

# THE ATLANTA CONSTITUTION

March 28, 1982

## U.S. CITIZEN WAGES PRIVATE WAR AGAINST JAPAN'S UNDERWORLD

---

By Donald Kirk

Constitution Special Correspondent

---

TOKYO - An idealistic American, 36-year-old David Kubiak, is waging a one-man war against the Japanese underworld.

At first, he was driven to scrawl in Japanese "Eradicate gangsters" and "Stamp out parasites" on the walls of the Kyoto home of the leader of one of that city's largest gangs. He even challenged the boastful hoodlum, Tsutomu Yamada, who makes no secret of his ties to the underworld, to a duel.

Now Kubiak sits in a jail cell in the Kyoto police station, charged with attempting to set fire to Yamada's home and office.

Still undaunted, he is waging a hunger strike to dramatize his message and to show his contempt for local police, whom he claims are in cahoots with the gangsters.

The Kennebunkport, Maine native who came here 12 years ago, launched his crusade when Yamada's gangsters purportedly cheated a Japanese farmer, who is a friend of his, out of nearly \$1 million in a real estate deal.

Kubiak said the farmer's wife signed a contract to sell his land after the farmer was hospitalized with a serious illness. The contract did not specify, though, when the farmer and his wife would be paid, Kubiak said, and the real estate agency, reputedly mob-dominated, sold the land again and kept the money.

It is a typical instance of how Japanese gangs and real estate firms frequently do business in intricate wheeling and dealing little known or understood by foreigners. Kubiak says he befriended the farmer several years ago as a result of their mutual interest in horses. Kubiak then left Japan to live in India and professes to have been shocked to discover, on his return last year, that the farmer and his wife had lost both their land and their money.

In a letter released to the press by his lawyer, Nobuyuki Ono, Kubiak charged that Kyoto police, real estate and construction companies, local politicians and newspapers are profiting from the *yakuza* - the Japanese word for gangsters.

Thus, he said, "I am forced to try, at least, to shed some light on the long-shadowed structure of such 'accommodations.'"

Ono said that even though Kubiak does not believe he can rely on the Kyoto police, they have seemed personally sympathetic toward him.

"They are very friendly toward him," said Ono, "but they are afraid the gangsters might try to lynch him."

The spectacle of a foreigner fighting such a battle has aroused both puzzlement and admiration among local Japanese.

"It's unprecedented for people from foreign countries to attack gangsters," Ono said, "so people are quite curious about him."

"People in Kyoto do not like gangsters," Ono continued, "and are friendly toward Kubiak." Indeed, he says, he has had a stream of visitors to his cell in the police station.

Enriched by gambling, crooked business deals, prostitution and the sale of amphetamines, the estimated 100,000 *yakuza* have managed to carve out a comfortable niche in Japan's economic life.

By keeping up his hunger strike, said Ono, Kubiak hopes both to publicize his case and persuade authorities to assign what he regards as an impartial investigator to look into the circumstances surrounding his arrest.