Natural and Nuclear Disasters, March 2011

Shozo Ota
University of Tokyo

After the tsunami came through the most stricken areas, only concrete buildings were left. If there was a mountain behind the village and you could run up it in time, you lived. If not, you died. When the tsunami entered u-shaped bays, it magnified the effect. Japan had the world’s largest bulwark to protect itself against tsunamis, but it was destroyed. However, experts estimated that it delayed the tsunami by 5-10 minutes, and dropped its height by 1-2 meters for communities behind the bulwark. After the earthquake hit, there was about a 20-40 minute window before the tsunami struck. Besides the natural disasters of the earthquake and the tsunami, a nuclear disaster occurred with hydrogen explosions occurring at the tsunami-stricken power plant on three separate days. This was compounded by wind that blew Cesium 137 into various populated areas. At first only the government and power company knew about the fallout levels, but they failed to inform the public. There is some controversy over the causal chain of events, with two competing theories: (1) earthquake → tsunami → meltdown, or (2) earthquake → meltdown. The government has adopted the first explanation, possibly due to liability issues.

Attorneys in the disaster-stricken areas, most of which were rural, acted as general counselors to the public, providing advice on numerous topics, many of which the lawyers had no expertise in. However, lawyers in the countryside were seen as leaders and elites and people sought them out to complain or get help and advice. Often attorneys just listened to people’s complaints and agonies, and showed empathy; they provided both general and legal counsel. The number of attorneys in these rural, disaster-stricken areas is understandably low, with many locations (called zero-one areas), having no more than one attorney due the poorer inhabitants (fisherman and farmers). The Sendai Bar Association has a working group of lawyers who trained ordinary lawyers in disaster law. But some local bar associations are hostile to legal aid clinics, called Hoterasu, because it is part of the government. The emergency is overwhelming any civil liberties issues.