

The struggle on July 16 in the third appeals court hearing for the revocation of dismissal of 1,047 National Railway workers

We denounce the denial by Masaru Sakamoto, presiding judge of the Tokyo High Court, of the request to summon witnesses
In the last court hearing, the then presiding judge clearly promised to call witnesses, but now Sakamoto have distorted it. Do you fear to face the fact so terribly?



Before opening the court, a demonstration was carried out, surrounding the court building with 240 participants from all over the country and demanded: “Call the witnesses!”

Is this the real face of the court! Do you dare to trample the decision of the court itself in order to conceal the facts of the unfair labor practices committed by the state!

On the third appeals court hearing on July 16 for the revocation of dismissal of 1,047 National Railway workers, Masaru Sakamoto, newly appointed presiding judge of the Tokyo High Court, denied the request to call witnesses—Masataka Ide, the former president of JR West and Yuji Fukazawa, the president of JR East. This is never admissible!

On the last court hearing, the then presiding judge has clearly promised: “If the unfair labor practice committed by the Japan Railway Founding Committee is not admitted, it is necessary to call the witnesses”. Central Labor Commission and JR rejected to admit the fact of ULP. In that case, there is no choice but to summon the witnesses. This is the truth what has decided in the open court. The Tokyo High Court has, however, responded to this development by transferring the presiding judge to another high court in rural area and appointed Sakamoto to replace her. Sakamoto has impudently declared without any explanation whatsoever: “We do not need to call any of the witnesses”

Angry voices erupted in the court. Our lawyers immediately filed a motion for recusal, and the hearing was suspended.

The court spectators cried: “Why are Ide and Fukazawa not here?” “We must witness the whole development to the end after fighting for 40 years on this issue till today ” “When the presiding

judge is replaced, does the former court decision lose its validity? “Your declaration is full of contradiction” “Shame on you!”

Unable to justify the whole procedure, the court has lost its control over the audience’s reaction.

All the participants in the court struggle rushed to the meeting to discuss the matter outside the court house.

Remarks from the Summary Meeting

Masahiro Takaishi, member of Sogidan*ⁱ, Doro-Chiba’s Special Executive Committee Member

The court even went so far as to replace the presiding judge. What is the court trying to hide? It is precisely because the unfair labor practices we have been exposing actually took place. We will fight with the determination to have the case retried—even if it means starting from the very beginning—and we want to bring the truth to light.

Hitoshi Nakamura, member of Sogidan, Vice-President of Doro-Chiba

The court is, after all, a court. We must fight back through our movement. The strength of our movement is being put to the test. Let us achieve absolute victory in this struggle. Precisely because of the current climate of war, we must not allow the issue of the Division and Privatization of JNR to remain ambiguous. I want to continue fighting alongside you all.

Kim Wonjoong, Initiator of the Nationwide Movement of National Railway Struggle

JR has made it its top priority to prevent the court from calling witnesses at all costs. I believe the state authorities were determined to block this, even if it meant transforming the presiding judge. At the previous hearing, the then presiding judge clearly stated in front of us, “If you (defendants) do not admit it, I will call the witnesses.” We must strongly denounce the criminal nature of this reversal and make our case forcefully. This is by no means a defeat. The struggle continues. Let us renew our resolve.

Michitoshi Seki, President of Doro-Chiba

The court is corrupt. When Masaru Sakamoto, the newly appointed presiding judge, entered the courtroom, his face was tense. With so many people gathered here and so many signatures collected, it shows that they are afraid of a denying to summon witnesses.

We are staking everything on victory in the JNR struggle. Brother Yamamoto, the Secretary-General of the Support Committee of Doro-Chiba, and Attorney Ryo Ishida, who had been handling this case, have both passed away. We want to wage a fight that delivers victory to them.

Yasuhiro Tanaka, President of the Federation of National Railway Motive Power Union

My anger remains unabated. Despite explicitly stating in open court that they would “accept the witness,” they transformed the presiding judge to overturn that decision. Isn’t this unprecedented? The state power is attempting to crush our struggle even at the cost of suffering a humiliation it cannot justify to itself.

This situation has made me keenly aware of exactly what we have been fighting against for the past 40 years. We have not lost. The united power of workers has been forced into retreat. However, there is no doubt that voices of anger against Takaichi’s war policies are beginning to rise. We will drive the labor movement—which was forced to retreat by the Division and Privatization of the JNR—forward once again. With firm resolve, we will see this fight through to the end and emerge victorious.

The Diet is just as bad as this court case—if not worse. It’s no joke to talk about a “Taiwan contingency” as an excuse to launch a war of aggression against China. And dragging workers into it is no joke either. It all began with the Division and Privatization of JNR. Let us keep that firmly in mind as we see this struggle through to the end.

ⁱ * **Doro-Chiba Sogidan**—Doro-Chiba’s caucus consisted of workers unfairly fired during the privatization of JNR, a part of 1,047 dismissed JNR workers