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Introduction

In winter 2020, the COVID-19 pandemic upended the world, suddenly arresting cross-border human mobility on a global scale. An unknown but large number of migrants were stranded by lockdown restrictions and economic plunges. Worse, migrants at risk remain exposed to generalized neglect, xenophobic hostility and discrimination in their host countries. At-risk migrants are found among the foreign workers and residents in Japan as well. National broadcaster NHK relayed a disturbing story in April 2020, of a twenty-five-year-old Vietnamese male—alone, penniless, and unable to speak Japanese well—rescued by an aid group in Tokyo. The forlorn temporary migrant, originally recruited to work on construction in Shizuoka Prefecture under the Japanese state’s Technical Internship Training Program, was laid off by his employer and abandoned at a Tokyo station, 182 km away, by a broker/managing agency (Kamino 2020). The youngster was among some 4,700 TITP workers who had lost jobs and were stranded in Japan amid the pandemic crisis, as of November 2020 (Tamaki 2020). Immigration authorities estimated that as many as 37,900 migrants have lost jobs as of February 2, 2021.¹ The number of distressed migrants may be greater if one includes undocumented and asylum-seeker detainees who were temporarily released from detention facilities to avoid cluster virus outbreaks (Yamada 2020).

Some of the myriad adversities of migrants relate to the pandemic. Others, such as exploitation, abuse, “disappearance” of TITP migrants running away from employers, household impoverishment, inadequate education and healthcare, arbitrary, and at times lethal, detention and deportation of undocumented migrants, predate the health crisis. They are chronic and widespread. Migrant supporters and scholars attribute the foreigners’ plight to the state’s ill-designed “foreign worker acceptance” policy—Japan’s preferred phraseology to “immigration” policy—compounded by insufficient and inadequate support institutions and programs for migrants’ smooth integration into host communities. The government of Japan (hereafter “GOJ”), long ruled by the pro-business conservative party, is far more enthusiastic about *labor* importation than *human* incorporation. Its integration ambition of some humane, “multicultural coexistence”—the harmony between Japanese nationals and others of foreign origin—is not well-realized, the responsibility for which

1 Based on NHK News, February 9, 2021.

mostly devolves to subnational actors, such as municipal governments and grassroots support groups (Milly 2014).

It is true that Japan's increasingly multiethnic landscape abounds with vibrant and divergent cultural undertakings and ethnic entrepreneurship, which should not be overlooked or underestimated. But also undeniable is that more concerns are arising and more challenges are revealed than solved—especially regarding vulnerable persons, such as children, women, the elderly, menial workers, the undocumented, and asylum-seekers—during migrant integration processes. Japan's approach, heavily dependent on grassroots initiatives and goodwill, is unsustainable and in need of fundamental change.

Through a cross-disciplinary approach, this volume grapples with critical issues and challenges that project from the matrix of immigration and migrant integration in Japan. Each chapter explores specific concerns in labor, welfare, language education, culture, or human rights and closely examines the actions and interactions of key stakeholders in the diversifying social landscape. Before considering each chapter, I provide a general overview of Japan's immigration policy and its social outcomes below. Thereafter, some theoretical arguments are developed about immigration and migrant integration in the Japanese context.

An Overview of the Evolution of Japan's Immigration Policy

In the past three decades, the number of foreigners living and/or working in Japan (hereafter “foreign residents”) has been on the rise, recently marking an exponential increase. The tally of foreign residents and workers is recorded in the Ministry of Justice's annual statistics on the “Number of Foreign Residents”² and the Ministry of Health, Labor, and Welfare's “Situations of Employment of Foreigners,”³ respectively. As of the end of 2019, the total number of foreign residents peaked at 2.93 million, a tripling of 1990's 1.05 million.⁴ By proportion, 2.25 percent of the national population are non-citizens, a slight increase from 2.09 percent a year earlier. Among them, about 1.65 million engaged in various kinds of income-generating activity (MHLW 2020). This population growth is an outcome of Japan's foreign-worker acceptance policy

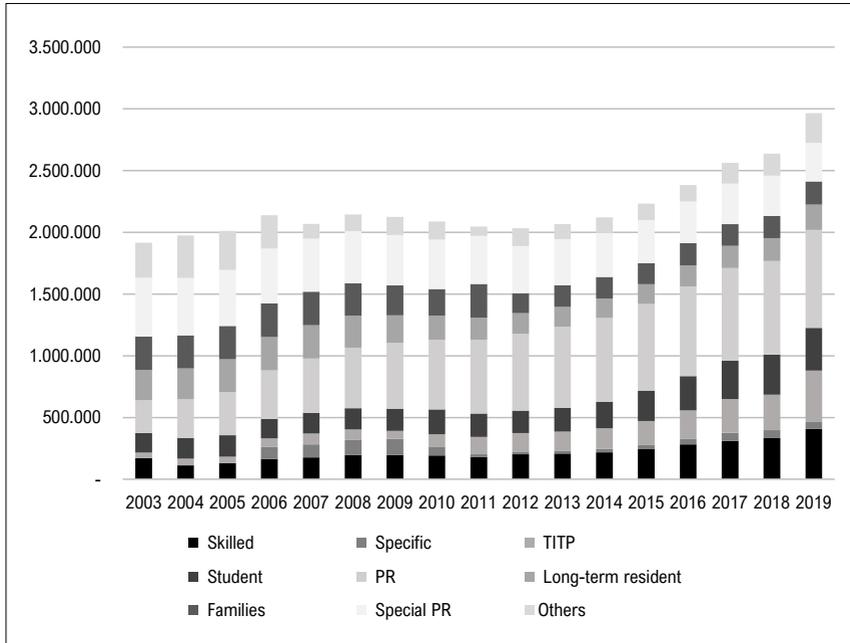
2 http://www.moj.go.jp/housei/toukei/toukei_ichiran_touroku.html

3 https://www.mhlw.go.jp/stf/newpage_09109.html

4 MOJ, *Heisei nijūkyū nenmatsu ni okeru zairyūgaikokujin ninzū ni tsuite* [Concerning the number of alien residents as of the end of Heisei 29], 2018. Available at: http://www.moj.go.jp/nyuukokukanri/kouhou/nyuukokukanri04_00073.html

intent on filling labor slots in the heated domestic economy. Below, I provide a historical overview of the trajectory of changes in foreign-worker acceptance policy and their ramifications.

Chart 1: Historical Changes of the Number of Foreign Residents by Visa Status (2003-2019)



Note: Families include spouses and children of Japanese nationals or PRs. Children of nikkeijin fall into this category.

Source: Composed by the author based on the MOJ statistics *Zairyū shikaku to kubetsu zairyū gaikokujinsū no suii* (Residence status and changes in the number of foreign residents by category).

For several decades after the end of World War II, Japan had no specific immigration policy. Instead, the nation encouraged emigration of its superfluous population to South America (Endoh 2009, and *forthcoming*; Koshiro 1999). Control of foreign residents on its soil focused on former colonial subjects, mostly ethnic Koreans (and to a lesser degree Chinese), whose residence in, or re-migration to Japan were seen as threats to the nation's border- and internal

security (Akashi 2010; Chung 2010). In the late 1970s when labor shortages became acute in agriculture, fishery, and construction, these labor-intensive sectors increasingly relied on unauthorized laborers from Iran, Bangladesh, or Pakistan, who entered Japan on visitor visas. The authorities were aware of, but overlooked, the irregularities committed by foreign workers and their employers. In addition, Thais, Filipinas, and South Koreans, predominantly female, worked at bars, massage parlors, or other intimate services under the shady “entertainment” visa category (Parreñas 2011). These foreign workers were needed, if unwelcomed, by the booming economy.

As labor shortage spread across the nation and industries, the once “back-door” approach using unauthorized migrants became insufficient and ineffective. (Other concerns were raised by human rights advocates concerning the abuse and exploitation of migrants and the government’s inaction.) Businesses pressed for a more assertive policy. The governing pro-business Liberal Democratic Party (hereafter “LDP”) felt compelled to meet the economic interest but at the same time to placate its conservative and ethno-nationalist constituency against immigration.⁵ The Kaifu Toshiki administration coordinated with justice and labor ministries to enact a bill on a legal reform allowing the importation of both basic and white-collar workers (Akashi 2010, 97–101). The revision of the Immigration Control and Refugee Recognition Act (hereafter “ICA”) was approved by the National Diet in December 1989. This legal reform paved the way for accelerated foreign worker acceptance.

The evolution of Japan’s immigration policy can be chronicled in three phases, each defined by revisions to the ICA. Phase 1 corresponds to the two decades of the 1990s and 2000s under the revised ICA of 1989. Phase 2 corresponds to the 2010s under the revised ICA of 2009. Phase 3, since 2019, is most recent and ongoing (as of this writing), following the revised ICA of 2019.

Phase 1: From Back Doors to Side Doors

The revised ICA of 1989 purported to allocate foreign workers to industrial sectors unable to attract a native labor force and to fine-tune the former inarticulate approach that relied on irregular and less-controlled immigration. The

5 As early as July 1988, the government of Japan declared its reservations about the immigration of unskilled basic workers, stating that it would “carefully cope with” the issue of acceptance of unskilled foreign workers. From the Cabinet Decision on “Basic Plan on Employment Measures (sixth)” in 1988.

Ministry of Justice (hereafter “MOJ”), characteristically cautious regarding immigration, employed convoluted methods to procure temporary workforces from overseas so as to not compromise the government’s orthodoxy of “no immigration [of low-skilled foreigners].”⁶ To recruit semi-skilled workers for manufacturing or assembly plants, *teijūsha* visas (for long-term but non-permanent residence) were issued mainly to co-ethnic *nikkeijin*—mostly from South America with some from the Philippines. Tens of thousands of *nikkeijin* and their families migrated from Peru and Brazil, whose economies had suffered financial crises, hyperinflation, and stagnation since the 1980s, to factory towns like Hamamatsu, Oizumi, and Minokamo every year throughout the 1990s (Iguchi 2016; Kondo 2002; Tsuda 2004).

To gain basic workers in farming, construction, textiles, and food processing, the Technical Intern Training Program (TITP) was introduced in 1993 by the liberal coalition government of Prime Minister Hosokawa Moriaki. Theoretically, the TITP aims at the professional or educational development of youths from developing countries for up to five years. In reality, the program funnels young male and female workers from the People’s Republic of China, Vietnam, the Philippines, and other Asian countries to farms, fisheries, and small factories largely in peripheral areas (Kamibayashi 2001; Kondo 2002; Yamanaka 1993). Their assignments are usually menial, low-paid, and laborious. The “skill training” program has been roundly criticized for worker exploitation, abuse, and human rights violations, one harsh critic being the US State Department repeatedly criticizing the development program as “human trafficking.”⁷ The tainted program has nonetheless survived the criticism, still attracting Asian workers, owing much to the wide income differentials between host and source countries (see Shibuya’s chapter in this volume).

These “side doors” brought a large number of South Americans and Asians to labor-hungry Japan. According to the MHLW’s labor statistics, in 2007 the *teijūsha* visa program brought in 254,717 *nikkeijin* and other foreign workers, while 103,774 trainees with TITP visas filled labor slots. The total number of foreign residents rose to 2.07 million, including 268,604 *nikkeijin* workers

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- 6 PM Abe Shinzo repeatedly affirmed, in Diet sessions and elsewhere, that “I don’t have the slightest intention to implement an [unskilled] immigration policy.” Direct quote from PM Abe’s statement in the 192nd session of the House of Representatives of the National Diet on October 28, 2016. Minutes from the Special Committee on the TPP Agreement and other matters. <http://kokkai.ndl.go.jp/SENTAKU/syugiin/192/0305/19210180305004a.html> (Accessed July 6, 2018).
 - 7 The US State Department criticized the TITP as a “human-trafficking” in its annual Trafficking in Persons Report in 2016. *2016 Trafficking in Persons Report (state.gov)*

and their dependents, and 88,086 trainees (no accompanying family members allowed), as of June 2007. Small in proportion (around 2.5 percent) and largely invisible in Japan's self-assumed homogeneous society, these newcomers, together with other foreign-born residents, became significant arrivals, supporting Japan's small- and medium-sized companies struggling with the post-bubble economic contraction since 1992 and fierce global market competition.

Phase 2: More Side Doors

The Great Recession of 2008 rattled Japan's already stagnant economy, triggering massive dismissals of *nikkeijin* workers. Compounding their job losses, the majority had no employer-based social security (for instance, 70 percent of *nikkei* Brazilians lacked protection).⁸ More than a hundred thousand unemployed *nikkeijin* and their dependents have returned to South America; the rest have remained in Japan (Higuchi 2010; Nose 2015). Meanwhile, industrial appetite for less-skilled labor was salient and growing throughout the Great Recession, suggesting the gravity of the nation's demographic ailments of aging and depopulation. Employers in not only farming and construction but also food processing, retail, healthcare, and hospitality foresaw their businesses as unsustainable without foreign helpers. Prime Minister Abe Shinzo and his then-Chief Secretary Suga Yoshihide, an immigration skeptic duo, were solicited by pro-immigration businesses and lobbyists, and embarked on a series of new or revised laws and regulations that would authorize more foreign workers—particularly low-skilled workers—in a range of industries, a policy idea less popular than that for white-collar immigrants (Kubo, Naito, and Takahashi 2018). A series of new rules on TITP acceptance were implemented, including the recognition of trainees as a residence status (in 2009), the extension of the period of stay from three to five years (in 2009), and legal protection of TITP workers under the Labor Standard Law in 2016—all to facilitate and expedite the intake of temporary workers in eighty-two state-specified job categories⁹

8 Most aliens are ineligible for Japan's national security program due to its nationality clause, but *nikkeijin* and *zainichi* are exceptions eligible for the program. Regarding *nikkei* Brazilians, Korekawa (2015) calculates the unemployment rate among working-age *nikkei* Brazilian males as 8.9 percent in her 2010 survey. The rate for their Japanese peers was 7.5 percent.

9 As of this writing. The number and kind of state-designated job categories are subject to change based on labor market conditions.

(Kamibayashi 2018). Asian trainees increased more than six-fold in a decade, from 65,209 in 2009 to 412,593 in 2019 (MOJ 2020).

The student visa is another of Japan's heterodox means to gain temporary workers. Japan's immigration law allows foreign students studying full-time at a university, language school, or vocational school to work part-time up to twenty-eight hours per week. (The twenty-eight-hour work cap for international students is relatively high among OECD nations.) Like the TITP, this education visa—heavily promoted by the Fukuda Yasuo administration as a “Plan for 300,000 Exchange Students” since 2008—became another side door supplying a cheap and flexible workforce in urban service sectors (MEXT 2008).¹⁰ The number of foreign students skyrocketed from 96,897 in December 2009 to 324,245 in June 2018, a 234.6 percent increase.¹¹ By country of origin, students came mostly from China, followed by Vietnam, Nepal, and South Korea, in order of magnitude, as of 2018. The exact number or percentage of “students” engaging in remunerable activities is unknown; but the MHLW's labor statistics imply that the majority work part-time—298,461 students out of the total 324,245, or 92 percent, worked in 2018—(some doing double- or triple-shifts).

In Phase 2, this “quasi-worker” stock grew into a significant component of the foreign worker population, outnumbering the *nikkeijin* (including family members) since 2011. They comprised more than 41.1 percent (23.3 percent for trainees and 17.8 percent for students) of the total foreign-worker population, before the COVID-19 pandemic (as of October 2020), according to the Labor Ministry (MHLW 2021). This development reflects the GOJ's intent to selectively import a young, cheap, and flexible labor force.¹² I view Japan's for-

10 It is a generally expected that international students contribute to Japan's medium- and small-sized businesses. See, for instance, the Tokyo Chamber of Commerce, Edogawa Branch's website which reads: “...international students (*shikakugai katsudo kyoka*) as [one of the four] visa categories that medium- and small-sized companies often count on.” <https://www.tokyo-cci.or.jp/page.jsp?id=1021534> (Accessed March 13, 2020).

11 The visa category for international students is “*shikakugai katsudō*” (activities other than those permitted under the status of residence previously granted).

12 Amidst the economic downturn since 2008, the Labor Ministry, a staunch defender of the domestic labor market against immigration, reiterated that Japan “should pay maximum precaution so that the trainee system [i.e., temporary worker acceptance] would not lead to a long-term settlement.” From the minutes of the MHLW's Project Team on Issues related to Foreign Workers (June 2016), cited in Kaoru Obata (2012): “*Nyūkan hō nisenkyū nen kaisei to nihon imin seisaku no tankan* [A brief look at the 2009 revision of the ICA and Japan's immigration policy].” *Hōritsu Jihō* 84 (12): pp. 4–8 [In Japanese].

eign-worker acceptance policy as “strict rotation policy,” based on Paul Collier’s classification in which a strict immigration policy contains a guest worker program that prohibits accompanying family, which is the case for TITP workers (2013, 212). Another growing cohort was professionals (or skilled) migrants, whom the GOJ had been actively admitting since 1989 (Holblow and Nagayoshi 2018; Kamibayashi 2006; Oishi 2012). After all, Japan’s heterodoxy turned out to be inadequate as well as insufficient. Business demanded more foreign labor. Migrant rights advocates condemned the fraught policy and appealed for better treatment of blue-collar migrants subjected to exploitation, everyday abuse, and work-related injuries (Idei 2017). A MOJ official even admitted that the trainee and student visa systems were a “postiche so as not to authorize foreign workers’ immigration” (Urano and Sasakawa 2018). Japan’s woolly-minded immigration policy was apparently unsustainable.

Phase 3: From Side Doors to a Front Door

Under mounting pressures to fix the glitches in the immigration system, the second Abe Shinzo administration (2013–2020) moved to legislate a revision of the immigration law. The bill of selective “acceptance of foreign workers with skills needed by the industrial areas with difficulty securing labor force” (“An Act to Amend a Part of the Act on Immigration Control, Recognition of Refugee Status, and the Establishment of the Ministry of Justice”) was passed at the 197th Diet on December 8, 2018 and implemented on April 1 of the following year (Kubo, Naito, and Takahashi 2018). The legal change allowed the MOJ to authorize work visas for less-skilled migrants. The Ministry concurrently announced two sets of official guidelines on the new acceptance program: “A Basic Policy for Implementation of the Institutions for the Specified Skilled Workers Residence Status,”—an operational blueprint for the new visa program—and the “Comprehensive Measures for Acceptance of and Coexistence with Foreign Workers,” which contains instruction on the 126 programs to support workers’ amicable “coexistence” with Japanese society in communication, everyday life, recruitment, and foreign resident control (MOJ 2019). For the first time in its postwar era, Japan opened its front door to basic foreign workers.

The new visa for blue-collar migrants is named “Specified Skilled Workers” (*tokutei ginō*, hereafter “SSW”) and intends to match workers with some skills to specified industrial areas—currently fourteen supported by trainees