

Countering Monocultural Claims in East Asia: Immigrant Integration, Education and Language Rights in Japan

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Abstract:

This paper gives an overview of a larger research project on local-level efforts to develop educational integration policies for the children of immigrants in Japan. Through qualitative surveys, the author finds that variation in Japanese municipal policies has been at least as dependent on the actions of immigrant activists as it has on the decisions of local policymakers: where immigrant community leaders have sought representation in city policymaking above and beyond their rights claims they have generally had better success in creating and implementing policies promoting multiculturalism. While working with city administrators to become city service providers has provided immigrant advocates with political access, it has also constrained the types of policies produced, leading to an official emphasis on developing services for immigrants rather than securing their rights per se.

The presence of immigrants as an emergent, unincorporated minority is in many ways a more pressing challenge to political and social integrity in East Asia than it is in the liberal democracies of the West, where in many cases clear paths to citizenship and rights protections for non-citizens already exist. Like many other affluent societies around the world, East Asia's advanced industrial democracies increasingly depend on immigrant labor, but they lack many of the philosophical commitments to accommodating ethnocultural diversity—such as race-neutral admissions and naturalization policies, and anti-discrimination protections for minorities—at the core of many European and North American democracies. Indeed, many of the qualities that are theorized to have contributed to the East Asian region's phenomenal post-WWII economic growth, captured in the concept of the “developmental state,”¹ have also stifled pluralism and created formidable barriers to acceptance for potential immigrants. These include (but are not limited to):

- Largely homogenous and ethno-centric conceptions of citizenship and nationhood;
- Shared cultural traditions such as Confucianism that, if not antithetical to liberalism, have at least complicated its effects (He 2004);
- Weaker domestic legal and juridical traditions;
- Late democratization and long histories of one-party rule by right-of-center parties

¹ See, for example, Johnson (1995).

- throughout the post-WWII period²;
- A less prominent role for leftist or class-based party organizations;³
- Lower levels of welfare state infrastructure as compared to Western democracies.

Japan's experience demonstrates the difficulty of developing immigrant integration policies—a general term for the steps taken by states to promote immigrants' acceptance and engagement in public life, as well as to prevent their segregation into marginal occupations or isolated residential communities—in East Asia. A growing number of scholars argue that Japan's official narrative of monoculturalism is out of keeping with the reality of Japan's increasingly multicultural society—something the national government bears some responsibility for, since much of Japan's de facto ethnic diversity today is a product of policies that have periodically promoted labor migration to Japan. Though generally in far fewer numbers than in other parts of the developed world,⁴ Japan has actively recruited foreign workers in the past and continues to broaden its existing visa categories to allow in increasing varieties of labor migrants today. Prior to WWII, Japan imported millions of workers from its overseas colonies (mainly Korea) to fill labor needs created by the country's mobilization for war and to offset the effects of Japanese soldiers and settlers moving overseas. Today, as Japan confronts a population aging and shrinking faster than virtually anywhere else in the developed world, an increasing reliance on foreign labor has ensured a steady swell in the arrival of foreigners since the 1980s, even in the face of relative economic downturns. In the early 1990s, Japanese companies took advantage of changes made to Japan's immigration laws during the 1980s bubble economy to recruit workers from overseas Japanese communities in South America, from China and developing parts and Southeast Asia, and from among the growing numbers of foreign students studying in Japan. Around the same time, local governments and agricultural cooperatives in Japan's rural prefectures began recruiting foreign brides to help counter the 'hollowing out' of Japan's countryside as young people (especially women) continue to move away. And since 2007, Japan has begun hiring nurses and caregivers from the Philippines, Indonesia, and now Thailand to care for its growing legions of elderly citizens.

All of these measures have been intended as means of temporarily importing laborers from overseas, not promoting their permanent residence. Japan's visa restrictions still prohibit long-term settlement for all but a handful of migrant categories. Despite the

² In Japan, until 2009 one party, the Liberal Democratic Party (LDP), has controlled the national legislature since 1955—except for less-than-one-year break in 1993 (1955-1993, 1994 – present). After 12 years under the same U.S.-appointed president after the Korean War, Syngman Rhee, South Korea was headed by a military government under Park Chung-hee and his followers for thirty years (1961-1992). Park's party, the Democratic Justice Party (DJP), continued to rule for five more years after the 'restoration' of democracy, until 1997. Taiwan was governed without interruption by the Kuomintang (KMT) from 1949 to 2000, and ruled by a military government headed by Chiang Kai-shek and then his son for most of that period (1949-1996).

³ The ascendancy of leftist parties in East Asia—along with any overarching regional institutions promoting democracy and human rights (as in the E.U.)—were hampered at least in part by long-running regional Cold War conflicts and American geo-strategic interests in the area (Cummings 1997).

⁴ According to the OECD *International Migration Outlook Annual Report*, Japan receives among the lowest number of immigrants per capita of all OECD member states.

official perception of Japan's migrants as a temporary presence, however, an ever-increasing number are there to stay. This is shown among other things by the number of non-Japanese children enrolled in Japanese schools, which has more than doubled in the last decade.⁵

To date the national government has done little to address the growing presence of immigrant children in Japanese schools, leaving their integration instead to local governments and private schools. As a part of recent 'internationalization' efforts, Japan's Ministry of Education, Culture, Sports, Science and Technology (MEXT) made it easier for English-language international schools to claim tax-exempt status, and for graduates of these schools to matriculate to Japanese universities. Schools for Japan's largest ethnic minorities, e.g. the ethnic Korean descendents of former colonial migrants, and the children of more recent labor migrants from places like China, Brazil, and Peru—most of whom will spend their entire lives in Japan, unlike the graduates of Western-oriented international schools—still do not receive the same official recognition or public funding from MEXT. Instead they have had to appeal to local government officials, with varying degrees of success.

Local governments in Japan with large percentages of foreign residents have confronted their growing diversity in different ways, with some doing nothing and others going so far as to offer bilingual education programs in public schools or extending material support to private schools. During extensive fieldwork in six cities in Japan in 2005-2007, I traced differences in present-day policies back to strategic decisions made in the early stages of pro-immigrant advocacy efforts in each place. I found that cities with the most inclusive, truly multicultural policies were those where early generations of immigrant activists prioritized even limited forms of representation, such as by working with city administrators to become city service providers. Cities where immigrant advocates maintained their independence and fought uncompromisingly for the right to be accepted "as is" had less inclusive or multicultural policies. In other words, the development of integration policies in each place was at least as much dependent on the actions of immigrant activists themselves as it was on the decisions of local policymakers.

In many Japanese cities, integration-related policy debates began with the political activism of ethnic Koreans, Japan's earliest and (until recently) largest immigrant group. Much as the anti-discrimination policies that arose from the civil rights activism of African-Americans defined the experiences of post-1965 immigrants in the U.S.A., the early efforts of ethnic Koreans in Japan set the tone for later waves of immigrants there too. For much of the post-WWII period, Korean activists in Japan fought not for the integration of Korean students into Japanese schools, but just the opposite, establishing their own schools. For an entire generation of ethnic Koreans in Japan after WWII, enrolling their children in private Korean schools represented a defiance of majority society pressures that

⁵ Extrapolating from Ministry of Education, Culture, Sports, Science, and Technology national surveys conducted in 2004, 2005, and 2006, the number of students recognized as non-Japanese citizens in public schools now tops 100,000, with at least an additional 25,000 in private schools around the country; these numbers do not include children who have at least one Japanese parent, who are counted as Japanese citizens.

had not been possible during the colonial era.⁶ For years, Korean schools encouraged the maintenance of not only ethnic and national ties but also cultural ties with the Korean peninsula, and remained an important part of ethnic Korean communal identity even after the Korean War sowed conflicting homeland affinities and divisions amidst the Korean community in Japan. Efforts to address the discrimination and underperformance of ethnic Koreans in Japanese public schools did not begin until the second-generation—most of whom were born in Japan after WWII and the Korean War, and who, as part of a ‘*zainichi*’ identity politics movement beginning in the 1970s, increasingly identified themselves Japanese citizens in the substantive if not legal sense⁷—came of age and began putting their children in public schools. In many cases, this overlapped with the arrival of newer groups of foreigners, such as Japan’s growing number of *nikkei* Latino immigrants (the descendents of overseas Japanese communities in Central and South America dating back to the early 20th century, who began ‘returning’ to Japan in large numbers in the 1980s). In some cities, Korean activists reached out to these newer groups to address the problems facing non-Japanese children in public schools together.

Comparative research from North American and European democracies shows that when governments have extended rights or benefits to immigrants, it has typically been under parties on the left, as a part of the expansion of welfare state institutions and efforts to address labor inequalities more generally (Hammar 1985; Soysal 1994). Immigrant advocates have also used the judiciary as a crucial venue for extending constitutional protections and liberalism’s tenets to all domestic residents, and not just legal citizens (Joppke 1999; Epp 1998). In Japan, however, immigrant advocates found their greatest successes working through the bureaucracy, rather than the legislature or the courts. In cities like Osaka, Hamamatsu, and Kawasaki, community groups working to promote educational integration—both for Japan-born ethnic Koreans and foreign-born later waves of immigrants—worked with city administrators to highlight the costs of inaction, arguing that foreign resident children’s educational attainment would have a direct impact on their potential as future Japanese workers and citizens. They enlisted the help of academics who testified that increased educational attainment corresponds not only to greater socioeconomic opportunities, but also to greater levels of civic engagement (Nie, Junn, and Stehlik-Barry 1996). They also worked to marshal the support of all of the relevant interest groups involved in public school education—teachers, school administrators, and parent-teacher associations—to maximize their influence with local school board officials.⁸

⁶ After Japan’s surrender, once it became clear that the nearly 650,000 Koreans who remained in Japan would not leave, U.S. occupation officials insisted that those who remained in Japan receive a Japanese education. Eventually, in 1947, they ordered the closing of Korean schools in Japan altogether. Political pressure for banning Korean private schools (and for closer scrutiny of the Korean community more generally) subsided after the conclusion of the Korean War in 1955, and especially after Japan’s normalization of relations with South Korea in 1965. Even before these events, abrogation of Koreans’ pre-WWII status as Japanese nationals and their assignation as foreign nationals upon Japan’s signing of the San Francisco Treaty in 1952 had led the Ministry of Education (MoE) to cease its enforcement of compulsory education for Koreans living in Japan. As Koreans’ school attendance became voluntary, the MoE took fewer pains to enforce Korean integration into Japanese schools.

⁷ See, for example, Chung (2010).

⁸ Jones-Correa (2008) and Meier (2005) note a similar dynamic in the U.S., where immigrant advocates

By using bureaucratic channels to make their case, immigrant advocates succeeded in depoliticizing the idea of immigrant integration. Even when promoting potentially controversial policies⁹—such as the provision of bilingual education in public schools, whether as a transitional approach as in the case of many *nikkei* Latinos (e.g. using students' native language until they mastered Japanese well enough to be mainstreamed into monolingual classes), or a maintenance approach as in the case of *zainichi* Koreans (promoting mastery of both Japanese and students' heritage language or mother tongue)—they made reasoned appeals to bureaucratic pragmatism. They capitalized on city administrators' penchant for social order by making the case that helping immigrant children retain their cultural heritage gives them a solid psychological and emotional grounding, helping improve their family relations, and working to the benefit of the greater community as a whole by preventing students' delinquency, truancy, and social maladjustment.

In many ways, immigrant advocates' appeal to bureaucratic rationality in establishing public support for bilingual education programs as a means of encouraging immigrant integration has been aided by the lack of a viable counter-argument. In Japan, overt anti-immigrant activism—still limited largely to discussions within conservative circles on the Internet and occasional street demonstrations by right-wing nationalist ideologues—so far lacks institutionalized political advocacy and legitimacy.¹⁰ When violence broke out between Japanese street gangs and Brazilian youths in the working class town of Toyota, city officials responded in remarkably similar ways as officials in neighboring Hamamatsu had—by reaching out to the Brazilian community, seeking partners to quickly integrate foreign residents to local customs.

Foreign resident community leaders and their supporters in Japan have had their greatest successes where they worked for some time with city officials as community liaisons and service providers in immigrant communities. This experience typically led to offers to become more involved, such as through participation in local policy advisory councils, which eventually enabled immigrant advocates to influence the process of both integration policy creation *and* implementation in surprising ways, even around sensitive issues like language policy. Community groups brought in to advise city officials on integration policies have invariably brought their own models with them, most of which involve explicit support for legal non-citizens on the basis of residency, and for 'multicultural coexistence' ('salad bowl' approaches) rather than assimilatory measures ('melting pot' approaches). In some cases, these ideas have even been transmitted through

honed in on local boards of education, appealing to administrators' professional norms and using coalitions built from face-to-face relationships with teachers, principals, and parents to build support for expanded services for non-citizen immigrant children, even in the context of declining local funding for educational policies.

⁹ In the U.S., a country considered by most Japanese activists to be far more progressive than Japan in its multiculturalism policies, similar proposals have proven far more controversial, with influential thinkers painting bilingualism as a threat to national traditions (Huntington 2004).

¹⁰ In some areas, conservative politicians have made a point of capitalizing on anti-immigrant sentiment in stump speeches, but so far it is unclear whether this has aided them politically or not, and it certainly has not resulted in the stripping of foreign residents of their access to social services.

bureaucratic channels into national policymaking discussions as well: the ministries of Justice, Internal Affairs, Education, Health, Labor and Welfare have all revised internal policies as a result of suggestions made collectively by Japan's local governments and by individual local officials serving on central ministries' policy advisory councils.

Though liaising with city offices providing services has given Japan's immigrant advocates previously unavailable forms of political access, it has also caused them to focus more on expanding the nature and scope of integration programs for immigrants, rather than expanding their rights per se. Scholars of the women's movement in Japan have argued that a focus on services rather than rights has had negative consequences for working women in Japan, leaving them with little legal recourse against discrimination in the workplace. For example, while pushing for investment in public support for childcare and eldercare has allowed working mothers to retain their jobs more easily, it has not helped the majority of career-track women who are pressured to leave their jobs after getting married or having children.¹¹ Despite two revisions since its inception in 1985, the Equal Employment Opportunity Law (EEOL)—which in theory bars employers from discriminating unfairly against all workers, especially women, in hiring, assignments, and promotions—has had little impact on Japanese workplace culture, in large part because its regulatory provisions are essentially toothless. The labor ministry has the regulatory authority to enforce EEOL, but it has little recourse for doing so. Labor reform provisions have proven fundamentally hard to enforce because they clash with entrenched norms in Japanese corporate culture.¹² Even in the event that employers are found to be clearly discriminatory, the worst that regulators can do is to threaten to publish the names of violators—which they have yet to do. Meanwhile, Japanese legal norms and practices that discourage litigation in favor of mediation have kept the number of lawsuits brought by women themselves low (Upham 1987).

The experience of the women's movement in Japan—which in theory enjoys far greater legal advantages than the immigrants' rights movement because its constituents are citizens—demonstrates that even having explicit legal protections is not enough in the absence of regulators who can enforce substantive consequences for human rights violations. Critics of Japan's existing immigrant integration policies have made similar arguments. The Japan Bar Association and groups like the National Network in Solidarity with Migrant Workers (a network of locally-focused community organizations) have lobbied—so far unsuccessfully—for a national anti-discrimination law something akin to the U.S. Civil Rights Act which explicitly protects the rights of foreign residents and foreign workers in Japan. They point out that bureaucratic initiatives, however well intentioned, lack the impartial weight of law, leaving state-sponsored immigrant integration efforts without a clear institutional mandate and overly subject to bureaucratic discretion. Given Japanese bureaucratic regulators' preference for using informal measures for

¹¹ This pressure can be overt, or it can come in indirect ways such as being assigned excessively long hours, too long to both work and spend time with their families (Schoppa 2006).

¹² Commitment to long working hours has long been a standard expectation under Japan's storied lifetime employment system. For both women and men alike, refusal to work the same hours as everyone else can result in one being passed over for promotion, transferred, or tracked into dead-end clerical positions.

achieving compliance over formal administrative orders or prosecution, their chances for success seem slim.¹³

The (so far) highly localized politics of immigrant integration in Japan thus shows both the possibilities and limits of bureaucratic intervention. Even in cities like Osaka and Kawasaki—both of which, quite remarkably, have city offices devoted to monitoring human rights violations—city officials do not investigate every reported incidence of discrimination, nor do they mete out punishments. The reality is that, saddled with responsibility for an increasing variety of social services as they are (overburdened already even as redistributive funding from the central government dries up), city officials with even the best of intentions are simply incapable of acting as forceful anti-discrimination regulators. Innovation as to how to overcome the myriad social and cultural barriers to immigrants' acceptance in Japan will thus have to come through other means in order to achieve results more comprehensive than those to date.

¹³ See, for example, Kitamura (2000).

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