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## Equal Treatment in Japan: Is it Appropriate?



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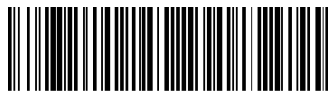
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**ABSTRACT**

We will exemplify the equal or fair treatment of people in Japan and try to consider whether these are appropriate. The following are five such examples: right to receive education, living level, consumption tax, the Law for Equal Employment Opportunity of Men and Women, and the disparity of one vote in national elections. It was very difficult to reach a balanced conclusion that was satisfying for all, and it was important to determine whether most people could accept the results.



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## INTRODUCTION

As stated in the Constitution of Japan, three major obligations of the Japanese people are education (All citizens shall have the right to receive an equal education correspondent to their ability, as provided by law. Compulsory education is free of charge), work (All citizens shall have the right and the obligation to work), and tax payment (All citizens are obliged to pay tax as required by law)<sup>1</sup>. In addition, three major rights are the right to live (Living a healthy and culturally minimal life), the right to receive education, and the right to participate in politics<sup>1</sup>. Except for a small number of people, most Japanese dislike being different. They are often reassured of their sameness to others and satisfied that they are in the middle. There are factors that force the sameness, such as peer pressure. This is true for individuals and social systems. However, it depends on whether equality or fairness is sought.

Same treatment is expressed by the terms "equal" and "fair." "Equality" means that there is no bias or discrimination and that they are all equal; It can also be in terms of situations. The meaning of "fairness" is that all things are treated in the same way, and judgments and processes are not biased. In addition, it is the situation. The two may seem similar in words, but they are not. "Equality" means equalization of processes or quantity and quality, and "fairness" means equalization of awareness of results or recipients. As an evident example, the case of watching sports is given below<sup>2</sup>: Two people with different heights are watching the game from the top of the fence. If we treat these people equally, we would treat them in the same manner. In other words, both will use support that makes it easy to watch the match, or both will do nothing (Only for a tall person, even if it was originally possible to watch). On the other hand, if they are treated fairly, they will be able to watch the game under similar situations. If a short person cannot watch the game as it is, both can watch the game by only lending support to that person. Thus, the same objective can be achieved when watching the match.

Based on the above, this paper exemplifies the consciousness of "same as a person" in Japan and gives our opinion on what it means.

Concept about equality 1 (Right to receive education)

As we mentioned at the beginning, education is a right and an obligation of the Japanese people. The scope of "compulsory education" covers the period of elementary school and

junior high school, and the period before and after these have not been regarded as compulsory; particularly, there is no obligation to attend nursery school and kindergarten. In Japan, the percentage of people who go to high school after graduating from junior high school is very high, and the percentage of those who graduate from high school and go to university is gradually increasing. In addition, the government policy is to improve the declining birthrate and raise the academic level compared with other countries. As a result of the former, there are initiatives to increase the number of facilities and reduce the cost to make it easier to enter nursery schools and kindergartens. Much of these moves are funded by local governments, so there are differences between the education facilities in cities depending on whether there is a budget, similar to the infrastructure in the previous section. Regarding the latter, there is an increase in the number of free public and private high schools have already. The university will be free of charge for some students only and is scheduled to start in 2020. It should be noted that even if the tuition fee is free of cost, there are other costs and burdens. For example, in the case of a university student, living expenses, teaching materials expenses, transportation expenses, etc., are required besides the school expenses, such as the enrollment costs. Thus, you will not be able to continue going to school unless you make a lot of money as a part-time job while you are in school, or you will have a large debt to pay from your scholarship, after graduation. It is good to be able to attend the school of your choice. However, would it be possible for everyone to be taught the same level of education, to narrow down the diversity of occupations, and fail to secure the necessary human resources?

#### Concept 2 (Equality of living level)

In introduction, we mentioned the right to live. To comply with the contents of the constitution (Minimum life as a person), Japan has a system called livelihood protection<sup>3)</sup>. This is a system that financially supports the lives of those who cannot work or who are in poverty line, with little income. It is considered that if the conditions, such as income are met, it is possible to receive a benefit of 100,000-200,000 yen, without obligation of refund. Currently, in Japan, about one in every 50 people receives this livelihood protection (Table 1)<sup>4)</sup>. There are many reports of misuse, such as illegal payment in this system. Although this benefit is provided as a cost to improve the quality of life, it may be used for entertainment expenses (Some people think that recreation is essential to life, so it may be necessary to discuss it separately). Moreover, some poor people do not apply for livelihood protection. For

receiving the payment, it is necessary to reveal the living condition to others. Hence, those who care about the public body or those who cannot express it are not selected to receive the payment. As odd feature of this system is that the amount of benefits may exceed the minimum salary line for the working people. This is one of the reasons that many people, except for us, think that it is better to cancel this system. It seems unequal to get a certain amount of money, even if you are not in a job. Indeed, there are situations where everyone is not eligible to get a job. In our opinion, It is necessary that people in unavoidable circumstances should receive the payment, but it is also essential to strictly comply with the examination requirements. Furthermore, we strongly think that the amount of benefits should be reconsidered.

From a different perspective, we will consider living levels. When viewed as a group rather than as an individual, the progress of infrastructure development in each city (for example, the spread of water and sewerage and the improvement of road networks) affects residents and the quality of life. Infrastructure development depends largely on the financial status and policies of local governments. The policy may change depending on the number of residents and the distribution of houses. For example, in the case of Tokyo, which is the capital of Japan, inhabitation is spread out across the city and there are many places to move.

It is natural to secure means of transportation, and the focus is on how to make them comfortable and not crowded. Therefore, in addition to the development of public transportation such as trains, buses, and subways, the development of roads for private cars is also very advanced. In the case of local cities, the population is small and dispersed, making it difficult to develop infrastructure. Sometimes, it is necessary to consider whether one road should be opened for only one household. Because the population is small in rural areas, the tax revenue is small and it is difficult to use the budget for development. It is suggested that it would be more efficient to make the city compact and to collect houses in a narrow space. However, this would force them to relocate, which would disregard the desire to live in a traditionally large area. If residents are scattered, many road networks will need to be developed and the water supply and sewage system will need to be lengthened. Such infrastructure is not considered as an important factor when deciding where to live; nevertheless, the infrastructure should be well established. Which action should be prioritized: raising the level of infrastructure or living according to personal preferences? How far should local governments be involved in fulfilling residents' needs? Is it fair to have

the same level of living in urban and rural areas?

### Concept 3 (Consumption tax)

Tax payment is also a duty of the Japanese people. We will focus on consumption tax. The consumption tax was introduced in April 1989 for the first time in Japan at a tax rate of 3%<sup>5)</sup>. Currently, it has become a familiar concept for the public. However, they vehemently rejected the tax at the time of its introduction, and there were opposition movements in various places. After that, despite the public opposition, it was gradually increased to 5% in 1997 and 8% in 2014, and it was raised to 10%, except for a part from October 2019 to the present. There was an idea that the tax system, which was biased toward income tax, should be changed as the background to the introduction of the consumption tax. This is due to the increase in the general feeling that a heavy tax is levied and that it is unfair, particularly among the active generation who are the main taxpayers, and the growth of the idea that it is desirable for people to share the basic tax burden, as widely and equitably as possible<sup>5)</sup>.

Consumption tax is basically the same for all people who shop in Japan. This is the same for children who do not have income, elderly people, and business owners who have huge income. This may be equal, but is it fair to buy the same product at the same price, despite the large income gap? The point that is taken into consideration is that the tax rates for luxury items and non-luxury items are slightly different. This is called the reduced tax rate, but what everyone needs, such as food items, is kept at 8%, which is different from the tax rate (10%), when purchasing alcohol or cars. However, there is a strange point that even if you eat and drink the same food, there is a 10% tax rate when you dine at the store and only 8% when you take it home. This may be based on the idea that eating out is a luxury. Rather than making a difference in this way, I think it is better to expand the daily necessities and other tax rates.

Next, we will turn to countries other than Japan. The consumption tax is named value-added tax (VAT) in foreign countries. France was the first to introduce this tax in the world, starting in 1954<sup>6)</sup>. As of April 2017, 152 countries have introduced similar taxes. The tax rate is very high, at 20% or more in many European countries, whereas it is around 5-10% in Asian countries. Reduced tax rates have also been introduced in Europe. As shown in Table 2, in addition to food products, the tax rate is 0% for newspapers, public transportation, pharmaceuticals, etc., which is different from that in the UK. Even in Germany and France,

reduced tax rates are applied to food and public transportation and other essential items, newspapers and magazines, and other important items for obtaining information. Even if the consumption tax rate is around 20%, the actual burden will not be so heavy and will be the same throughout your minimum necessary life<sup>6)</sup>.

#### Concept 4 (Understanding the Law for Equal Employment Opportunity of Men and Women)

The “Law for Equal Employment Opportunity of Men and Women” is officially called “Act on Securing of Equal Opportunity and Treatment between Men and Women in Employment, Etc.”<sup>7)</sup>. It is sometimes abbreviated as “Equality Law.” This law includes equal treatment between men and women when recruiting and hiring workers. Regarding the placement, promotion, education and training, welfare, retirement, dismissal, etc., after joining the company, discriminatory treatment of women is prohibited<sup>8)</sup>. As a practical operation, many companies have two job recruiting methods, including the executive-track grade and the general-duties grade only for women. Alternatively, a female job seeker will be asked to choose a suitable alternative when joining the company. The former is similar to men's work, while the latter contains many simple jobs, such as tea making and photocopying. The enactment of this law made it easier for women to do jobs, which are equivalent to men, for the executive-track grade. In addition, women can be employed in important managerial positions in organizations. This may be considered as gender equality. However, many women do not necessarily join the company to work in executive-track grade jobs. One reason for this is that men are biologically superior in physical strength. Male employees often have business trips, transfers, early morning or late-night jobs, but female employees may not be able to handle such responsibilities. Women are not uniformly weak, but equality in work seems to be inappropriate. Recently, in Japan, teachers and researchers sometimes find jobs that preferentially hire women, or only hire women, but this seems like discrimination against men. It may be said that women are given preferential treatment over men in that they can choose between executive-track grade and general-duties grade positions.

This difference in physical strength between men and women is also considered important in other fields. Last year, in Japan, it was reported that a university entrance exam for a medical school intentionally increased the number of successful male students and reduced the number of female students<sup>9)</sup>. Thus, besides physical fitness, it seems that the old-fashioned idea that women will resign after marriage remains.

### Concept 5 (Disparity of one vote in national election)

We will consider the disparity of one vote in national elections. The example does not have to be about a national election; nevertheless, a problem arises in such an election when there are two or more constituencies. A constituency is a unit in which elections are made, and members of the Diet are selected for each unit. They are in the position of discussing the direction of the country, but there are also positions in which they represent the opinions of each constituency. Each electoral district has a fixed number of elected members, but it has been regarded as a problem until now because the number of members is not appropriate. This is "one vote disparity." The point of this discussion is that the value of one vote, which is the number of votes required to win, differs depending on the constituency. As is the case with the previous section, the number of residents differs depending on the city, so if the number of winners is the same in the constituency, the one with the larger number of residents cannot win the prize unless more votes are obtained. Since this gap is now more than double, serious discussions are being held to address the issue. However, from another perspective, each city only creates a member of parliament, depending on the number of residents. However, the opinions of cities with a small number of residents may not be sufficiently reflected in national politics. Is it fair to prioritize the correction of one-vote disparity or the equal distribution of the voices of the municipalities to national politics over national politics?

### CONCLUSION

Thus, we introduced five subjects to measure the sense of equality or fairness among the Japanese. All of them may be equal from one aspect but seemed unfair from another, which may be impractical. After all, how many people consider it fair and whether their behavior is acceptable are significant considerations. The previous report also stated that "ultimate equality is Communism"<sup>2)</sup>. Although this content is correct in some respects, it is unequal in terms of the amount and value of work that can result in the same level of living, with or without work. It is also possible that you lose the freedom to choose what you want to do or as much as you like to do. This may also be important in considering equality and fairness. Nevertheless, much of the content we have covered in this paper applies to Japanese living in Japan and may not apply to Japanese living abroad. Some contents do not apply to foreigners living in Japan. This may also be regarded as discrimination. Furthermore, we have not discussed issues, such as LGBT. These issues will be covered in future studies.

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**Table No. 1: Types of daily life security expenditure**

Name	Breakdown
Livelihood assistance	-Expenses required for daily life, such as clothing, food, electricity, gas, and water
Education assistance	-Expenses necessary to receive compulsory education, such as school supplies, teaching materials, and school lunch fees for children attending elementary and junior high schools
Housing assistance	-Expenses required for rent, land cost, house repair, <i>etc.</i>
Medical aid	-Costs required to treat injuries and illnesses
Long-term care assistance	-Expense required to use care service
Maternal aid	-Expense required for childbirth
Occupational assistance	-Expenses required to acquire skills and get a new job -Costs required to attend high school, <i>etc.</i>
Funeral assistance	-Expense required for funeral

Based on reference 4).

Relief can be considered as a scope of use.

These do not include entertainment expenses.

**Table No. 2: List of tax rates for several countries**

Country	Japan	France	Germany	United Kingdom	Sweden
Standard tax rate (%)	8	20	19	20	25
Items subject to zero tax rate	None	None	None	Food, tap water, newspapers/magazines/books, domestic passenger transportation, pharmaceuticals, construction of residential buildings, equipment for people with disabilities, etc.	Pharmaceuticals (prescription by medical institutions), etc.
Goods subject to reduced tax rate	None	10%: Passenger transportation, fertilizer, use of accommodation facilities, restaurant service, etc. 5.5%: Books, food, etc. 2.1%: Newspapers, magazines, pharmaceuticals, etc.	7%: Food, tap water, newspapers/magazines/books, passenger transportation, use of accommodation facilities, etc.	5%: Garden fuel and electricity	12%: Food, use of accommodations, restaurant service, etc. 5%: Newspapers, books, magazines, watching sports/movies, passenger transportation, etc.

Based on reference 6).

Surveyed by Mitsubishi UFJ Trust and Banking as of January 2014.

In Japan, the tax rate changed in October 2019, with a standard tax rate of 10% and a reduced tax rate of 8%, which covers food and newspapers.