IMMIGRATION, CITIZENSHIP AND NATIONAL IDENTITY: RECENT TRENDS IN JAPAN

ABSTRACT

Japan's citizenship and immigration policy has been limited – or favourable – to people with Japanese blood ties and the attachment to traditional Japanese identity has been strong. However, these policies are being challenged in the context of increasing immigration and decreasing natural population growth. Recently, community building based on diversity has begun to be a national issue.

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Nationhood discourse and citizenship policy have been based on a singular national/ethnic identity model in Japan. Today, however, Japan is facing a turning point in its immigration policy and must cope with its expanding immigration and decreasing natural population growth. The number of foreign residents who do not possess Japanese nationality was 2,084,919 at the end of 2006, or 1.63% of the total population.[1] This number grew by 73,364 from 2005, with an average annual increase of about 67,000 during the last ten years. Today, it is recognized that immigrants are essential in safeguarding the Japanese economy against rapid ageing. People over the age of 65 comprised 21.5% of the total population in October 2007 and this figure is estimated to rise to about 40% by 2050.[2] A revision of the *Immigration Control and Refugee Recognition Act* is currently under consideration to further open the gates for foreign workers. This article illustrates immigration and citizenship policies in Japan, and what has and is going to be done to keep national identity and cohesion in a global age.

Citizenship status

Japan's *Nationality Law* is based on *jus sanguinis*. A child whose father or mother is a Japanese national acquires Japanese nationality at birth. A foreign national, regardless of birthplace, must go through the naturalization process to obtain Japanese nationality. The *Nationality Law* requires that applicants: a) have continually resided in Japan for at least five years; b) be at least 20 years old; c) have good conduct; d) be able to make a living; e) have no nationality or give up their original nationality; and f) have never been involved in an activity designed to overthrow the Japanese Constitution or the government of Japan. There is no citizenship exam but individuals must submit many documents and go through interviews. It takes six to 18 months to obtain the results of the naturalization process. Japanese language skills are a prerequisite for this process.

In recent years, more than 15,000 people have acquired Japanese nationality annually, according to the Ministry of Justice. This has gradually increased ethnocultural diversity among Japanese nationals. Another source of diversification is marriage of a Japanese national to a foreign national. About 45,000 such couples were married in 2006;[3] the percentage of those couples to total marriages was just 0.94% in 1980, but grew to 6.1% in 2006. A child born to such an international couple acquires both nationalities at birth and must choose one by the age of 22.

The number of people choosing to live in Japan permanently while keeping their nationality is also increasing, with 837,521 such individuals in 2006. There are two groups of foreign nationals with permanent residence status. The first consists of Koreans and Taiwanese (and their descendants) who moved to Japan when their countries were colonized by the Japanese Empire, and who therefore have a special right to permanent residence. The population of this group numbered 608,029 (62% of total foreign residents) in 1989 but while still the largest group, it had decreased to 443,044 (21% of the same population) in 2006. The second group consists of foreign nationals who have acquired permanent residence status. This group grew 2.7 times over the last five years to 394,477 in 2006. Brazilians, Chinese, and Philippines are the top three national groups that acquire this status. Brazilians are now the third largest group after the Koreans and the Chinese, with a population of about 313,000 in 2006. Japan has become a popular destination for Japanese Brazilians who wish to work outside the country since a special visa for Japanese descendants was created in 1990. It is worth noting that Japan sent immigrants to Brazil

from 1908 to 1973. Then, in the 1990s, up to fourth generation descendants of these emigrants started coming to Japan to engage in blue-collar work. Because the Japanese government does not officially issue a visa for non-skilled labourers, Japanese Brazilians have played an important role in supporting Japanese industries.

Denizenship[4] has been under consideration to promote the legal status and social participation of permanent residents. Two main controversies are job equity and the right to vote. Job equity for foreigners has been advanced since the 1970s but the opportunity to join the civil service is still limited for them. A foreigner, even if he or she was born and educated in Japan, cannot be a regular public school teacher, a police officer or a fire fighter. He or she may be able to get a job at a municipal office but might not be able to be promoted. A group of Korean permanent residents started lobbying for the right to vote in local elections in the early 1990s. In 1995, the Supreme Court ruled that the Constitution did not prohibit giving permanent residents the right to vote in local elections. Public opinion was also favourable and many municipal governments carried a resolution to push the legislation forward. Since the late 1990s, the topic has been referred to repeatedly in Japan-Korea summit meetings. The prime minister of Japan and the president of Korea agreed to the resolution under the principle of reciprocity in 1999. However, though the bill has been put forward five times since 1998, it still has not become law in Japan. Korea, on the other hand, approved the bill in 2005. In 2006, foreign nationals with permanent residence status in Korea voted in nationwide local elections for the first time.

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Citizenship as identity and nationalist discourses

Koreans who remained foreigners after living four or even five generations in Japan can provide unique insight. Some say that they chose not to apply for naturalization because of Japan's history of colonization and lingering discrimination. Others say that the procedure is too complicated and costly, and that Japan should give them citizenship on request because they had the status and it was removed without choice in 1952. Still others state that the system is very assimilative. Until 1985, for example, a foreigner had to change his or her name to a Japanese name in order to be naturalized. It is no longer a requirement, and there are many naturalized Japanese who retain their original names on TV, in sports, and even some in parliament. However, there is deep-rooted social pressure that makes a majority of naturalization applicants choose a Japanese name. For instance, there is a picture file on the Website of the Ministry of Justice that shows how to fill out the application form for naturalization.[5] In the example, the applicant is a Korean man. The form shows that the man has two everyday Japanese names other than his official Korean name and chooses one of the Japanese names as his name after Japanese nationality is granted. Acquiring Japanese nationality still tends to be equated to acquiring Japanese ethnicity.

Political concern about protecting traditional Japanese identity is reinforced by the growing reality of globalization and diversification. Since the nation's defeat in World War II, patriotic figures and language have been taboo in schools, as recognition that the indoctrination of loyalty to one's nation played a critical role in causing and maintaining the war. However, since the 1980s, the government has shown an interest in moving away from this cautious postwar atmosphere. Display of the "sun flag" and playing the *Kimiga Yo* anthem at the entrance and graduation ceremonies of every Japanese school became compulsory in 1985 and strengthened by legislation in 1999. Because many people think that this policy inhibits freedom of thought and reminds people of the Japanese Empire, there has been strong opposition to it. In Tokyo, hundreds of teachers have been punished for not standing properly for the flag during these ceremonies, for example. The word "patriotism" has also been placed at the centre of educational discourse, creating nationwide debates. In 1998, the national curriculum stated that "developing love for the country" was one of the educational goals in grade 6 social studies courses, while moral education is explored from grades 5 to 9. In 2006, amendments to the *Fundamental Law of Education* made this one of the fundamental goals of Japanese education.

When global citizenship is mentioned, Japanese identity is always the focus. For example, high school students study world history as a compulsory subject in order "to develop identity and qualities to become Japanese living autonomously in an international society." The teaching of traditional culture is becoming very popular. In Tokyo, a new high school subject, the study of Japanese traditional arts and culture was introduced in 2006. It fosters national identity and pride and international competencies. Learning about the world's cultures is also advocated by the national curriculum but the diverse cultures to which they refer are largely the cultures of foreign counties and only rarely do they focus on the various ethnic communities in Japan. Even Japanese aboriginal cultures do not receive

much attention in textbooks. Thus, Japanese identity tends to be recognized as a unified vision, subordinating diversity.

Public morality education is attracting the attention of policy-makers as well. In 2000, the National Commission on Educational Reform under the Koizumi Cabinet emphasized the importance of moral education and community services for children. This focus has been passed on to successive cabinets and the creation of a moral education subject is under consideration. There are social concerns that this might be the revival of a subject designed to nurture the Emperor's loyal subjects in the imperial period. In the view of this author, this renewed attention to traditional culture and morals is motivated not only by nationalistic concerns but also by the unrest caused by social changes including the infiltration of individualism and neo-liberalism. Japan's "all middle-class society" has collapsed since the 1990s and the disparity in economic power and cultural capital has become increasingly apparent under an open competition policy. Character education may be used effectively to control or conceal moral and behavioral problems stemming from this increasing difference or inequality. However, to solve the problems and to create a new value system that would unite all members of society, Japan should adopt a new direction, different from the "back to old ways" strategy, which promotes a nationalistic atmosphere.

Recent changes in integration policy

Legislation and awareness of human rights for foreigners and immigrants have improved since the 1980s. However, the pace of these improvements is not keeping up with demographic change. The lack of tolerance for ethnocultural diversity in society, and the lack of appropriate settlement support programs by the government or industry are still causing many social problems.

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Only three international immigrant groups (admitted on humanitarian grounds or because of such a background) have officially been provided with free support programs by the government, including language training, guidance on life in Japan and vocational counseling: Indochina refugees since 1979,[6] returnees of war-displaced Japanese orphans in China and their families since 1984, and North Korea abductees since 2002. However, with the exception of abductees, the socio-economic integration of these groups has not been successful. Many problems, including unemployment, low income, a low level of education as well as juvenile delinquency, have become apparent. In the case of immigrant workers, there have been almost no national support programs. Also, the sub-standard and illegal conditions in which immigrants work have been ignored, especially as concerns Japanese Brazilians and Chinese trainees. In several metropolitan and industrial districts, ethnic enclaves have appeared, sometimes causing trouble between foreigners and their Japanese neighbours.

The Police Agency and the media have been reporting an increase in crime by foreigners. However, according to Ministry of Justice statistics, such a trend is not apparent. The number of people who committed a crime[7] increased by 1.35 (for the general population) and by 1.33 for foreigners in 1992-2006; the foreign resident population increased by 1.63 in the same period. Despite that, the idea that foreigners are threatening social security has permeated public opinion and the introduction of stronger security and immigration control was deemed justified. According to a poll conducted by the Cabinet Office on the protection of human rights, the percentage of people who agree that "human rights of foreigners should be protected as equal to the Japanese" has been decreasing: 68.3% in 1993, 65.5% in 1997, 54% in 2003 and 59.3% in 2007. When Japan needs to attract more immigrants, can this stand be further ignored?

Recently, the government released several plans to improve the quality of life of foreign residents and increase ethnocultural equity in the community. The term "integration" began to be used in these plans. There have been grassroots movements to change the situation but immigrants have typically been portrayed as just a "workforce" or a "source of social problems." Finally, they have also started to be referred to as "community members" in national policy. In terms of practice, in 2005, the Ministry of Education, Culture, Sports, Science, and Technology began publishing a guide in seven languages[8] to explain how to register children in Japanese schools. In 2007, the Ministry of Internal Affairs and Communications introduced a new fund to help local governments create community services such as the publication of multilingual leaflets concerning garbage disposal and disaster prevention, Japanese language instruction for children not going to school,[9] and housing services for foreigners who are not fluent in Japanese.

In May 2008, the government announced plans to change immigration laws in order to extend the maximum period of stay from three to five years for foreign residents who have attained a certain level of Japanese language competency. This is expected to be an incentive for foreigners to learn Japanese. This policy might be an indication that one of the basic conditions of becoming a member of Japanese

society will shift from innate qualities such as Japanese blood ties to acquired qualities such as language skills.

Japanese policies on immigration and social cohesion based on Japanese extraction and ethnicity are challenged by the reality of globalization and the shortage of internal human resources. Today, we even see the emergence of a discourse calling Japan a country of immigrants. At the same time, globalization and neo-liberalism have activated nationalistic and conservative discourses. However, the practical interest of welcoming more immigrants and the ideological interest of protecting a singular Japanese national identity are not compatible. International human resources are not machines without rights or needs. Opening the gates to more foreign workers requires the Japanese government and society in general to reconstruct the concept of citizenship and produce a community built on diversity.

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Notes

[1] The population data of foreign residents and new immigrants are based on a publication by the Immigration Bureau, The Ministry of Justice.

[2] The estimated population was published by the National Institute of Population and Social Security Research in December 2006.

[3] This data is published by the Ministry of Health, Labor and Welfare.

[4] The term "denizen" today refers to permanent residents who enjoy most citizenship rights without acquiring the nationality of the host country. The concept was introduced by T. Hammar, 1990. *Democracy and the Nation State: Aliens, Denizens and Citizens in a World of International Migration.* Avebury: Gower Publishing Company.

[5] The Ministry of Justice. Retrieved on April 23, 2008 from <www.moj.go.jp/ONLINE/ NATIONALITY/ 6-2-1.html>.

[6] The program has been applied to Convention refugees since 2003.

[7] This excludes the violation of traffic laws and the *Immigration Control Act.*

[8] The seven languages are English, Korean, Vietnamese, Filipino, Chinese, Portuguese and Spanish.

[9] Schooling is not compulsory for foreigners in Japan.

Foreign Credential Recognition



This issue of Canadian Issues / Thèmes canadiens (spring 2007) provides insightful information and viewpoints on the growing debate regarding foreign credential recognition. The 35 articles published in this issue give an informed overview of the challenges involved in the recognition of foreign credentials and suggest a wide range of approaches to dealing with these challenges.

Topics covered by the authors include criteria set by regulatory organizations, the "legitimacy" of the credential recognition process, the prevalence of prejudices and professional protectionism, strategies adopted in Canada and abroad for credential recognition, ways to facilitate professional assessments of immigrants, retraining and transition programs, and the economic, social and cultural contributions of immigrants to Canada.

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