largest and best-known *yoseba* are Kamagasaki in Osaka, San'ya in Tokyo, and Kotobuki in Yokohama. This last was the main focus of my fieldwork. *Yoseba* populations fluctuate by the day and by the season, and are probably in long-term decline, but until recently there were usually reckoned to be about 20,000 day labourers in Kamagasaki, 8,000 in San'ya and 6,000 in Kotobuki. Nowadays, it would be nearer the mark to halve those figures.

As well as day labourers, various other kinds of people work in the *yoseba*, providing employment services or working at the various restaurants, bars and gambling establishments catering to the day labourers. Among these people working in the service sector are many *yakuza*, or members of Japanese underworld gangs. The official response to these two marginal groups shows a striking contrast. Day labourers are legitimate, yet subject to social stigma and to a network of bureaucratic controls designed to limit their potentially dangerous freedom, and shape their working lives towards the interests of the state and employing industries. *Yakuza* are cloaked in legal ambiguities: they are mostly not illegal *per se* (except for some gangs affected by recent legislation discussed below), but are engaged in largely illegal *activities* which are, on the whole, ignored by the police. Both cases serve to show that the relationship between state and public in Japan cannot be summed up by even the more sophisticated versions of the control-society model. Instead what we find is an inconsistent pot-pourri of tolerance and control, in which the dictates of formal law are only one factor alongside cultural prejudices, historical precedent, conflicts between local and national authorities, and simple self-interest, sometimes expressed through bribery and other corrupt practices.

Day labourers

Day labourers are so called because they generally work by the day. They do work on somewhat longer contracts too, but at any rate their relationship with the employer is a tenuous and limited one. Being a day labourer also has social implications. This is a social category that has existed in Japan at least since the middle ages. Leupp (1992) records (7–8) that Toyotomi Hideyoshi, who ruled Japan from 1583 to 1598, outlawed the employment of day labourers, which he saw as a threat to the stability of the feudal relationship between master and man, and to the all-important rice harvest. Leupp goes on to show how the Tokugawa shogunate (1603–1868) struggled to reconcile its need for casual labour for urban construction and its fear of the revolutionary potential of a large, unlanded urban workforce. Yokoyama, writing in the late nineteenth century, describes how day labourers would deliberately create a relationship with their boss (*oyakata*) which he describes (1985[1899]: 34) as 'extremely weak'. The majority of them worked on different jobs in different places every day, and would switch bosses for the minutest financial advantage. Day labourers played a major role in Japan's workforce throughout the twentieth century, though that role has dwindled since the post-war era of high economic growth came to an end. In contemporary Japan, the great majority of day labourers are outside the nuclear family, just as they are outside mainstream employment relations. Whether this condition of being outside the two dominant institutions of Japanese society constitutes exclusion or escape is a contentious issue among day labourers and those who observe them alike.

Hard data is hard to acquire on the sensitive issue of marriage, but it is probably fair to say that the *yoseba* population includes a large group of men who have ended their marriages through divorce, separation or the wife's death; and another large group of life-long bachelors. I found many cases where a day labourer was effectively cut off from his natal and/or marital family, forbidden to communicate, or personally unwilling to do so because of some past shame – such as a criminal record or a failed business.

Day labourers in the *yoseba* nearly all live alone, in tiny *doya* rooms just big enough to lie down in. An early start is essential for job-hunting, and many day labourers rise early even when they are not planning to look for work – the period from 5 to 7 am is the most sociable time of day in the *yoseba*. Work is found principally through two channels: the *tehaishi*, literally 'suppliers', who stand in the street and recruit men

informally, sometimes providing minibuses to transport them directly to the worksite; and the public casual employment exchange or *shokuan*, which offers casual jobs on a somewhat more regulated basis but rarely in sufficient numbers to satisfy demand. In both cases, the end employer is usually a small construction company requiring extra hands at a building site. In the case of Kotobuki, the Yokohama docks are a major secondary employer.

Day labourers seldom work for whole weeks at a stretch. Provided they do not drink or gamble to excess, they can pay their rent and cover other essential living expenses by working two to three days a week, and this is what many of them attempt to do. Alternating days of work and leisure is a traditional part of the day labouring lifestyle. Not saving money, and working only when one is economically obliged to do so, is another.

At times when work is plentiful, day labourers can command slightly better rates of pay than people doing similar work on a regular basis. However, their role as a supplementary labour force means that day labourers are the first to be laid off in a recession, and at such times (including most of the 1990s), they may struggle to find any work at all. For the majority who do not save money, this leaves them facing acute poverty, sometimes leading to homelessness and early death. For many years now there have been hundreds of homeless men living in and around the *yoseba* districts, some in cardboard boxes, others in tents or in reasonably well constructed wooden shacks – symbols of self-reliance *in extremis*.

Day labourers resist being drafted into hierarchies, as might be expected, given a mode of employment which typically restricts the length of commitment between employer and worker to a single day. Even the day-labourer unions, who genuinely have the workers' interests at heart, find it very difficult to organise them into any kind of long-term campaigning unit. The absence of organisational hierarchy both reflects and supports a world-view that is broadly egalitarian in outlook. Naturally, some day labourers are more successful than others, but compared with the distinction between themselves and regular workers, these intra-group distinctions are fairly minor.

Within the day-labouring population, there is a minority of migrant workers who come to Japan, traditionally from Korea, the Philippines and other Southeast Asian countries, and more recently from South Asia and the Middle East. These workers are nearly all illegals who have arrived on tourist or student visas and overstayed. They tend to avoid the *yoseba*, since these are obvious places for the immigration authorities to

check out. Kotobuki, however, is an exception. The special demand for young, physically powerful workers in the longshoring industry at the Yokohama docks, the relative tolerance of the Yokohama police, and the fact that most of the *doya* in Kotobuki are owned by ethnic Korean landlords, has led to a substantial population of foreign workers gathering in Kotobuki, the majority of them Korean.⁴

Yakuza

The Japanese term 'yakuza' is frequently expressed in English as 'the Japanese mafia'. This is misleading. The Italian mafia and the Japanese *yakuza* are both large underground organisations engaged in criminal activities and with their own internal systems of morality and tradition, but there are major differences between the two. Perhaps most significantly, the mafia is illegal but, as mentioned, there is a profound ambiguity over the legal status of the *yakuza*. *Yakuza* gangs maintain offices whose whereabouts are known to police, sometimes even carrying the name of the gang in prominent characters over the front window. Members may wear lapel badges displaying the corporate logo of the gang. In other ways too, major *yakuza* syndicates mirror mainstream corporations, complete with impressive headquarters, elaborate management hierarchies and even in-house magazines. Again as in ordinary business, there are also gangs with no more than a handful of members operating out of a single shabby office.

A fundamental *yakuza* principle is supposed to be that ordinary people should not be dragged into *yakuza* affairs. However, the late 1980s saw a series of violent inter-gang feuds in which bystanders were sometimes injured or killed. As a result, in May 1991 the government passed an important new anti-*yakuza* law.⁵ Even this did not define the *yakuza* as an illegal category: it did, however, define as 'designated violent gangs' (*shitei bōryokudan*) any organisation whose members included more than 12 per cent with criminal records. This measure, a compromise between outright criminalisation and recognising only the crimes of individual members, was widely protested as an infringement of human rights by the *yakuza* and also by some prominent civil rights activists. Some gangs tried to evade the new law by formally expelling some members with criminal records in order to get below the 12 per cent barrier (Raz, 1996: 252–4).

The new law also criminalised certain *yakuza* activities such as extortion and protection racketeering. Previously, these activities had only

been illegal if accompanied by actual violence; now a conviction may be obtained by proving the threat or implication of violence. This includes the simple act of identifying oneself as a member of a 'designated violent gang' as specified under the law. This has made people far more hesitant than before to employ the *yakuza* for such jobs as collecting debts or persuading tenants to leave properties ear-marked for redevelopment. Thus the zone of public tolerance of the *yakuza* is clearly contracting; nevertheless, it is broad enough to allow the continued existence of a profession officially estimated by the police to have 79,900 members.⁶

The ambiguity of the *yakuza's* status vis-à-vis the law is cloaked in cultural exotica such as the concept of the 'just *yakuza*' – the gangster as upholder of traditional warrior values and noble patriotism, both in sharp decline since Japan's defeat in the Second World War. Ultimately, however, the ambiguity rests on the large overlap between *yakuza* gangs and right-wing political pressure groups, and the tacit assumption among the conservative political forces that have governed Japan for most of its post-war history, that organised crime is preferable to disorganised crime. The *yakuza* have been seen as useful: as a way of keeping crime within defined bounds and dealing with rogue freelancers; as an underground army for dealing with left-wing demonstrators and carrying out dirty work that would be politically awkward for the police or military to deal with; and as a source of large donations and vote-mobilising power at election time.

Recently, the traditional collusion between government and gangsters has been weakened by four major factors. One has been the declining power of the radical left, which has greatly reduced the need for *yakuza* to play their traditional bully-boy role. Another has been the relative political fluidity following the temporary fall from power of the Liberal Democratic Party in 1993, after 38 years of continuous rule. The third factor has been the decline of the Japanese economy, which has squeezed *yakuza* profits and affected the flow of political donations. Fourthly, citizens' resistance to *yakuza* has strengthened. Most ordinary Japanese people despise the *yakuza*, and in recent years they have gradually thrown off the fear that previously had made them hesitate to take action against *yakuza*. Nowadays it is not uncommon for *yakuza* to be confronted by citizens' protest movements if it is discovered that they are attempting to open a new office in a neighborhood. These movements include street demonstrations, lobbying of local authorities and police, and direct pressure on any landlord thinking of renting a property to a *yakuza* gang.

As the environment has grown harsher, many *yakuza* have attempted to quit the profession altogether. Going straight poses certain practical problems, however, since many *yakuza* sport magnificent tattoos and some are missing fingers as a result of the *yakuza* custom of slicing them off in atonement for errors. These outward physical manifestations are supposed to symbolise a life-long commitment to the *yakuza* cause despite the practical disadvantages of physically identifying oneself as a *yakuza* (for example, many public baths in Japan display notices saying 'no tattoos' [*irezumi kinshi*], designed to keep out *yakuza*). However, these bodily symbols are not always as permanent as they were. The recent decline in *yakuza* fortunes has brought new business to certain plastic surgeons who perform laser surgery to remove tattoos or have the ability to replace missing digits by grafting toes onto finger stumps.

Yakuza in the yoseba

Two traditional *yakuza* activities are labour racketeering and gambling. These activities, along with the advantages of residence in a place where the almost complete absence of family life means that the *yakuza* are generally tolerated, account for their significant presence in the *yoseba*. In 1995 there were no fewer than 14 gangs operating from offices in the Kotobuki district, which covers an area of roughly 0.2 square kilometers of central Yokohama.

The gangs in Kotobuki fell into two groups. Ten of them – mostly very small affairs with fewer than ten members – were members of the Yato Family, a larger unit which was in turn affiliated to the Sōai-kai ('Mutual Love Association'), a syndicate controlled by members of Japan's ethnic Korean minority. These gangs were active in labour racketeering and gambling within Kotobuki. By contrast, the other four were members of the much more famous Yamaguchi-gumi syndicate, Japan's largest. Their business was mainly in racketeering and smuggling at the Yokohama docks – a far more lucrative business than anything to be wrung out of the impecunious day labourers of Kotobuki. These Yamaguchi affiliates are in Kotobuki for the final reason mentioned above – residential convenience

The background to this state of affairs reveals the combination of conservative hierarchy and occasional outbreaks of violence characteristic of the *yakuza*. There are two big income-generating centres in Yokohama: the docks (labour racketeering and smuggling), and the pleasure districts

centered on Wakaba-chō, Fukutomi-chō, Hinode-chō, Yayoi-chō, Isezaki-cho and Chōja-machi (prostitution and drugs). Until the late 1960s, both zones were controlled by the Inagawa-kai, which along with the Sumiyoshi-rengō is one of the two dominant Tokyo-based syndicates. A violent campaign by the Kobe-based Yamaguchi-gumi to take over the Yokohama interests ended with a famous pact struck on 24 October 1972, under which the Masuda-gumi, a powerful Yamaguchi-gumi affiliate, took over the docks while leaving the Inagawa-kai in charge of the pleasure districts. This division of territory still persists today. Meanwhile the Sōai-kai, a much smaller and weaker syndicate with bases in Kanagawa and Chiba prefectures (directly to the west and east of Tokyo) has held on to the much smaller source of income which is Kotobuki.

The way in which *yakuza* control the casual labour market varies from city to city. As mentioned above, workers and jobs are brought together by street-corner recruiters known as *tehaishi*. The *tehaishi* may themselves be *yakuza*; they may be in the employ of *yakuza* though not actually gang members themselves; or they may be freelance recruiters or representatives of companies who have to pay protection money to the local *yakuza*. A recruiter for a large Yokohama shipping company told me that his company paid the Sōaikai ¥100,000 a month (about £500 sterling) for the privilege of being allowed to recruit in Kotobuki. He said that this was a flat rate, charged to all longshoring companies irrespective of size.

The practice of *pinhane* (the recruiter taking a cut of the labourer's wage) used to be illegal, but there is a view that Nakasone Yasuhiro's 1985 Labour Dispatch Act effectively legalised it. This law made it legal for agents to charge a commission when introducing workers to jobs; before it was passed, all forms of employment agency were effectively illegal. In any case the authorities have generally tolerated this well-known practice. There is much argument among day labourers about the percentage of the daily wage creamed off by recruiters, but estimates tend to cluster around the 30 per cent mark. It is worth noting that although 'pinhane' is a highly pejorative term, this percentage is similar to that charged by legal temp agencies, though the latter are not generally accused of 'pinhane'. There appears to be a double standard at work here.⁷

Gambling, the other principle activity of *yakuza* in the *yoseba*, is an essential part of *yakuza* tradition and identity-formation. *Yakuza* trace their origins to two professions dating from the middle ages: *bakuto* (professional gambler) and *tekiya* (peddler). Kaplan and Dubro mention the persistence of this distinction, with some gangs claiming descent from *tekiya*, and others from *bakuto* (1986: 97–8).⁸

Yakuza-run gambling operations take several forms. The most common kind in Kotobuki is race-betting. There are some 20 illegal off-course bookmakers (*nomiya*) in Kotobuki, where bets are taken on bicycle, horse and power-boat races. In Japanese these three activities are called *keirin*, *keiba* and *kyôtei*, and are sometimes referred to as 'the 3 Ks of play', in ironic reference to the 3 Ks used to describe day labourers' work: *kitsui*, *kitanai*, *kiken* (demanding, dirty, dangerous). All betting is in the form of quinellas, where the punter must predict the first and second finishers. The *yakuza* offer the same odds as those on offer at the courses, except that they impose a ceiling on wins of 100 times the original stake. This covers them against major loss and makes it virtually impossible for punters to make life-changing amounts of money on a single wager. Also, since the odds at the course are generated by a tote computer programmed to give the government a 25 per cent profit on every race, the *yakuza* are also guaranteed a fat profit unless punters at Kotobuki are much more successful than those at the race-course – which they are not.

Off-course race betting is only legal in Japan at a small number of centres run by the Japan Racing Association (JRA). These centres are very well patronised, and offer a better deal than the illegal ones in the *yoseba* since there is no ceiling on winnings. However, for day labourers living in the *yoseba*, the *yakuza*-run bookmakers have the advantage of being right on their doorstep, saving them the trouble and expense of travelling a couple of miles to the only legal centre in Yokohama. Also they can easily find plenty of people they know with whom to discuss the form. The bookmakers are important social centres, even for those with no money to wager. The *yakuza* supply free heating on cold days, along with snacks, soft drinks and even mulled sake, rice cakes and tangerines at the festive season around New Year.

Yakuza also conduct dice games on the street and in speakeasies, besides running mah-jongg parlours and video game centres where electronic one-armed bandits supposedly 'for amusement only' may in fact be played for cash.

Other sundry services provided by the *yakuza* include money-lending,⁹ the supply of bogus employment stamps to facilitate unemployment insurance claims,¹⁰ and the purchase of food tickets and accommodation vouchers provided to impoverished day labourers by the city government. The labourers can then use the cash to buy alcohol or cigarettes – items that may not be acquired with food tickets.

The relationship between *yakuza* and day labourers is a subtle one and varies with place and the individuals involved. As one day labourer

told me, 'We need have no fear of the *yakuza* because we are their customers – whether using their job introduction services or patronising their gambling establishments. That puts us in a position of superiority over them. They need us and treat us with respect' (fieldnotes 29/7/93). Certainly I never personally witnessed a *yakuza* beating up a day labourer, though one sometimes heard stories of such incidents. The general impression was that the two groups tolerated each other, recognising their mutual dependence. Note also that there are numerous ex-*yakuza* among day labourers and vice-versa, and that both groups appear to include a higher than average proportion of discriminated minorities – such as ethnic Koreans, Okinawans or *Burakumin*.¹¹

Yet this image of mutuality is not the whole story. The fact remains that in Kotobuki the *yakuza* bosses drive around in gleaming white Mercedes-Benzes, while day labourers usually travel in worn plastic sandals. In other *yoseba* the relationship is far more confrontational. San'ya, the main Tokyo *yoseba*, shows a sharp contrast to the Kotobuki pattern of numerous small, loosely affiliated gangs. Instead there is a single powerful gang, the Kanamachi-*ikka* or Kanamachi family. Two prominent day-labourer activists were murdered by *yakuza* in the mid-1980s, and relations between the two groups have been hostile ever since. There is also a history of violent confrontation between day-labourer unions and *yakuza* in Kamagasaki.

Furthermore, while the social composition of these two marginal groups may be similar, the attitudes and lifestyles associated with them are very different. In contrast to the egalitarianism and resistance to organisation displayed by day labourers, *yakuza* are intensely hierarchical, operating in gangs modelled on large extended families with patriarchal bosses who extend patronage and demand loyal obedience from junior members. On a more literal level too, *yakuza* have a better chance than day labourers of marrying and sustaining family life.

How the authorities handle day labourers

The official response to the phenomenon of day-labouring is a subtle mix of tolerance and oppression, designed to enable day labourers to maintain their traditional lifestyle within set geographical and chronological limits. Geographically, they are contained as far as possible within the *yoseba* districts; chronologically, they are supported for as long as they remain useful to the employing industries.

The key legal measures supporting this approach are 1) provision and location of casual labour exchanges; 2) street-corner employment regulations; 3) regulations on the building of cheap hotels; 4) day-labourer insurance; 5) social welfare; and 6) 'extra-legal assistance'. In addition, ad-hoc, on-the-ground implementation of the law is another important factor.

Provision of labour exchanges

Various Japanese authorities have set up public casual labour exchanges designed to regularise this very informal sector of the economy and, by strategically locating the exchanges in *yoseba* districts, to encourage concentration of day labourers in those districts.

Within Kotobuki there are two such places. One is the Kotobuki Labour Centre Free Employment Introduction Office, which is operated by the local authorities. Directly above it in the same building is the Yokohama Port Labour Public Employment Stability Office, which is directly administered by the Ministry of Labour (MoL). I refer to these two institutions as the Labour Centre and the Labour Office for simplicity. Similar bipartite arrangements exist in Kamagasaki and San'ya, apparently reflecting tensions between local and central government over the administration of the *yoseba*.

There are striking differences in the way these two outwardly similar institutions are run.

The Labour Centre allocates jobs on a first-come first-served basis. During the prolonged recession of the 1990s, when jobs were often very scarce, this tended to cause a desperate scramble for jobs. Officials justified this procedure on the grounds that it was simple, and functioned as a crude form of natural selection. Stronger, fitter men had a better chance of getting jobs, and those were the kind of men employers wanted.¹²

The Labour Office opens on the same days as the Centre, but half an hour later. It operates a rota system, using the numbers on the day labourers' unemployment insurance handbooks and designed to give each man the same chance of getting a job. In short, we have a free-market free-for-all downstairs, and a brand of fair-shares socialism upstairs. The difference in system is reflected in the atmosphere outside each exchange. The desperate struggle for jobs at the Labour Centre is often over in less than a minute, whereas at the Labour Office men do not start to gather until well after the shutters have gone up, and the air is of apathy rather than desperation.

Street-corner employment regulations

Street-corner recruitment is legal only for registered companies in the construction industry, operating in certain prescribed zones which correspond closely to *yoseba* districts. This pattern reflects both the authorities' containment policy and the political influence of the construction industry, which is particularly dependent on flexible supplies of skilled and unskilled labour because of the daily variations in project scale, weather conditions etc.

Building regulations

The cheap lodging houses in which day labourers often stay are likewise rarely given planning permission unless they are within *yoseba* districts. This, like the location of casual labour exchanges in these districts, encourages the concentration of day labourers in the *yoseba*. Furthermore, the police will tolerate unorthodox behaviour such as public drunkenness and sleeping in the street far more often inside the *yoseba* than outside.

Day-labourer insurance

Japan's day labourer unemployment insurance programme is an interesting attempt to apply the fundamentally long-term concept of insurance to people with very short-term working arrangements. Entitlement is established by working for at least 26 days in two calendar months (this was reduced from 28 days in 1995), and permits daily payments for unemployed weekdays in the following calendar month. If the worker claimed every day of that month, he would lose his entitlement for the subsequent month, so the effective result is that long-term day labourers can claim for roughly half of the weekdays in any given month, while needing to work on the other weekdays to maintain their entitlement.

This scheme, administered by the MoL, effectively endorses the traditional day-labouring lifestyle of working and resting on alternate days. In Yokohama the average unskilled day wage is about ¥12,000 (£60 sterling), and since the unemployment insurance pays out ¥7,500 (£37 sterling), there is rather a small marginal advantage to be gained from doing eight hours' hard work on a day when one could claim. Since the insurance stamp for one day's work costs only ¥176 (about £1), the system

represents a 98 per cent government subsidy towards the cost of maintaining the day labouring system.

On the other hand, when day labourers become old and weak, and in times when demand for labour is low, they may slip below the 13 days per month average needed to sustain entitlement. They will then suddenly be stripped of insurance entitlement, accelerating their decline into poverty and hunger. Thus the system efficiently eliminates weaker men from the subsidised workforce.

There are also two other insurance programmes, covering industrial accidents and health. The latter is widely abused by employers with the connivance of workers. The stamps for this are much more expensive (¥1,410 for most day labourers in Kotobuki). The burden is supposed to be shared between the employer and worker, and is resented by both. The high premium covers not only the policy-holder but also an extensive range of dependents and relations and is thus wholly inappropriate for day labourers, most of whom are single men.

Social welfare

When day labourers become too old to work, they usually have no pension entitlement because they have not kept up payments during their working lives. There is no universal minimum state pension in Japan. Except for a tiny minority who save enough money to cover their old age, day labourers' only recourse is to social welfare (*seikatsu hogo*, literally 'livelihood protection'). This pays room rent plus roughly ¥80,000 (£400 sterling) a month for a single man. In theory this is a constitutional right to any Japanese citizen without other means of support, but practice varies widely from city to city. Many city governments insist that claimants must have a fixed address, as proved by possession of a document called a *juminhyō* or 'resident card', and will not accept *doya* rooms as addresses to establish residency.¹³ Also, merely being unable to find work is not usually considered an adequate reason for receiving welfare. Proof of physical inability, usually in the form of a doctor's note, is required. Thus the system positively encourages people to ruin their health.

It should be stressed that neither of these two requirements – fixed address and proof of disability – has any grounding in law. The law just says that social welfare should be paid to anyone unable to support themselves. The rest is pure bureaucratic fiat, or 'administrative guidance' (*gyōsei shidō*) as it is known in Japan. Bureaucrats, used to long

years of full employment during Japan's high-growth years, are only just starting to recognise the possibility that one might be sound in body but still unable to get a job. Ironically, another reason often cited for the ground-level erection of home-made barriers to social welfare is the need to prevent fraud, much of which is the work of *yakuza*. Social-security fraud is a common *yakuza* activity, and they tend to be much better than day labourers at manufacturing identities and addresses, and at acquiring bogus medical certificates.

Extra-legal assistance

Workers unable to support themselves and barred from social welfare must fall back on 'extra-legal assistance' (*hōgai engo*). As the name implies, this is assistance that the local authorities are not legally obliged to give, but may deign to extend in the Confucian spirit of the benevolent ruler. In Yokohama extra-legal assistance consists of a food voucher worth ¥660 yen (£3) and an accommodation voucher theoretically worth ¥1,400 (£7) but in practice often unusable because the 25 *doya* in Kotobuki which accept them (out of almost 100 in total) are nearly always full. These vouchers are called *kara-ken* ('empty tickets'), and the only thing to be done with them is to sell them to *yakuza* who will then attempt to defraud the city government of the face value using contacts among *doya* landlords.¹⁴

This system of mingled tolerance and neglect has come under great strain in the prolonged recession following the collapse of Japan's bubble economy at the start of the 1990s. Until 1992, social workers were issuing about 30 accommodation vouchers a day to people in Kotobuki. By 1994 they were issuing around 300 a day (and about twice as many food vouchers), and the level has risen further since. More seriously still, the day-labourer health and accident insurance programmes are in tatters.

Theoretically, both the Labour Office and the Labour Centre should only handle recruitment for companies that subscribe to all three insurance programmes. In practice, the MoL-run Labour Office has long since abandoned the legally stipulated requirement for enrolment in the health insurance programme. The MoL never approved of the programme, which was the handiwork of a rival ministry, the Ministry of Health and Welfare. On 1 April 1996, the local-authority run Labour Centre, after years of complaining about the Labour Office's flouting of the law, went one step further and scrapped the requirement for the health and unem-

ployment insurance programmes at a stroke. The accident insurance was never compulsory anyway, so this move effectively allowed employers to recruit on any terms they liked at the Labour Centre. The Labour Office clung only to the unemployment insurance requirement.

So it is that today both employment exchanges in Kotobuki are breaking the law by allowing employers to shirk their obligations towards casual labourers. In effect, they are employing on terms little different from the *tehaishi* on the street corner. A manager at the Labour Centre justified this drastic ground-level deregulation on the grounds that it was the only way to bring employers back to the exchange. He told me that day labourers themselves sometimes asked for the insurance requirements to be removed, aware that at a time of rocketing day-labourer unemployment, ease of exploitation was the only merit they could offer to potential employers.

To put the matter in context, from a peak of 154,000 person-days of labour transacted at the Centre in the financial year 1986/1987, contracts had collapsed to just over 50,000 a year for the years 1993 to 1995, before the insurance requirements were abolished. Every morning I witnessed pathetic sights as crowds of men pushed and shoved up against the shutters of the exchange office, long before they went up at 6.15am, in a desperate struggle to get one of the 20 or 30 jobs which the exchange might have on offer. After the insurance requirements were abolished there was a slight recovery, to just over 60,000 person-days, in the financial year 1996/1997. (To what degree this may have been caused by the eased requirements I cannot say.)

Bureaucratic morality is thus decidedly situational. Public officials charged with administering legally established systems will make calculated decisions to break the law when they view it as being in the interests of employers and, if only indirectly, day labourers themselves. The ad-hoc scrapping of the insurance requirements made day labourers even easier to use and abuse for employers; while for the labourers themselves it probably meant a slight reduction in unemployment.

I can sum up the current socio-economic environment for day labourers thus: they must fight for employment in a highly competitive and dwindling informal street labour market accompanied by a tiny and wholly inadequate formal market. The system is backed up by a panoply of crumbling welfare systems which tend to work as long as men are still capable of making a contribution to the economy, but then allow them to decline swiftly into penury and early death.

Day labourers devise various philosophies to account for their presence in this difficult working environment. Younger, more able men will

present themselves as sturdy individualists, with their own survival strategies. They will cultivate as many *tehaishi* as possible, helping them out when short-handed during labour shortages to generate moral debts that can be called in when the tables are turned and the labourer himself is short of employment. He will carry the white handbook and make sure that he keeps up his entitlement without overtaxing himself by working the minimum number of days required to do so. He may even refrain from drinking and/or gambling. Later on, as the gloomy long-term implications of the system become inescapably apparent, individualism may give way to a resigned fatalism, in which life is described in the passive voice as a series of happenings, and the man himself as a piece of driftwood, swept downriver by currents over which he has no control. He may replace the proactive survival strategy with one pinned on a clientelistic relationship with a single *tehaishi* or employer, behaving in a deferential manner and sometimes giving presents of sake or tangerines at the summer and year-end gift-giving seasons.

How the authorities handle *yakuza*

The Yokohama police are fully aware of the large *yakuza* presence in Kotobuki. They maintain a list of the names, addresses and telephone numbers of all the gangs there and elsewhere in Yokohama, along with files on membership strength, activities, etc. It is universally suspected by day labourers that the police are in league with the *yakuza* and tip them off about impending raids in exchange for kickbacks. In recent years no case of this has been proved in Yokohama, though press revelations in Osaka that a local police officer had been tipping off *yakuza* about raids on their gambling dens triggered a major three-day riot in Kamagasaki in 1990. The officer was forced to resign (Hester, 1991).

There is no doubt that the police could arrest numerous *yakuza* in Kotobuki if they chose to do so. Some of their labour-recruitment work and all the gambling is illegal. Although *yakuza* post *shikehari* (lit. 'stormwatchers') outside the dens to keep lookout, the fact is that they have far too much equipment (notably closed-circuit televisions relaying odds, commentary and results from race-courses around the country) to conceal everything in the event of a snap raid.

These snap raids do occasionally occur. They are especially likely in February and March – in the run-up to the annual round of police promotions. It is widely believed in Kotobuki that officers who fear they

have made insufficient arrests to qualify for promotion go and raid a few bookmakers to polish their records in time to catch the eye of their superiors. The junior *yakuza* (*chinpira*) running the dens are invariably arrested, along with any punter found to be in possession of a betting slip at the time of the raid. Those without betting slips are let off with a warning. Thus the possibility of arrest adds a further dimension of risk to the gambling way of life.

The JRA is naturally unhappy about illegal gambling in *yoseba*, and frequently puts pressure on the police to close down the bookmakers. The JRA is in the habit of giving comfortable, well-paid jobs to recently retired high-ranking police officers, and in Yokohama it is quite common for the police station at Isezaki-chō (which covers Kotobuki) to get calls from former superintendents, telling them to get tough on Kotobuki and protect the interests of their former bosses' new employers.

So why do the police not shut down the bookmakers? A senior Yokohama police officer explained the matter thus:

One problem is that the sentences the courts are empowered to impose for gambling offences are so light. For the *yakuza* running the places, the penalty is usually about ¥300,000 [£1,500] for a first offence, and ¥500,000 [£2,500] second time round. It varies somewhat according to the number of betting slips found on the premises, and the amount of money. But these penalties don't deter *yakuza*. They pay the fines; they're back in business a day or two later. It doesn't make much difference how many times you arrest them.

Another problem is that you won't pick up a big boss at one of those joints. They'll be far away. The men who work there are just rank-and-file. They're expendable. A few of them going to prison is no more than a minor inconvenience to the big bosses. If we do happen to pick up a more senior *yakuza*, he'll fight the rap – and he'll pay for a very clever lawyer to defend him. There are plenty of lawyers who'll do that sort of work. (Police interview, 1/2/94)

Indeed, it is widely understood among *chinpira* that the occasional arrest is an occupational hazard. They can generally rely on their boss to pay their fines, and if they get a prison sentence the gang will continue to pay their wages while they are in prison, typically adding an imprisonment bonus. In contrast, the fines levied on the day-labourer customers, though smaller, can be a severe financial blow. Often the man will be unable to pay and end up going to prison instead. The police calculate unpaid fines at one day in prison per ¥2,000 (£10) unpaid, so that even a small fine such as ¥50,000 (£250) can mean 25 days in jail.

On the whole, the police are pleased if *yakuza* activities are restricted to certain parts of town which 'respectable citizens' can avoid if they wish to.¹⁵ The police officer quoted above explained his view of the matter thus:

As far as I know, neither my superiors in the force, nor the local authorities, have any intention to 'clean up' Kotobuki or 'close it down' or whatever. Kotobuki won't change. In my personal view, it would be a bad thing if Kotobuki disappeared. There is a need for such a place. There are good and bad people in every city; there must be a place for the bad people to go to. Given that human nature, and therefore cities, are not perfect, it's not a bad idea to concentrate the problems in one place. The relatively high rate of crime in Kotobuki must be seen in the light of the lower rates in other parts of Yokohama. The two are surely connected. (Ibid.)

This policy of zoned tolerance allows *yakuza* in the *yoseba* to reproduce mainstream patterns of life: I noticed, for example, that some of the gambling dens had little conical piles of salt placed on either side of the door, a traditional Shinto symbol of purification still occasionally used by old-fashioned Japanese shops. There was no sense of engaging in wrong-doing; the sanctity of the gambling den was to be defended just if it were a cake shop.

In Kotobuki, there is a tendency for the interests of *yakuza* and day labourers to overlap, insofar as both groups are vulnerable to arrest when the gambling dens are raided, and both would suffer if street-corner recruiting were to be curbed. However, when the two groups' interests come into conflict, the police invariably side with the *yakuza*.

Thus when I first arrived in San'ya, in January 1986, I witnessed several hundred riot police defending the local *yakuza* gang (the Kanamachi family) from angry demonstrating day labourers. One of the leading figures in the day-labourer union, a well-respected man, had just been assassinated by a *yakuza*. While the *yakuza's* daily round of illegal activities was largely ignored by the police, the well-justified display of indignation by the workers was treated as a security threat and resulted in numerous arrests. Again in Kamagasaki, a history of street fighting, often between day labourers and *yakuza*, has resulted in the police setting up closed-circuit television cameras at 12 strategic open-air locations. As day-labourer unionists bitterly observed, the cameras were trained on day labourers, including one on the union building, while none were pointed at *yakuza* offices. Legal action by the union against the police deployment of cameras resulted in just one of them being removed.¹⁶

I shared the anger of the Kamagasaki men about this state intrusion on their privacy. However, living in Britain from 1995 to 1997, one could

not fail to notice that closed-circuit television cameras were becoming a common sight in the streets of British shopping centres. As far as I know, this form of outdoor surveillance is not used in Japan except in Kama-gasaki. One wonders which is the more 'controlled' society.

Dispersal and Containment

I have argued that the *yoseba* phenomenon suggests that some modification of the 'control society' stereotype is necessary. Within its boundaries – and they are very clearly defined – the authorities show a degree of tolerance which runs counter to that stereotype.

This tolerance covers the whole span of officially disapproved practices, from illegal parking to murder. One of the borders of Kotobuki is formed by the Nakamura river, and I observed during my fieldwork that cars parked on yellow lines would be left undisturbed on the Kotobuki side but would be promptly towed away on the other side. For those in the know, Kotobuki was a handy car-park for central Yokohama. Again, the treatment of murder cases in Kotobuki shows consistently light sentencing, a fact taken by many day labourers as indicative of a lack of respect for the value of their lives. For example, a day labourer named Nobuta Masao was sentenced to eight years' imprisonment for the murder of another day labourer named Yamada Takao in a stabbing that occurred during a street fight by a bonfire in Kotobuki in 1990. Despite a strenuous campaign to prove his innocence by the day-labourer union and other sympathisers, an appeal to the Supreme Court was rejected on 24 October 1995. To day labourers there is a double affront here. Nobuta was convicted solely on the strength of a forced confession which he later retracted, with no witnesses. His conviction was an insult to him, while the relatively light sentence was an insult to the dead man, Yamada. A pamphlet issued by Nobuta's support group quotes the judge at the original trial as remarking that it was not surprising that a drunken dispute might end in murder, because the aggressor might fear being killed himself out of revenge if he allowed the victim to live, and that 'Kotobuki being a so-called *doya-gai* where people who know nothing of each other's personality or history gather and live together, one has to admit that such a motive would have reason to it'.

Spradley's (1970) classic account of US tramps describes a lifestyle punctuated by endless arrests for vagrancy and public drunkenness. One of his informants was arrested 114 times for public drunkenness in Seattle

between November 1957 and June 1968, receiving 58 jail sentences totalling just over eight years (2000 [1970]: 195) – a life sentence by installments, as Spradley describes it (2000 [1970]: 252). By contrast, vagrancy and public drunkenness are not criminal offences in Japan (Parker, 1984: 107). The Japanese equivalents of Spradley's tramps may be found in the *yoseba*, but in two years of fieldwork only one of my informants was arrested to my knowledge, and that was for an assault on a woman.

Spradley argues that the police in Seattle deliberately target skid-row areas and are more likely to arrest tramps there than elsewhere. In Yokohama, the reverse seems to apply: except for their occasional swoops on the gambling dens, or when serious crimes occur, the police tend to stay out of Kotobuki. In nearly two years I never saw a policeman patrolling there; I only saw them when incidents had occurred. Their presence is considerably more obtrusive in San'ya and Kamagasaki,¹⁷ and doubtless less obtrusive in some states than others in the US, but still it seems defensible to say that *yoseba* are less heavily policed than skid rows.

The difference between official attitudes to skid row in the United States, and to the *yoseba* in Japan, will largely determine the long-term fate of these institutions. In recent decades many US cities have sought to break up their skid rows, viewing them as socially diseased places that should ultimately be wiped out. At the same time, many skid rows, like *yoseba*, have been located in urban areas where land has become extremely valuable. Thus moral and pecuniary considerations have combined to seal the fate of skid row, the cheap hotels typically being torn down and replaced by middle-class apartments typical of US-style gentrification. One result of this has been to destroy the last vestiges of skid row's original function as a *yoseba*-style casual labour center, scattering homeless men across US cities.¹⁸

At present, there is no sign of anything similar happening to the *yoseba*. Both skid row and *yoseba* tend to be viewed in pathological terms, but whereas US authorities have been motivated by a metaphor of *dispersal* – destroying the perceived seat of social disease and scattering its inhabitants across the city – their Japanese counterparts have adopted a metaphor of *containment* – accepting the fact of difference and attempting to contain it in a limited space of the modern city. As stated by the Yokohama police officer quoted above, there are no moves afoot to liquidate the *yoseba*. Even if the day finally comes when there is no longer any demand for the supply of casual labour from the *yoseba*, it is more likely that they will become giant, shabby, outdoor welfare facilities for the aged poor and homeless, something which is already starting to happen in Kotobuki (Stevens, 1997: 178).

Perhaps the most important tool in this policy of containment is the blind eye. There is no simple dichotomy between legitimacy and illegitimacy in the *yoseba*: a third category, 'illegitimate but tolerated' covers a vast band of *yoseba* activity. The bookmakers; some practises of the labour recruiters; the employment of foreign workers with expired or inappropriate visas; the use of public places as sites for homeless people to live in; all the way down to unenforced parking regulations. The selective blind eye is the ideal tool of containment, for it allows the authorities to tolerate or crack down at their convenience. The blind eye can suddenly regain its vision, for example to deport foreign migrants when demand for their labour falls; to move on the homeless when complaints from local residents reach a certain pitch; and, as mentioned, to round up a few *yakuza* bookmakers and their clients when arrests are required to embellish a police officer's record.

Thus the *yoseba* and its inhabitants live always on the sufferance of the authorities, never knowing when tolerance may be withdrawn and legal principles suddenly remembered and enforced. When the control society reasserts itself, the victims are rudely reminded of the limits of what individual ingenuity can achieve. That moment is well described by Rey Ventura, a Filipino who lived in Kotobuki as an illegal migrant worker in the late 1980s, before being arrested and deported during one of the immigration authorities' periodical purges. His arrest prompted the following observation:

All our efforts to live invisibly were nothing more than a charade in which the workers, the recruiters, the Mig-mig [immigration officials] and the police all played their part. We lived in hiding. They pretended not to see us. When public opinion demanded, they made a token raid. For the rest of the time, we were a necessary evil. We thought we were so clever. We thought we knew the ropes. *Whom did we think we were kidding?* (Ventura, 1992: 171).

Notes

1. In 1998/1999, in a workforce of nearly 67 million, only 1.15 million were employed by the national government and 2.82 million by local government, the former figure including 0.24 million members of the armed forces and the latter 1.24 million teachers and other school employees (Asahi, 1999: 68,74). The taxes and national insurance contributions paying for all this came to 36 per cent of GNP in 1995, only just over the 35 per cent figure for the US and well below the U.K (45 per cent), Italy (55 per cent), Germany (55 per cent) and France (60 per cent) (Asahi, 1999: 89).

2. In 1990/1991 Japan had one police officer per 556 people (553 in 1998/1999), against one per 384 in the UK, 379 in the US, 311 in Germany, 288 in Italy, and 268 in France (Asahi, 1999: 237). There were 2,949 judges, 2,223 prosecutors and 17,249 lawyers serving a population of 126 million in 1999 (Asahi, 1999: 56, 238).
3. Accessible English-language studies of the *yoseba* include Matsuzawa (1988), Fowler (1996), Stevens (1997) and Gill (1999 and in press). Leupp (1992: 123–175) offers an important historical perspective on Japanese day labourers.
4. At the end of the peak year of 1994, out of a total population of around 8,000, there were 1,083 foreigners living in Kotobuki. They included 816 men, 242 women and 25 children. There were 824 Koreans, 170 Filipinos, and 89 Thai (statistics compiled by Junichirō, the Kotobuki day-labourer union). Since then the foreign population has tended to decline in the face of reduced demand for casual manual labour and occasional purges by the immigration authorities. By 1999 the foreign population was locally estimated at about 500.
5. The full name of this law is *Bōryokudan ni yoru Fusei-na Kōi no Bāshi no tame no Hō*. It is variously translated as the Statute Relating to the Prevention of Unjust Acts by Crime Syndicates, the Law on the Prevention of Irregularities by Gangsters, etc. *Yakuza* themselves refer to it simply as *shinpō*, meaning 'the new law'. Though passed in 1991, the law did not take effect until 1992.
6. This figure comes from the National Police Agency white paper of 1997. It includes 46,000 full members (*kōsei'in*) and 33,900 'associate members' (*jun-kōsei'in*). One effect of the 1991 law has been to reduce the number of full members but increase the number of associates, as gangs attempt to avoid the 12 per cent line by formally distancing themselves from members with criminal convictions. The overall *yakuza* population has barely changed since the new law came in.
7. Among the volunteers helping homeless people in Kotobuki I met a young woman who told me she was doing secretarial work for a foreign bank. The job had been arranged by a temp agency which took a 32 per cent cut of her wages: ¥800 from an hourly wage of ¥2,500, leaving her with ¥1,700 (pre-tax). These terms are comparable to those on which *tehaishi* employ day labourers. She said that other agencies in Yokohama charged similar rates.
8. One former *yakuza* told me that he had joined a gang when he was still in junior high school. I asked if he did anything dangerous, and he said, 'No, I just made *tako-yaki* [fried octopus balls]', a comment which provoked laughter from his friends. He explained that his was a *tekiya* (peddler)-type gang (fieldnotes, 15/12/94). When I mentioned this exchange to another day labourer who was toying with the idea of resuming his previous career as a *yakuza*, he said, '*Yakuza* who sell fried octopus at fairground stalls aren't real *yakuza*, they're just peddlers [*tekiya*]. I was a real *yakuza*, a professional gambler [*bakuto*]' (fieldnotes, 30/12/94).
9. *Yoseba* money-lending usually entails small cash loans secured on the day labourer's entitlement to unemployment benefit. The benefit system is described later in this chapter. When the labourer lines up to collect a day's benefit, the *yakuza* will be waiting near the dole office to collect repayments. Hence the practice is called 'handbook financing' (*techō kinyū*), from the handbook which day labourers present when claiming the benefit. Sometimes the *yakuza* will illegally hold back a percentage of the sum loaned as an immediate first repayment (*tsukebaryō*) or on the pretext that interest is payable in advance (*tenbiki*).

10. Day labourers must have 26 days' worth of stamps in their handbook over the last two months to qualify for benefit payments. The *yakuza* will supply a full set of 26 revenue stamps, franked with forged employer's seals, for a price. I heard ¥18,000 quoted in Nagoya (fieldnotes, 15/12/94). Since the daily benefit payout is ¥7,500, and one can claim on weekdays for a month with a full set of stamps, this represents good value to the day labourer – provided he is not caught.
11. The *Burakumin* are a despised outcast group left over from the Tokugawa caste system that was theoretically abolished after the Meiji restoration in the mid-nineteenth century. I say that this and other minorities *appear* to be over-represented in both *yakuza* and day-labourer categories because in fact the *Burakumin* status is so taboo that it is very hard to ascertain who has it. The same is true to a lesser degree of other minority statuses.
12. This approach to labour recruitment has many parallels. One is the practice in turn-of-the-century Salford, England, of propping spades up against a wall and giving jobs to the first men to reach them from a hundred yards away, described in Roberts (1971: 66).
13. Yokohama is somewhat of an exception on this point. Relatively liberal interpretation of welfare law has allowed several thousand day labourers to obtain welfare and has encouraged a large inflow of would-be claimants from the *yoseba* in other cities.
14. For comparison, extra-legal assistance in San'ya, the Tokyo *yoseba*, consists of eight slices of bread and 200cc of milk. However, the Jōhoku Centre, which administers these rations refuses, on principle to give them to the same person two days in a row. This practice is defended on the ground that extra-legal assistance is supposed to be a strictly *temporary* measure for people *temporarily* down on their luck. Those who need assistance every day are supposed to apply for welfare. However, since those applications are often rejected, the net result of this approach is that unemployed day labourers in San'ya tend to go hungry every other day.
15. The degree to which the *yoseba* population is distinct from the general urban population varies with time and place. My analysis is based mainly on contemporary Kotobuki, a small zone with very few mainstream people living there. There are only a few children in Kotobuki, mainly the offspring of people living in some municipal apartments in the upper floors of a massive building which houses the two labour exchanges. San'ya and Kamagasaki are larger places, with larger non-*yoseba* populations. Even so, both districts are clearly distinct from the surrounding society. Again, thirty years ago, when Japan was less wealthy and fewer people had steady jobs, the distinction between *yoseba* and the working-class precincts around them was less clear than today, and there were far more day labourers with wives and children. Calderola (1968: 513) surveyed several hundred day labourers in various *yoseba* during 1964 and found that 23 per cent of the men in his sample were married, against roughly 4 per cent for my own sample.
16. *Asahi Shimbun*, 27 April 1994, evening edition.
17. Both San'ya and Kamagasaki have large police stations in central locations. The one in San'ya is nicknamed 'the mammoth' (*manmosu*). As mentioned above, Kamagasaki has outdoor surveillance cameras. By contrast, Kotobuki has just a small police box in one corner. It is supposed to have a staff of four, but I often saw it empty during my fieldwork in Kotobuki. It is fair to say that my argument about zoned tolerance is less well supported in the San'ya and Kamagasaki cases. However,

the police there are mostly concerned with preventing large-scale public disorder. Both places have a history of street rioting. I have the impression that there is relatively little police interference in everyday *yoseba* life.

18. Various aspects of the destruction of skid row and scattering of homeless men are described in Rossi (1989), Hoch and Slayton (1989) and Giamo and Grunberg (1992). Marr (1997) interestingly compares the contemporary situation of the *yoseba* and skid row.

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