

What would **YOU?** do in the following case

part 3 : Apartment Buildings and Pet Ownership

ARK IS OFTEN CONTACTED BY people who have rescued dogs but cannot keep them, or who want ARK to take in their cats — because they live in, or are moving into, apartment houses. The old farmhouses around Tōno in Iwate prefecture, home of the late poet and agricultural activist Miyazawa Kenji, were L-shaped structures with a stable attached at right angles to the main house, where horses, cows, dogs and cats lived under the same roof as human beings. In contrast, today it is a struggle to find apartment buildings that allow ownership of even one cat. Since when, and how, did Japanese society develop this antipathy toward animals?

The History of Animal Prohibition in Housing Complexes

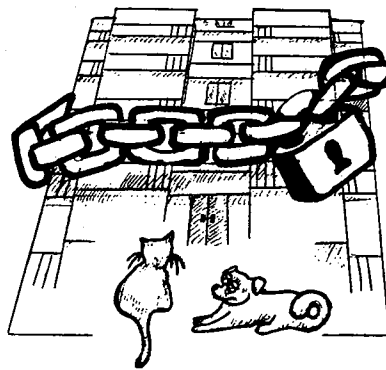
Large complexes of high-rise apartment buildings made their appearance in Japan during the early 1960s, and the prohibition on pet ownership was started at that time by the public Housing and Urban Development Corporation. Since then, the ban on pets has become more or less an unwritten rule in even privately built condominiums. However, the positive effects of caring for pets, known as animal therapy, are increasingly being recognized by medical professionals, and we are now seeing small advances among local governments toward understanding of human and animal coexistence. In the Kanto region, particularly in Tokyo, there are more and more apartment houses allowing pet ownership, and in 1994 model regulations regarding pets in housing complexes were announced. In Kansai as well, there are now some rental apartment houses permitting pets, but unfortunately we are still far from being rid of the fixed idea that "apartments = no pets."

Causes and Problems of Pet Bans

Looking at the process leading to bans on pets, in addition to the cultural practice of removing one's shoes before entering the house and the limited amount of floor space in the average Japanese home, there is the following chain of causes: the almost obsessive Japanese preoccupation with cleanliness - animal "pollution" such as excrement and odors - discrimination and harassment towards pet owners - rules and regulations forbidding pets. Apartment houses are inhabited by many people with diverse lifestyles, beliefs and interests, making human relations extremely complicated. The result is often a conflict between animal lovers and those who dislike animals, or clashes regarding property values. Particularly significant in this respect is the impression made upon neighbours by the bad manners of irresponsible pet owners, who give a bad name to everyone who keeps pets. Even if most are model pet

owners, and regardless of the actual nuisance level, the antipathy toward the proverbial "rotten apples" spreads to the whole barrel. The damage wrought by the thoughtless few to the majority of decent pet owners and to all pets (including those belonging to obnoxious people) is immeasurable. In any case, it is a sad fact that the attitudes of human beings have a life-or-death bearing on pets.

Some readers may remember being asked to sign a petition for a case at the Yokohama District Court, in which the plaintiff protested a ban on pet ownership. The decision in that case was ultimately made without regard to plaintiff A's right to pursue happiness or his particular



circumstances, but on the basis of whether the rule forbidding pets in his apartment building was valid or not. Our hopes were dashed again when his appeal lost in the Tokyo Superior Court, and despite being a responsible pet owner, plaintiff A was forced to give up his dog. The dog has since been moved from one place to the other, unable to find a permanent home. In another case, plaintiff B's pet dog was taken from his apartment by the chairman of the building's residents' council and thrown to his death from the 14th floor. Although I have not ascertained what kind of pet owner plaintiff B was, it has absolutely no relation in this case: such cruel and wanton behaviour simply cannot be tolerated.

Elsewhere again, in an apartment house with no ban on animals, the nuisance caused by an irresponsible pet owner resulted in the building's administrative council moving to bar pets. Although fortunately this does not require present residents to dispose of pets they already have, even these must meet certain conditions and no new pets will be allowed. The adoption of the new rules will of course make life harder for these pet owners than before.

The Path to Lifting Bans on Pets

For pets to acquire rights in housing complexes, the first step is therefore for all owners to observe good manners and to act responsibly so as not to disturb their neighbours. It might be useful in this regard

for all pet owners in a building to form rules of behaviour and to keep an eye on each other in their observance. Pet owners have to realize that their actions as individuals have a bearing on the fates of all animals in their building. It would be easy to shut out irresponsible pet owners, but the ultimate victims would be their pets. The primary reason pets are forbidden in most rental apartments (and even if allowed, rents are exorbitant), is that having animals indoors can result in dirty or scratched walls and floors or in persistent odors, making it difficult to find new tenants. Another reason is that many landlords do not want trouble from other tenants, who might complain of noise or other problems.

Rules for Proper Ownership

In turn for being granted the right to keep pets, pet owners must also respect the rights of those who don't have pets. It is terribly unfortunate, however, that the way things stand today, all who own pets in apartment buildings are viewed as sinners, regardless of their behaviour. In another court case, the Tokyo District Court proposed a settlement whereby plaintiff C would pay his building's administrative council a settlement fee, damages and a "nuisance fee" of ¥400 a day as long as he keeps his pet (an estimated total of ¥2.16 million). Although neither side accepted this proposal, again as in the case of plaintiff A, a sore lack of understanding toward pet ownership is evident in the supposedly neutral arena of the law. When an animal welfare organization member was ordered by his building's council to get rid of his dog, he used his own knowledge of jurisprudence to fight back, and was able to win a tacit understanding to keep his pet without recourse to the courts. Although the same cannot easily be done by anyone, the moral of this story is that you must rely on yourself in protecting your pet.

As part of its post-earthquake reconstruction plans, the Hyogo prefectural government's division in charge of housing will construct two buildings (99 units) exclusively for pet owners. Although this falls far short of the mark in terms of meeting demand and leaves much to be desired, it can nevertheless be considered a milestone in permitting pets in public housing. If this initiative succeeds in winning popular support or at least understanding, it will force local governments to consider increasing the availability of such housing.

Those of us active in animal welfare groups will continue to make efforts to permit pet ownership in multi-unit housing, but the keys to speeding this process are the morals and responsible behaviour of pet owners themselves. A simple guide to keeping animals in apartment buildings, edited by the Japan Animal Hospital Association is available at ARK's office.

(Next issue: What to watch out for in rehoming animals)