



Università  
Ca' Foscari  
Venezia

Master's Degree programme – Second Cycle  
(D.M. 270/2004)

in Languages, Economics and Institutions of  
Asia and North Africa

Final Thesis

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Dorsoduro 3246  
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# The Empowerment of Local Citizenship in 21st Century

## Japan

The Bottom-up Process Ensuring Substantial  
Rights for Newcomer Immigrants in the Kobe  
Case Study

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### **Academic Year**

2015 / 2016



## 要旨

移民というテーマは非常に広範な話題だ。国々により、移民の歴史は多岐に亘っている。アメリカやカナダなどでは移民は歴史的現象であるが、一方でイタリア、韓国、日本においては比較的新しい現象である。後者の国々では移民に関係する法律は既に完成している一方で、増加しつつある移民の社会参加のプロセスは未だ不十分なままである。本論では、これらの国々における移民の歴史は浅いということを踏まえると、非常に興味深いケーススタディになり得ると考えられる。イタリア、韓国、日本における移民は昨今注目を集めており、国民にとっても身近な存在になりつつあるため、移民の原因や原動力などが研究しやすくなると思われる。

本論では、日本における近年の移民の地域統合について述べる。特に、神戸市のケースを通じて、移民の地域社会への参加の発展を研究する予定である。

本論は、3つの章に分かれている。

第1章、日本における移民の歴史を分析する。中央政府レベルで議論されてきた移民政策や、それらの政策がどのような結論に至ったかについて説明する。日本は基本的に移民に賛成の国ではなく、中央政府の行動方針としては移民を拒否する傾向にあった。日本の市民も移民の受け入れに対して消極的な態度を示している。ひとつの国について一般化しすぎることは望ましくないのだが、これが日本の歴史と現在の傾向なのである。

第2章、日本の地域における移民政策について論述する。1980年代から増加しつつある移民問題の解決にあたって、地方自治体は外国人の社会参加の方針を策定し始めた。移民は、法律や行政に関する問題が発生した際、中央政府ではなく地方自治体に支援を要請した。地域レベルにおいても地方自治体のみならず、昨今は非政府団体の広範なネットワークが全国的に拡大

してきた。地方自治体は非政府団体の支援を得て、移民にとって新しく、重要な権利を生み出した。

第3章、 本章では、具体的に神戸市をケーススタディに取り上げる。始めに、神戸市における移民について歴史的観点から分析する。領土譲歩があったことから、世界中から外国の代表団体は神戸市内に定住した。次に、1948年の神戸市で起こった韓国人によるデモと1995年の阪神・淡路大震災について述べる。これらの二つの事例は神戸市の移民政策の発展に多大なる影響を及ぼした。最後に、現在の神戸市の地方自治体と非政府団体の移民の社会参加を促進する取り組みについて論じる。

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## Acknowledgements

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This work has not only been the result of these last nine months, but, I feel, it is rather the outcome of the last five years of my academic path. Even though its direct production can be traced back to last year's efforts, I believe that the experiences and knowledge I acquired during my university career have brought a substantial contribution to it. Therefore, I will hereby thank those who directly sustained me through this work. At the same time, my gratitude goes to many others who indirectly contributed to this work that however won't be singularly mentioned.

I would like to thank my academic supervisors: Professor Nishitani Makiko, from Kobe University, who led to the acquisition of proper academic skills in terms of research methods, analysis capacity and productive critic attitude; Professor Miyake Toshio, who had the patience to go through all my writings and opened my views over Japanese political and social issues, leading me away from the risk of falling into silly generalizations and stereotypes; and Professor Campomori Francesca, who enlightened me with more detailed migration studies knowledge.

A special thanks goes to Professor Ronni Alexander, from Kobe University, who, even though I was not her student, shared with me her past experiences and passions of the NPOs world, without which my Kobe study case would have resulted in a scantier outcome.

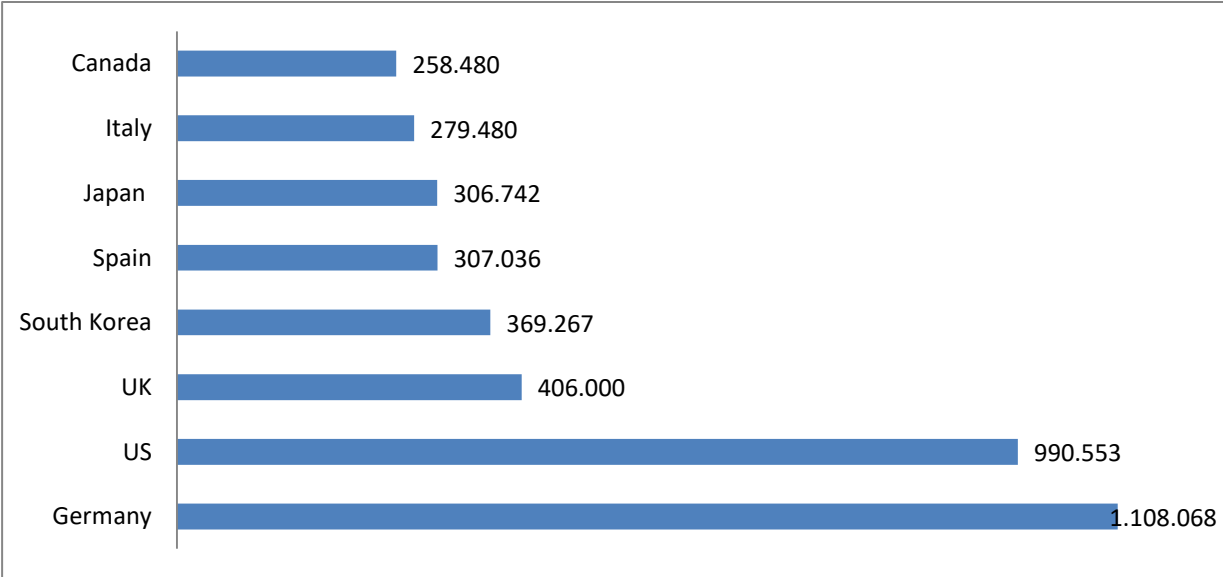
Lastly, I would like to thank those who sustained me with their affection, Nicolò and Javiera, my study room companions at Kobe University, who kept me positive during tougher times; Giovanni, who kind-heartedly let me live my experience in Japan and my parents, without whom all this would have not been possible.

# 1 Introduction

## *Topic, issues and questioning*

In this indisputable globalized world in which we are living today, many countries can define themselves as inhabited by a multiethnic population. Some of them acquired this multiethnic acceptance through the centuries, while others faced relatively sudden and hasty changes caused by conflicts, colonialism, policies implementation, etc. As shown in the chart below (table 1), the distribution of the international immigration inflow has changed during the last years, and the once leading Canada and Australia have been reached and surpassed by Germany, the United Kingdom, and South Korea.

**Table 1 : Inflows of foreign population – OECD 2013<sup>1</sup>.**



Though Japan cannot be considered at the same level of the above-mentioned countries, it is a fact that the Land of the Rising Sun is facing a growing immigration influx.

<sup>1</sup> OECD.Stat, *International Migration Database*, 2016, retrieved from <https://stats.oecd.org/Index.aspx?DataSetCode=MIG> (accessed March 12, 2016).



Since the last decades of 1900, Japan has become part of the growing circle of countries of recent immigration, together with other nations as Italy, South Korea, and Spain. Although the rate of immigration that Japan is experiencing nowadays could be still defined as minor or unimportant compared to other countries, its occurrence cannot be ignored. According to the Statistics Bureau – Ministry of International Affairs and Communication – after World War II, Japan has been subject to a steady stream of immigrants, where the foreigners entering into the country have been registered to be 131,100 in 1984, 223,800 in 1990, 345,779 in 2000 and 336,525 in 2014<sup>2</sup>. But, whether these recent countries of immigration have answered positively or not to the incoming aliens, it is an issue to be addressed separately case-by-case.

As a matter of fact, Japan has not been the most sympathetic to immigrants when responding to this rising issue, even though some internal problematics should have led towards a more welcoming attitude. The rough economic growth which occurred in Japan at the beginning of the second half of the 20<sup>th</sup> century caused an internal labor shortage. The boosted economy in fact had called for a wide labor force not only among men, but also among women workers, wherefore provoking a diminution of the supply of domestic workers with increasingly low fertility levels, and most of all, created an erudite youth class which is not more willing to meddle itself in the so-called 3D (dirty, dangerous and difficult) positions and employments. Even though the country is, since the '80s –, going through a demographic dilemma, with its population aging and the labor force share of the population contracting. As a consequence, Japan seems still not ready to embrace a welcoming immigration policy, which could actually, at least partly, resolve the lack of working force availability and thus spur the slowing down economy, and restore the equilibrium in the unbalanced population. In fact, although figures show an increasing number of foreigners registered through the years, these immigrants do not enjoy the same rights in terms of social and health insurance the rest of Japanese nationals do.

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<sup>2</sup> OECD.Stat, International Migration Database, 2016, retrieved from <https://stats.oecd.org/Index.aspx?DataSetCode=MIG> (accessed March 12, 2016).

The numbers refer to registered foreigners who came to hold a valid visa or at least intend to remain in the country for more than 90 days.

Even though there has been until now a lack of responsiveness to the issue by the central government, much more has been done at the local government and municipalities' level. Even if the central government has been lecherous in providing help to immigrants in their daily lives, localities have shown themselves to be active and autonomous in responding to the issue. Their direct and close involvement with the local activities, the daily interaction with foreigners and what results out of it are matters of concern to the municipalities. They cannot ignore the consistent share of immigrants living within their local boundaries and under their jurisdictions. Furthermore, as being part of a local resident community, foreigners contribute to the local welfare as consumers, workers and taxpayers. These are the main reasons why, the involvement by the local governments in the immigration policy topic and immigrant integration programs must be taken into account: it is from the local level (not only with the municipalities, by also local NGOs, local advocacy groups and immigrant groups themselves) that the immigration policies and incorporation programs are virtually enforced and put into practice.

These premises given, the latest years have seen the arise of a duality of the immigrant rights and position. The identification of the *formal* citizenship, as dictated by the directions of the central government, and the *substantive* one, the actual possession of well-defined rights, as a result of the local bodies activism and involvement<sup>3</sup>.

### ***Hypothesis***

The aim of this work is to point out what has been achieved at the Japanese local level regarding immigration policies and immigrant integration policies, in the particular prospective of newcomers. Is there a virtual difference between the officially granted citizenship and the local one? That is, a difference between the *formal* and the *substantive* citizenship? In fact, a very important distinction should be marked when discussing about official rights, stated on written papers by the central government, and the effectively and concretely enjoyed benefits and privileges provided by local realities. The answer to these

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<sup>3</sup> TSUDA, 2006: pg.7.

The concept in its origin form and discussion has to be retrieved back to T. H. Marshall (1950).

questions could be grasped by analyzing what has been achieved at the national level, then at the local one, and lastly, concretely witnessing it in the city of Kobe study case.

I will then analyze what are the tendencies both at the central government level and at the local level, and prove the statement that it is the latter the center of the effective immigrant integration. The attention will be addressed not only to the local government and municipalities, but also to other actors who have virtual influence over the issue, such as independent groups, organization of volunteers and NGOs, who may concretely bring to a further integration of the newcomers immigrants in the Japanese society.

Finally, I will try to address my attention to the contradictions which could result from the previous questioning: how can foreigners excluding policies and immigrants incorporating policies coexist at the same time?

### ***State of the art***

Up to today there are different academic investigations, mainly carried out since the 1980s, focusing in particular on the *nikkeijin* category, the Japanese descendants, like South American minorities, such as Brazilian and Peruvian, or immigrants of Asian origin, which are especially constituted by Korean and Chinese. A lot of studies of political sciences or international relations nature deal with immigration policies implemented at the national level, covering only superficially the situation at the local level and thus not considering what are the tangible consequences of incorporation programs in the immigrants' daily life.

Many studies have already depicted the scenery of immigration events crossing Japan in the last two century. The emigration of Japanese nationals to South American countries and the consequent phenomenon of many Japanese descendants, born abroad, returning to Japan, have aroused the interest of many academicians amazed by the nature and extent of this migratory flow, among which I would cite De Carvalho (2002). These studies especially portray social aspects of how the repatriation of the Brazilian but still Japanese descendants did not result to be as smooth as expected. Japan issued some *ad hoc* directives over the return of these expatriated Japanese descendants, considering that having Japanese legacy

within their blood would have assured a peaceful re-integration in the Japanese society. Yet, the repatriated had actually lost their cultural linkage with their previous host society, either because they were already second or third generations of Japanese descendants, or simply because being born abroad did not assured them the cultural luggage sufficient to become Japanese again.

Similar problematic issues have been, perhaps for a longer time, treated about one of the most consistent resident groups of foreign origins in Japan: the Koreans. The integration of Korean migrants had differed, and still differs today, from the Brazilian descendants mainly for historical and political facts. The past Japanese colonialism in Korea at the beginning of the 20<sup>th</sup> century had brought a substantial flux of rather constrained Korean immigrants, who encountered several difficulties in leading their everyday lives. Subsequently, with the American Occupation in Japan after the Second World War and the Communist danger coming from the northern Korean closeness to Russia and China's influence. Indeed many researchers as Chung (2010) have identified in these among others several reasons why Koreans both in the past and nowadays meet difficulties in their integration with the Japanese host society. There are other minor publications such as academic articles, but also newspaper articles, which focuses on problematics which other ethnic minorities face in their daily living.

Nevertheless, there is another line of studies which rather focuses transversely on the Japanese immigration issue. Instead of centering the research only on a specific immigrant group, Brazilian, Korean, Chinese, Vietnamese, etc., it offers and comprehensive overview of the problematics that the overall immigrants face when entering Japan. One of these studies could be traced back with Tsuda's work (2006), which is also one of the main literatures that inspired the idealization of this work. Tsuda's work collects papers from several other researchers who conducted their studies on immigration problematics at the cities and prefecture's level, mainly between the end of 1980s and 1990s. These papers report a situation where the Japanese cities hosting the most substantial figures of immigrants are weighed down by the responsibility of taking care of their basic rights, in order to make their integration in the host society at least possible. As a consequence, especially in the last years, municipalities have developed themselves systems and activities meant for the integration

of immigrants, such as language courses, counseling services for various issues as health care or visa and documentation related problems. Since, up to today there are no directives from the central government regarding many of these programs' organization, these initiatives are being brought to light by a bottom up process, with the local governments becoming the womb for their creation.

The current work will actually result in an extension of these papers' collections: it does not only frame the present day immigration issue at the national level, but, more specifically, at the local one (which reveals itself to be a possible bridge to a new concept of immigration). It will concretely and apply the results acquired to the specific area of Kobe city, in the Hyogo prefecture with tangible and concrete data. In the following chapters it is shown that it is the city itself to undertake the effort to promulgate new initiatives, through the creation of programmes and structure such as reception and exchange centers, which effectively enable the new immigrants to smoothly integrate in the new hosting reality.

The city of Kobe, though it does not stand out for its population figures or rate of immigration (other cities like Yokohama or Osaka definitely surpass it in numerical terms) (refer to Table 2, 3 and 4), is characterized by a clear diversity in the formation of its foreign population, as shown by the more homogeneous composition of different nationalities such as Korean, Chinese, Vietnamese, Brazilian, etc.,. I Its historical events , such as the first foreign Concessions, the Korean riots and the wave of volunteerism awakened by the disastrous event of the 1995 Great Hanshin-Awaji earthquake, whose legacy is still visible today, contributed to make of it a pole of attraction for multiculturalism.

**Table 2: Foreign population by Cities 2015<sup>4</sup>.**

City	Foreign Population
Tokyo	390,414
Osaka	122,147
Yokohama	84,257
Nagoya	69,320
Kobe	44,614
Kyoto	42,045
Kawasaki	34,004
Fukuoka	30,312
Chiba	22,326
Hamamatsu	22,068

**Table 3: Number of foreign residents by nationality in Kobe and Osaka city in 2015<sup>5</sup>.**

Kobe	2015
Korea	18,390
China	12,629
Vietnam	2,676
USA	1,228
Philippines	1,018
Taiwan	999
India	955
Brasil	373
Nepal	368
UK	353
Tot.	42,411 <sup>6</sup>

<sup>4</sup> Ministry of Justice, *Dai shichihyō shikuchōsonbetsu kokuseki-chiiki zairyū gaikokujin (jōi hakka kuni-chiiki)*, 第7表 市区町村別 国籍・地域別 在留外国人（上位8か国・地域），Japan, 2015. Retrieved from [http://www.moj.go.jp/housei/toukei/housei05\\_00021.html](http://www.moj.go.jp/housei/toukei/housei05_00021.html) (accessed April 23, 2016).

<sup>5</sup> City of Kobe, *Kobe tōkeihyō, "Jinkō", 3-10. Kokuseki-chiikibetsu gaikokujin jūminsū*, 神戸統計表, 「人口」, 3-10. 国籍・地域別外国人住民数 (*Table of statistics of Kobe, "Population", Number of foreign citizenship according nationality and region of origin*), 2015, retrieved from <http://www.city.kobe.lg.jp/information/data/statistics/toukei/toukeisho/27toukeisho.html> (accessed April 16, 2016).

Osaka	2015
Korea	67,825
China	27,814
Vietnam	5,264
USA	1,413
Philippines	3,205
Taiwan	3,829
India	---
Brasil	904
Nepal	86
UK	--- <sup>7</sup>
Tot.	122,147

### ***Research method and thesis structure***

At the base of this thesis lies a biographical research and historical analysis of the immigration inflow to the country after the Second World War, previous historical events, as the Korean colonialism or the *sakoku* era, and the history and development of the city of Kobe, as its first steps towards the port area opening and welcoming of western foreigners. Even though a comparative approach is not the focus of this work, sometimes it might become useful to show data of countries which are now experiencing a similar situation of recent immigration.

I will use a combination of methods, both quantitative and qualitative, in order to grasp the issue in all its aspects and nuances. Therefore, I will not merely define the immigration in the country in numerical terms by stating the facts, but also by illustrating causes and effects of

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<sup>6</sup> The total number does not correspond to the sum of the displayed figures since it includes other minor nationalities.

<sup>7</sup> The number of Indian and English citizens living in Osaka in 2015 has been grouped together with other minor nationalities under the heading “others”.

the occurrence of particular events and by interpreting them. Still, the quantitative methodology should be the one with which the hypothesis could be really confirmed. In fact, when discussing about immigration policy, as in this case, to objectively verify its outcomes it could be essential to note, for example, the number of refugees that have been accepted and comparing it with the number of total requests instead. Even though the information resulting from the scanning of such data might need to be interpreted in view of recent events (wars, diplomatic incident, economic crisis, etc.), it indeed provides a clear frame of the country's stance over immigration.

The first chapter is essential to introducing the Japanese immigration policy overview, as the explanation of the present situation in the country would lack in consistency without a proper historical contextualization. So firstly the chapter offers an historical overview, from the Second World War aftermath onwards, displaying the pattern of older minorities and immigrant communities in Japan and their implications, which enables to provide a better frame of the present situation and the main points regarding the immigration policy regulations. This will be followed by an insight of what are the perceptions about foreigners, both from the leading group and the population and finally, the chapter will contain an introduction to what have been the most influential supranational agreements signed by the Japanese Government, and their implication for immigrants in the country.

The second chapter describes the immigration policy and immigrant integration programs stemming from local level actors, which are identified not only in the local government, but also in NGOs and NPOs bodies and volunteering groups. It is displayed how these initiatives are born locally, but spread and shared horizontally through links among several cities. In addition, through an anthropological and ethnographical approach, the chapter delineates the main problems immigrants face in their lives. The identification of such problems creates the base to spot which policies local government should focus on, which initiatives should be undertaken and what kind of programs ought to be started to ensure the immigrants a smoother integration. Thus, despite the fact that these assumptions are based on statistics and numerical data, the use of a more qualitative approach is undoubtedly necessary.

Lastly, the third chapter opens with a historical overview of the city of Kobe, since its past events, first of all the port opening and the creation of foreign Concessions, are among the



fundamental elements which gave the city its current multicultural peculiarity. Important information have been retrieved from the expositions of two important institutes in the city, namely the Great Hanshin-Awaji Earthquake Memorial Museum, from which many of the information regarding the 1995 earthquake in Kobe have been gathered and reported and the Migration Museum, Kobe Center for Overseas Migration and Cultural Interaction, in which information regarding the first steps of Kobe's emigration event of the beginning of the 20th century that could have otherwise not been retrieved are guarded. Afterwards, to finally be able to give tangible form to the hypothesis' assumption, which is to concretely verify that local realities are actually the level for substantial immigration rights empowerment, the final chapter illustrates Kobe's government policies and programs together with other non-governmental associations' activities and initiatives. Especially in this last part, the quite casual interviews with Professor Ronni Alexander, professor of transnational relations at the Graduate School of International Cooperation Studies in Kobe University, enabled to reach even deeper in the intricate network of NPOs active in the city. As a matter of fact, Professor Alexander had several contacts with many of these organizations targeting immigrants and she still continues participating in many initiatives of this type.

***Key concept: towards a more comprehensive definition of citizenship***

According to T. H. Marshall (1950), from a sociological perspective "citizenship is a status bestowed on those who are full members of a community. All who possess the status are equal with respect to the rights and duties with which the status is endowed<sup>8</sup>". Starting from this milestone, many present sociologist and anthropologist have developed different nuances of the concept of citizenship.

According to contemporary definitions, four kinds of citizenship can be identified: judicial, substantive, cultural and participatory<sup>9</sup>. The *judicial* citizenship "comprises the formal, legal status managed through governmental techniques such as passports, identity cards, and family registers"<sup>10</sup>. The *substantive* citizenship refers to the series of rights and obligations

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<sup>8</sup> MARSHALL, *Citizenship and Social Class: and other essays*, Cambridge University Press, 1950.

<sup>9</sup> TSUDA, 2006.

<sup>10</sup> TSUDA, 2006: 81.

which bind together the state and its inhabitants. The *cultural* citizenship is the sense of belonging to a society brought by the sharing of a same cultural baggage. Lastly, *participatory* citizenship has a normative dimension, and is based on the assumption that the people's participation in politics contributes in ameliorating and enhancing the society.

These definitions can be regarded as a standard repartition of the various aspects which constitute the concept of citizenship, but, even if they are taken into account, this work will rather focus on the distinction between *formal* and *substantive* citizenship. As James Holston, Professor of Sociocultural Anthropology at University of California, Berkeley, argues in *Cities and Citizenship* (1999), these two forms of citizenships are clearly distinguished from each other. The issue stands whether the possession of the formal citizenship is strictly necessary to grant basic human and citizens' rights, or if, in its absence, the possession of the substantive one alone manages to stand for them. Here the formal one incarnates the judicial citizenship, in other words, the rights that the nation-state formally grants to individuals; the substantive one instead indicates the concrete possession of it. Furthermore, as Holston writes, "although in theory full access to rights depends on membership<sup>11</sup>", in practice that which constitutes citizenship substantively is often independent of its formal status<sup>12</sup>". Thanks to the fact that immigration's nature has become an international, thus acquiring global standards in recognizing the immigrants' status, the consideration alone whether a foreigner is accorded with formal citizenship or not is no longer enough. As a consequence, one must understand to which extent the substantive rights are enjoyed, in particular when the formal ones are not accessible because not granted, as when an asylum request or a long term residency demand are denied.

By applying these definitions to this study, the question resides whether, in case the immigrant is not officially recognized by the country's law, it is possible for him or her to enjoy rights in terms of health assistance, labor protection, social welfare, which derive from activism generated at the local level, either from municipalities or independent organized groups. With regards to civil and political rights instead, as the right to incorporate or

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<sup>11</sup> Which is the formal citizenship status.

<sup>12</sup> HOLSTON, 1999: 190.

associate or the right to vote, are more strictly related to a formal membership, they cannot be ensured by a substantial citizenship alone.

***Key concepts: immigrant and integration***

In this work, the term ‘immigrant’ is meant to indicate the share of foreign-born population. Indeed, sometimes the usage of immigrant with such a definition may become tricky, because, once a foreigner acquires the host country’s citizenship, his or her numerical contribution disappears from official statistics. However, it is also true that, considering the still contained inflow of immigrants compared with settlement countries (such as Canada or Australia), the figures of naturalized foreigners can be relatively designated as a minor element.

Regarding their integration, the definition of such a concept might not result as patent. Building an internationally coherent and acceptable notion of integration is a harsh task. Since every country presents its own conditions in terms of economic, political and social background, the integration process could clearly not require the same elements everywhere. Yet, some common indicators can be found to help measure or at least frame the immigrants’ integration countries all around the globe. According to the OECD’s *Indicators of Immigrant Integration 2015 – Settling In*<sup>13</sup>, the most relevant indicators are: labor market outcomes of immigrants (rate of employment and unemployment, rate of exclusion from certain categories of job); the quality of immigrants’ job (working hours, job skills, self-employment); educational level (which level of education they attain, adult literacy, work-related training, access for adults to education); income level; housing (the quality of the area they are they are housed, whether they are confined to certain zones, houses’ conditions); health care (access to the health care system, health care related insurance); civic engagement (acquisition of nationality, voter participation); social cohesion (perceived discrimination, host society attitude towards immigrants). Such criteria would

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<sup>13</sup> OECD, *Indicators of Immigrant Integration 2015 – Settling In*, 2015, retrieved from <http://www.oecd.org/els/mig/Indicators-of-Immigrant-Integration-2015.pdf> (accessed September 22, 2016).

help to identify, even if only as an estimation, the overall level of immigration integration in a given country.

When dealing with substantive citizenship, which as it will be later conceived, is an expression overlapping with local citizenship, integration is meant as an ensemble of the previously listed indicators. However, some among these integration elements cannot be attained through the acquisition of the substantial membership alone. For example, as expressed beforehand, , civic and political rights are actually not always provided by the local citizenship alone, since they are a prerogative of the formal membership: whether an immigrant can be granted or not with the authorization to naturalize or with the right to vote is strictly related to the possession of the formal citizenship.



## **2 The Nation-wide Level**

This first chapter is meant to delineate the framework of the immigration issue in Japan at its national level, by sketching out its evolution through a historical timeline, the pattern of today's Japanese minorities composition, and then focusing on the definition of the group of immigrants which this paper addresses.

Following, the most important and influential policies regarding the issue will be pointed out, stressing in a particular way what has been the turning point in the last 50 years, with a quick but also essential attention addressed to the increasing asylum seekers and refugees.

Lastly, a subchapter about incorporation policies implemented at the supranational level will briefly try to note how international treaties and conventions have influenced the domestic stance towards the immigration issue.

### **2.1 Historical Overview**

Although this work aims at updating the immigration issue within the Japanese territory, and thus will mainly focus on the last events and occurrences, an historical overview over the evolution of this growing influx is more than opportune in order to better grasp how and why Japan has reached the present situation. Today's Japanese stance on the immigration issue has been deeply influenced by the past events of the country, as it, in particular in its relations with the other Asian countries. By simply touching the prewar period, concerning the big wave of immigration and migration mainly generated by the colonial process, the following historical analysis will mainly focus its attention on the events taking place from the post Second World War period. The majority of scholars agree on discerning the postwar

Japanese immigration evolution into three periods: the first decade after the end of the Second World, the vacuum occurred in the interval between 1950s and 1960s, and finally the boom from the 1970s to the 1980s. In addition, the 1990s deserves a special attention, since it is the period when major revisions to the 1998 Immigration Control and Refugee Recognition Act (ICRRL) and other policy implementations brought to great changes, which shaped previous regulations, and contributed to give more concreteness to the immigration control practices and still deeply influences the today's governmental stance.

### ***The first decade of the Second World War aftermath***

The consequences generated by the second world conflict, and also by the forthcoming Cold War, had a deep impact over the immigration policies adopted by countries all over the globe. In a particular way, as Morris-Suzuki Tessa (2010) exhaustively explains, they had brought to the foreseeable tightening up of the controls over the nations' borders.

Besides that, in Japan the decade following the end of the Second World War brought into light an interesting immigration pattern usually not considered by researchers and scholars. These 'uncounted foreigners', as they can be accounted to, can mainly be divided in two groups.

The first and the most obvious one can be traced down to the Allied military forces themselves: the occupation of US military troops after the Japanese defeat amounted to 430,000 units, subsequently increased by other 40,000 British Commonwealth Occupation Force (BCOF) troops by the 1946<sup>1</sup>. Since initially there was no fear of reprisal on the part of the Japanese representatives and population against the Allied presence, in the short run the number of troops units were expressly reduced; but lately, the incumbency of the Korean War and the tensions drifting through the air during the Cold War, filled once again the US Allied and BCOF ranks, which were patently not willing to leave an Asian strategic post such as Japan exposed to the threats of the raising wave of communism.

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<sup>1</sup> MORRIS-SUZUKI, 2010: 14.

Right after the end of the second world conflict, the Occupation troops were the ones directly concerned and entitled to manage borders migration and immigration controls, and only in a second moment this role had been gradually and attentively delegated to the Japanese authorities, who in the meanwhile had the chance to develop a special immigration service body. However in this process the Allied troops had been exempted themselves from the immigration procedures, and thus never counted in the official government statistics concerning the presence of foreigners in the national territory. And this peculiar situation is still occurring today: even though the last thirty years of the twentieth century saw a drastic decrease in the presence of this group of immigrants, all over the Japanese country a wide numbers of military bases can still be counted, but, as in the 1940s and 1950s, there are virtually invisible in the official statistics.

The US and British Commonwealth troops have been influential in providing one of the first consistent steps towards the constitution of a body of regulating immigration control policies in Japan. In 1946, in order to oppose the expanding black market and growing rate of smuggling, the Allied proposed that all foreigners were to be always in possession of a document of identification. The 2<sup>nd</sup> of May of the following year, the Ordinance for Registration of Aliens had been issued, and those foreigners who were found not in possession of a regular identity card would be tagged as illegal immigrants. All this contributed to a big change, since the anonymous piece of paper with the mere alien's name of the prewar system had been replaced by the more and more sophisticated identity card, which in few years had been enriched with nationality, place of residence, photos and fingerprints of the holder.

It is with the issuing of a more defined system of documented identification that the second group of 'invisible immigrants' become easy to deduce: the undocumented foreigners. It comes without saying that this group of aliens is only rarely and partly visible at the official level. During the postwar period, most of them were estimated to be Koreans, as a legacy of the Japanese colonialism. They were people either settled in Japan, either just temporary seeking a work in the country, together with the whole family or alone in search of fortune. At the time of the issuing of the Ordinance for Registration of Aliens, a large number of these foreigners, in particular Koreans, faced no little problems: whatever the circumstances were,



either trade abroad or visiting a dying relative back in the country of origin, crossing Japanese borders without the valid identification card would have resulted in arrest and imprisonment. In this way a wide number of foreigners who in that period found themselves out of the country and wished to come back, but did not obtain a regular registration card, were either convicted, either deported.

In this period further effort were made to implement a better immigration regulation, and in particular two dates are worth mentioning: in 1951 the immigration Control Act was enacted, followed by the Alien registration Law in 1952, which mirrored the American models and materialized the fundamental immigration procedures. Though these two can be considered the pillars of the immigration policies body, they had been subject to revisions through the years, up to today.

### ***1950s to the 1960s: the slowing down***

This interval was marked by a puzzling and only apparent contradiction: the well-known period of economic growth which caused an expansion of the labor market was actually accompanied by a lower rate of foreigners influx compared to the previous and following period. Whether in the decade between the 1950s and 1960s the foreigners entering into the country almost tripled, passing from 47,425 in 1954 to 146.881 in 1960, the pace slowed down between the 1970s and 1980s, going from 775.061 in 1970 to 1.295.866 in 1980, without reaching its double<sup>2</sup>.

Why did this seemingly incoherent situation take place? There are five reasons<sup>3</sup> accountable for this. In the first place, during this ten year gap, the growing labor demand has been internally satisfied: the internal migration, from the rural area to the urban one, together with a shift of labor among the sectors, from the agriculture sector to the industrial and service one, and a growing class of educated youth, graduate and ready to look for a job,

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<sup>2</sup> Statistics Bureau, Ministry of Internal Affairs and Communication of Japan (ed.), *Foreigners who Legally Entered Japan by Status of Residence (1954--1989)*, 2013, retrieved from <http://www.stat.go.jp/english/data/chouki/02.htm> (accessed January 23, 2016).

<sup>3</sup> DOUGLASS, 2003: 58.

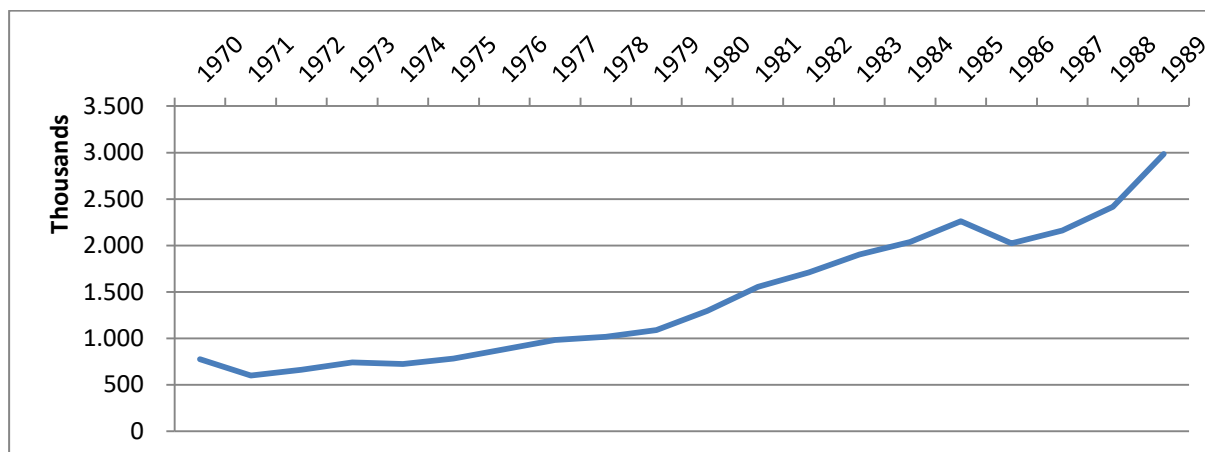
have been more than enough to meet the labor market needs. Secondly, in the decade 1970-1980 there was a wider range of possible immigrant destinations, first of all the American countries: the high costs to travel to Japan the country and the not favorable exchange rate, especially for those of Asian origins, and they made Japan lose its attractiveness to immigrant workers. Third, the lack of relationships and thus agreements and deals with potential countries of migration evidently contributed to the low rate of foreign workers. Fourth, the postwar atmosphere conveyed by Japanese colonialism made it difficult to re-establish a balance in the hiring of foreign workers, in particular Korean and Chinese. Lastly, the international tendency, still under the threaten of the Cold War tensions over national and international security, made restrictions over borders control even harsher than the pre-war period.

To sum up, the alien policies implemented until the present time this work is been produced are quite still oriented to a stance of exclusion and discrimination, or rather of assimilation towards the foreigner. Even immigrants being in possess of the legally issued identification card, could not be ensure with many basic social rights, because they actually lacked of Japanese citizenship. The old naturalization practices required for the applier to change his or her name into a Japanese one, and a wide number of Koreans, in particular those employed as civil servants, were virtually forced to change their name and naturalize in order not to lose their job positions.

### ***1970s to the 1980s: the booming inflow***

The 1970s registered a much more consistent flow of immigrants (Table 2), with a further grown in the 1980s and 1990s. This increased rate of foreigners can mainly be explained by two reasons, closely related to each other.

**Table 4: Foreigners who legally entered Japan by status of residence (1970--1989)<sup>4</sup>.**



Firstly, the expanding labor market which had, until that moment, been satisfied internally, now needed a new source of workers. As a matter of fact, the factors that previously could match the labor market needs turned out to be no longer sufficient. The internal supply of domestic labor force diminished, and the rural workers who converted themselves into urban settlers were no longer enough; the exploitation of women in the labor market of the former period had the uncontrollable consequence to lower the fertility level, which in turn caused the population to age and shrink, reducing in this way the active working population; lastly, the previously enthusiastic and ready to work class of freshly graduated students, revealed themselves to be no longer satisfied with the so called 3D (dirty, dangerous and difficult) jobs<sup>5</sup>, not only in terms of financial retribution but also because of the lack of prestige that came with them, thus leading to a labor mismatch.

All this, together with other economic factors, like wide disparities in the wage level between the country of origin, were the main factors leading to our second cause of the increasing immigration flow: with its GDP constantly growing and its labor market always demanding a wider rate of workers, and the solution being in front of its eyes, the Japanese central government could not afford to ignore the issue anymore. So, even though strict control regulations were still perpetrated, the path towards a relative openness (at least in favor of unskilled labors to nourish the demanding market) had been drawn, in this way a broader share of refugees accepted and further foreigners' rights improved. The

<sup>4</sup> Statistics Bureau, Foreigners Who Legally Entered Japan by Status of Residence (1970--1989).

<sup>5</sup> The English corresponding of the Japanese 3K: *kitanai, kiken, kitsui*.

acknowledgement of the 1979 International Covenants on Human Rights and the 1982 UN Refugees Convention were indeed a push Japan needed in order to start to recognize that a reshaping of its domestic immigration policy had to be listed as a priority in its agenda. The ratification signed in 1985 of the Convention on the Elimination of all Forms of Discrimination against Women marked an important step forward: it basically shifted the principle of citizenship from *patrilineal jus sanguinis* to the *patrilineal* and *matrilineal jus sanguinis*, and also resulted in the abolishment of the changing name practice due to the naturalization procedures. Finally, being in possess of the Japanese citizenship were no longer a requirement in the National Pension Act and the Child Allowance Act, which, though were not enough, contributed to alleviate at least some of the burdens the average foreign immigrant had to bear.

### ***1990s policies and their heritage***

Finally, from the 1990s, comes the period of ‘symbiosis’ policy<sup>6</sup>, where Japan was eventually eager to catch up with the international standards, in particular in regards the human rights sphere. The biggest contribution this period brought to the enhancement of a more solid immigration policies body was the revision of the Immigration Control and Refugee Recognition Act in 1990, which enlarged the alien residence status from eighteen to twenty-eight categories, and respectively increased the employment categories from 7 to 14<sup>7</sup>, and eased and sped up the immigration procedures.

Yet, the basic principles over which Japan founds its immigration policies did not waver under the pressure of the ‘symbiosis’ tendency, and they had been explicitly delineated in the Basic Employment Measure Plan and the Economic Plan for Structural Reform of Economy and Society of 1995, and could be resumed as follows:

- 1) To reduce potential social costs, including education for the children of migrant workers, and the emergence of ‘social’ problems associated with immigrant settlement, foreigners should be admitted to the country on a short-term basis only.

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<sup>6</sup> KONDO, 2002: 3.

<sup>7</sup> DOUGLASS, 2003: 60.

- 2) The admission of foreign labor should only be considered after all domestic alternatives (e.g. increased mobilization of part-time – both of female and elderly sources of labor, increased reliance on offshore production facilities among small and medium-sized firms) have been explored.
- 3) The admission on a temporary basis of highly skilled transient workers (e.g. academics, researchers, employees of transnational corporations, journalists) and those relatively less-skilled workers designated as company ‘trainees’. Under no circumstances will the admission of *hijukuren rōdō* (non-skilled labor) be considered as a response to immediate or longer-term labor shortage. All foreigners should be admitted on temporary basis only<sup>8</sup>.

These three tenets, which consider both border control and domestic labor issues, clearly state a stance of closure, over which Japan still builds its incorporation programs and policies today. But, as mentioned before, even though Japan has marked its closure stance, it has not been numb towards its economics and market labor issues. Later in the chapter it will be illustrated how the Ministry of Justice has provided for the creation of so-called «side-doors», which actually enable an influx of unskilled labor into the country, against the three closure principles.

## 2.2 Minorities in Japan

Although the numbers of foreign residents is still relatively small compared to the overall Japanese population and its event could be considered newish, Japan has gone through a long and tormented history of marginalized minorities present in its national territories, which has not always been motive of pride. In consideration of this, to better understand the nature and origin of these groups, a distinction between old and new minorities could be carried out.

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<sup>8</sup> Labor Standards Committee, 1997: 83.

### 2.3 The Old Minorities

The 'old minorities' expression includes both those groups which are a production of internal evolution of the Japanese society, both those groups which resulted from the Japanese imperialistic heritage. In Table 5 it can be found an estimate of the population of every single old minority.

In the former belongs the *burakumin*: these have been, and still are today, subject to disagreement among scholars and the population itself, whether they should be recognized as a separated ethnic group by the Japanese society, in regards of their definition or even whether they really exist. Generally speaking, the *burakumin* can be defined as the descendants of former outcastes and marginal groups, and their appellation derives from *buraku*, which indicates the isolated communities where they used to live. Since they are surrounded by an atmosphere of denial (or better to say, denial of their discrimination by the society), little effort has been made to frame them, their number estimation is very unclear, and the few surveys date back more than twenty years ago; but the existence of *burakumin* communities are actually nowadays acknowledged in big cities such as Osaka and Fukuoka. In the past, their outcaste status was officially recognized, but eventually it was abolished by the enactment of the Emancipation Edict<sup>9</sup> in 1871. But still today prejudices are not extinguished, as the presence of associations fighting against them witnesses. Explicit acts of discrimination still take place, as happened in December 2015 in Osaka, where citizens known to be *burakumin* descendent received in their private mail a letter bearing the following message: "We all hate you [...]. No matter how many decades or centuries pass, we will continue to discriminate against you forever."<sup>10</sup>

In the latter group, we can find the Ainu, Okinawans and Koreans. Trying to frame the population of Ainu, the same problems of the previous mentioned minority are faced: even though in June 2008 the government officially recognized them as 'indigenous people', they are not seen as a separate ethnic identity, thus they fail to appear in the population census

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<sup>9</sup> BESTOR, 2011: 153.

<sup>10</sup> Rhian Williams , *Burakumin: Descendants of caste considered 'tainted' face new discrimination in Japan 'Why is this happening to us? Why are we different?'* ,The Independent, 2015, retrieved from <http://www.independent.co.uk/news/world/asia/burakumin-descendants-of-caste-considered-tainted-face-new-discrimination-in-japan-a6791141.html> (accessed March 12, 2016).

and their number is unclear. Most of them reside in Hokkaidō, the northern Japanese island, considered their originally homeland, and in Kantō. The threat to the Ainu minority by Japan took a concrete shape by the 1869, with the colonization of Hokkaidō, and their traditional lifestyle together with what comes with it had been shattered. They are defined by some scholars as a “dying race”, and this expression might reveal itself to be at least partly true. Ainu have developed their own cultural peculiarity: they have different cultural traditions from the majority of Japanese society, their own Ainu language, and their own identity; but this intrinsic characteristics risk fading away with the ticking of time and the generational change. However, the cultural preservation seems not to be the main concern of this minority. Ainu have since long time engaged political battles to defend their human rights from the national attempts of assimilation, and in 1987 they reached out the UN in order to obtain what they have been fighting for.

The Okinawans also shares the same unfortunate past of the Ainu. Their territory of origin, Okinawa, has changed as many names as it changed ‘owners’. In the first years of the 600 A.C. it was known as the Kingdom of Ryūkyū, and at that time and for the following centuries it was an independent land, tied with China with tributes payments, mainly in exchanges of advantages in trade and security issues. Later on, it fell under the influence of Japan and was definitively annexed in 1879 and until the end of the Second World War, was unable to catch up with the rest of the country, either politically or economically, and lagged behind. Also in this case, some questionings whether the Okinawans should be considered as a separate ethnic identity from the rest of the Japanese society arise, but it seems like the public opinion and the Okinawans themselves have little doubt. The use of a particular terminology alone make it crystal clear: there is a tendency among the Okinawans to appeal themselves as *Uchinānchu*, different from the *Yamatonchu*, that is the “mainland Japanese”<sup>11</sup>. In addition, Okinawans do not share the same traditions and customs, and they also have their own Okinawan language<sup>12</sup>. Other more recent events contributed to create a further rifts

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<sup>11</sup> BESTOR, 2011: 155.

<sup>12</sup> The Okinawan language has officially been recognized in 2009 by UNESCO as a language (thus an official language, no more a dialect) endangered with extinction. The only political actor not recognizing to the Okinawan a status of official language is the Japanese government itself. Actually, it is more considered as a dialect more than a distinct language, but it is a matter of fact that it is quite different from the standard Japanese.

between the tropical island and the main land, most of which are related to the presence of US military base. There is the shared sentiment among the islanders not to be represented nor cared by the central government. The cohabitation with the US troops has not been easy, and there had been more than few incidents which gave the Okinawans legitimate reasons to despise the US presence: such as the 1995 rape of a schoolgirl by a US serviceman, or the US military helicopter crashing on Futenma University. Then again, during last years, and still going on today, the negotiation over the relocation of the America base, planned to be transferred from Futenma to Henoko, added fuel to the already existing discontent, making local politicians themselves openly oppose the decision of the main land government.

Lastly, the Koreans, constitute the biggest percentage of the ‘oldcomers’, and represent the suite of the first half twentieth century Japanese colonial conquests. Denominated *zainichi kankokuchōsenjin* (literally ‘resident-in-Japan Koreans’), today they live unstably balanced between their past origins and their present identity: whether during the war years, where they were forcedly conscripted into the country and felt deprived of their intrinsic Korean identity, the new generations, born and grew up in Japan, usually master only the Japanese language and habits, and are just feebly linked to their old traditions. Yet, whether the youngest Koreans deeply feel to belong to the Japanese world and through the years got more and more integrated, they are not considered a part of if by the rest of the society. Unfortunately, like in the past, also this minority group is still subject to different forms of discrimination which are manifested in the daily aspects of life, more evidently in those basic services such as in the housing and employment fields.

**Table 5: Estimate number of each old minority’s population.**

Burakumin	Ainu	Okinawan	Korean
3,000,000 <sup>13</sup>	24,000 <sup>14</sup>	1,435,233 <sup>15</sup>	491,711 <sup>16</sup>

<sup>13</sup> SUNDA, Mike, *Japan's hidden caste of untouchables*, BBC, Asia, 2015, retrieved from <http://www.bbc.com/news/world-asia-34615972> (accessed September 22, 2016).

<sup>14</sup> IRVINE, Dean, *Japan's hidden people: Ainu try to keep ancient traditions alive*, CNN, 2015, retrieved from <http://edition.cnn.com/2015/02/09/travel/cnngo-travel-hokkaido-ainu/> (accessed September 22, 2016).

<sup>15</sup> Prefecture of Okinawa, 推計人口 (*Suikai jinkō*), *Estimate of population*, 2016, retrieved from [http://www.pref.okinawa.jp/toukeika/estimates/estimates\\_suikai.html](http://www.pref.okinawa.jp/toukeika/estimates/estimates_suikai.html) (accessed September 22, 2016).

<sup>16</sup> Ministry of Justice, 国籍・地域別在留外国人数の推移 (*Kokuseki-chiikibetsu zairyū gaikokujin no suii*), *Evolution of foreign residents divided by nationality-region of origin*, 2015, retrieved from [http://www.moj.go.jp/nyuukokukanri/kouhou/nyuukokukanri04\\_00057.html](http://www.moj.go.jp/nyuukokukanri/kouhou/nyuukokukanri04_00057.html) (accessed April 15, 2016).



## 2.4 The New Minorities

As stated beforehand, Japan managed to answer with internal resources to the growing demand of labor, and it has only been after the 1980s that a steady inflow of immigrant had been registered. Those foreigners who entered from this period on are tagged as 'new comers', and for a more clear approach they are usually distinguished either as *nikkeijin* or simply as newcomers.

The term *nikkeijin* refers to the foreigners of Japanese descent, whose past ancestors migrated abroad at the beginning of the 20<sup>th</sup> century, being promised a new chance. They mainly come from South American countries, first of all Brazil and Peru, which legal residents amount respectively to 175,410 and 47,978 in 2014<sup>17</sup>. By the 1990 Immigration Control Act revision, they had been granted a special permission of residence, which explains their considerable affluence during those years, but here stands the paradox: completely in the opposite situation of the *zainichi*, *nikkeijin* are people born and grew up abroad, thus they most often do not speak Japanese, have different deeply rooted traditions, customs and habits, and only rarely identify themselves as being, at least partly, Japanese. In this way, even being officially recognized by the government and legally admitted into the country either as residents either as a working category, they have not few difficulties to integrate in the daily social life and are not always accepted by those cohabiting with them.

Lastly, there are the 'newcomer' foreigners. This categorization, which is the main focus of this study, comprehends all those immigrants who do not share Japanese blood. The most consistent nationalities are Chinese, Philippines, South Koreans and Brazilian, and they enter the country principally as students, trainees, entertainers and foreign spouses<sup>18</sup>.

To better understand why this group of migrants distinguishes itself from the rest, there have being a series of attempts in its definition, which could be resumed as follows. They firstly differentiate themselves from the other minority groups not only for the timing of their arrival, which is from the 1980s onwards, but also for the nature of their immigration:

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<sup>17</sup> Statistics Bureau, *FOREIGN NATIONAL RESIDENTS BY NATIONALITY (2000--14)*.

<sup>18</sup> Refer to the next subchapter for the visa categories and system of entrance.

in opposition to the oldcomers, the newcomers were not pushed nor forced to immigrate because of colonialism or war, but they can be more likely considered voluntary immigrants, who migrated according to their own will<sup>19</sup>. A second aspect is the 'less permanent' stay in Japan: usually newcomers manifest their will to return to their home country in few years, once they have gathered enough financial resources to do so and to have obtained the economic safety they were looking for; but a quite number of them end up staying in the long term, thus this point might sometimes be not of primary importance in the definition. Related to this, comes the third aspect, which sees most of the newcomers as labors, either unskilled, either high skilled workers (even though the latter are less consistent in number), albeit a small rate of it is also formed by refugees and asylum seekers (whose situation will be further analyzed later in this chapter). Fourth, being new to the country and not accustomed to its culture, newcomers often do not speak Japanese, and take time to learn how to behave and cohabit. In addition, the following two factors which are usually not considered because seen as obvious, but that still help in the definition. A very evident, but not always thought as a peculiar, characteristic is that they physically look different, considering that the oldcomers were mainly Koreans whose physical traits could still be passed as Japanese: not being constituted by a substantial rate of Asian people, most newcomers have somatic traits that cannot help but to stand out, like a dark skin, different shape of the eyes, difference in heights and physique, etc. Finally, coming from all over the globe, they profess diverse religions, from Catholicism, Muslim and Protestantism, which result quite new to the country.

## **2.5 21<sup>st</sup> Century Japanese Immigration System**

Taking into account what has been stated so far, it can be affirmed that the postwar period and the 1980s signed a turning point in Japan. The Allied occupation shaped the immigration system according to the political models of the already existing American and European

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<sup>19</sup> This definition of voluntary act could be deceiving, since it does not consider the situation of the country of origin, where there might have critical push factors (such as wars or dictatorships), forcing the migrant outside the country. In this case, the voluntary acceptance lies in the fact that these particular migrants could have chosen another country of destination different from Japan, but eventually ended up voluntarily selecting Japan.

countries, adapting them to the Japanese necessities; and the economic growth of the 1960s and 1970s set the stage for a further need of working force assimilation, which finally in the 1980s encouraged the Japanese government to find ways to open up to foreign labor inflow. This is why the governmental stance towards the matter is twofold: from one point of view, the national ideology linked to the (perhaps nowadays anachronistic) vision of homogeneity of the Japanese society obstacles a further overture, but on the other side, the assessment of, in particular economical, necessities lead to the acceptance of certain compromises.

It is also very important to point out how the evolution of the immigration policy set represents the shift from an assimilation stance towards the immigrant, where they were pushed to abandon their traditions and customs, like the practice of changing name into a Japanese one, to a model gradually shaping towards a cultural pluralism, where the minorities are regarded as separate identities and as such they participate in the daily social life. However, this does not necessarily mean that being granted a proper existence tantamount to be regarded as equal: as Anthony Giddens underlines in his studies, being considered different and separate from the rest of the society might result in being associated with inequalities and eventually bring to discriminatory treatments<sup>20</sup>, how is still today the case.

However, deeply concerns over the immigration issue and how to deal with it can be witnessed not only in the effort to implement programs and policies, but also in the development of those institutions which stand at the base of them.

The following sections will give a general but practical overview of the present flow of immigration, how the Japanese immigration system is structured and how the main immigration procedures take place.

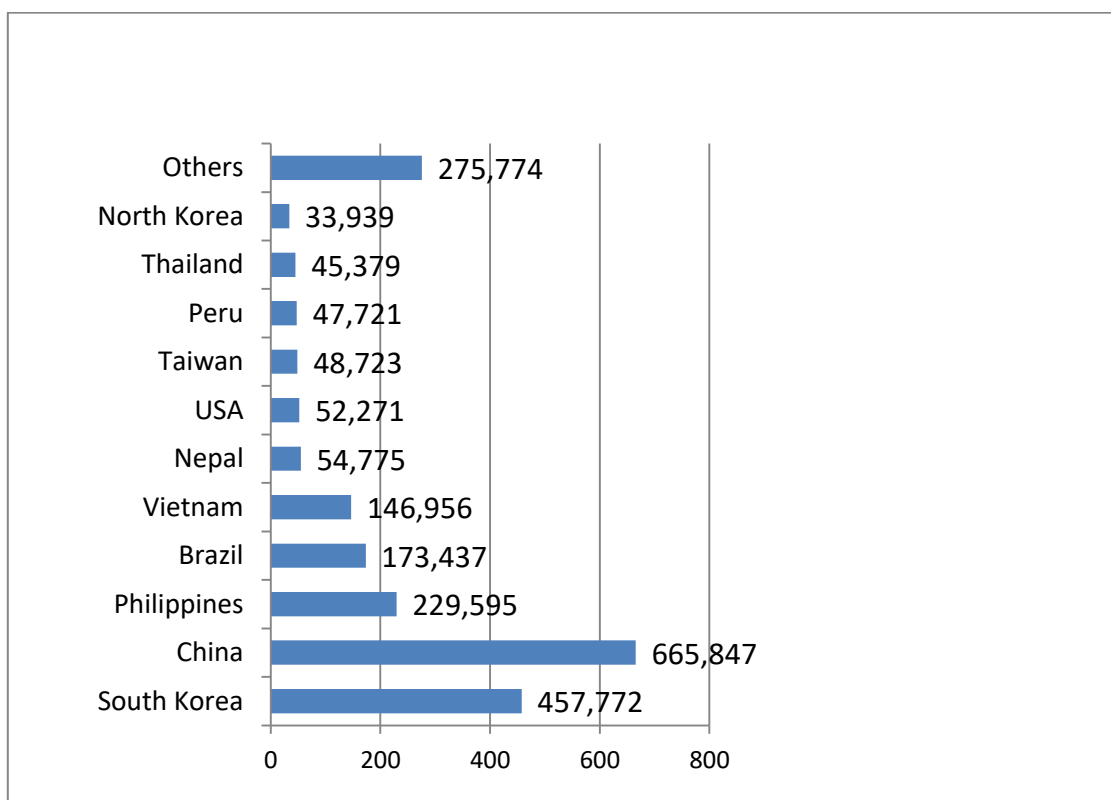
### **2.5.1 Data and Statistics**

According to the Ministry of Justice, the total number of foreign nationals resident in Japan in 2015 amounted to 2,232,189, which represents an increase from the previous years, was

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<sup>20</sup> GIDDENS, 2009.

Table 6: Residents of foreign origin in Japan in 2015<sup>21</sup>.



were registered 2,121,831 in 2014, 2,066,445 in 2013 and 2,033,656 in 2012<sup>22</sup>. The Bureau addressed the causes of the steady inflow increase to the constant tendency of a weak yen, and to the fact that the government has implemented measures, together with the collaboration of the private sector, aiming at favoring tourism.

The number of foreign residents, who are absorbed by the largest metropolitan areas and prefectures, which in descending order are Tokyo, Osaka, Yokohama, Nagoya, Kobe, Kyoto, Kawasaki, Fukuoka, Chiba and Hamamatsu<sup>23</sup>, reached the 861,507 people out of 2,232,189 in 2015, corresponding to the 38.6% of the total immigrant population. The most consistent nationalities constituting the share of alien residents are the Chinese (665,847 people),

<sup>21</sup> Ministry of Justice, 国籍・地域別在留外国人数の推移 (Kokuseki-chiikibetsu zairyū gaikokujin no suii), Evolution of foreign residents divided by nationality-region of origin, 2015, retrieved from [http://www.moj.go.jp/nyuukokukanri/kouhou/nyuukokukanri04\\_00057.html](http://www.moj.go.jp/nyuukokukanri/kouhou/nyuukokukanri04_00057.html) (accessed April 15, 2016).

<sup>22</sup> Ministry of Justice, 国籍・地域別在留外国人数の推移 (Kokuseki-chiikibetsu zairyū gaikokujin no suii), Evolution of foreign residents divided by nationality-region of origin, 2015, retrieved from [http://www.moj.go.jp/nyuukokukanri/kouhou/nyuukokukanri04\\_00057.html](http://www.moj.go.jp/nyuukokukanri/kouhou/nyuukokukanri04_00057.html) (accessed April 15, 2016).

<sup>23</sup> TSUDA, 06: 72.

South Koreans (457,772), Philippines (229,595), followed by Brazilians and Vietnamese (Table 5).

It is important to keep in mind, however, then when looking at these figures the number of foreigners naturalized must be considered: once foreigners, who for one reason or another (for example, in order to achieve better working conditions and securities, being able to enjoy all the privileges which derive from being in possess of the citizenship) decide to acquire the hosting country citizenship and naturalize, they disappear from the previous statistics. So the number of residents of foreign origins is actually greater.

According to the Statistics Bureau Japan, there is almost no distinction in the gender percentage among the immigrants (in 2014, 48.5% were male and 51.5% female<sup>24</sup>), while the average age of the immigrants were detected to swing between 20 and 45 years, and having a peak in the 30s, from which we can deduct two clear considerations: firstly, the age interval obviously reflects the peak of active labor force population, which means that today the majority of immigrants come into the country to look for a job; secondly, the lack of a consistent share of children and elderlies shows the absence of implementation of a comprehensive body of policies aiming at enhancing the family reunification, due to the strict administration over the issuing of permanent residence permissions.

### **2.5.2 Bureau Organization**

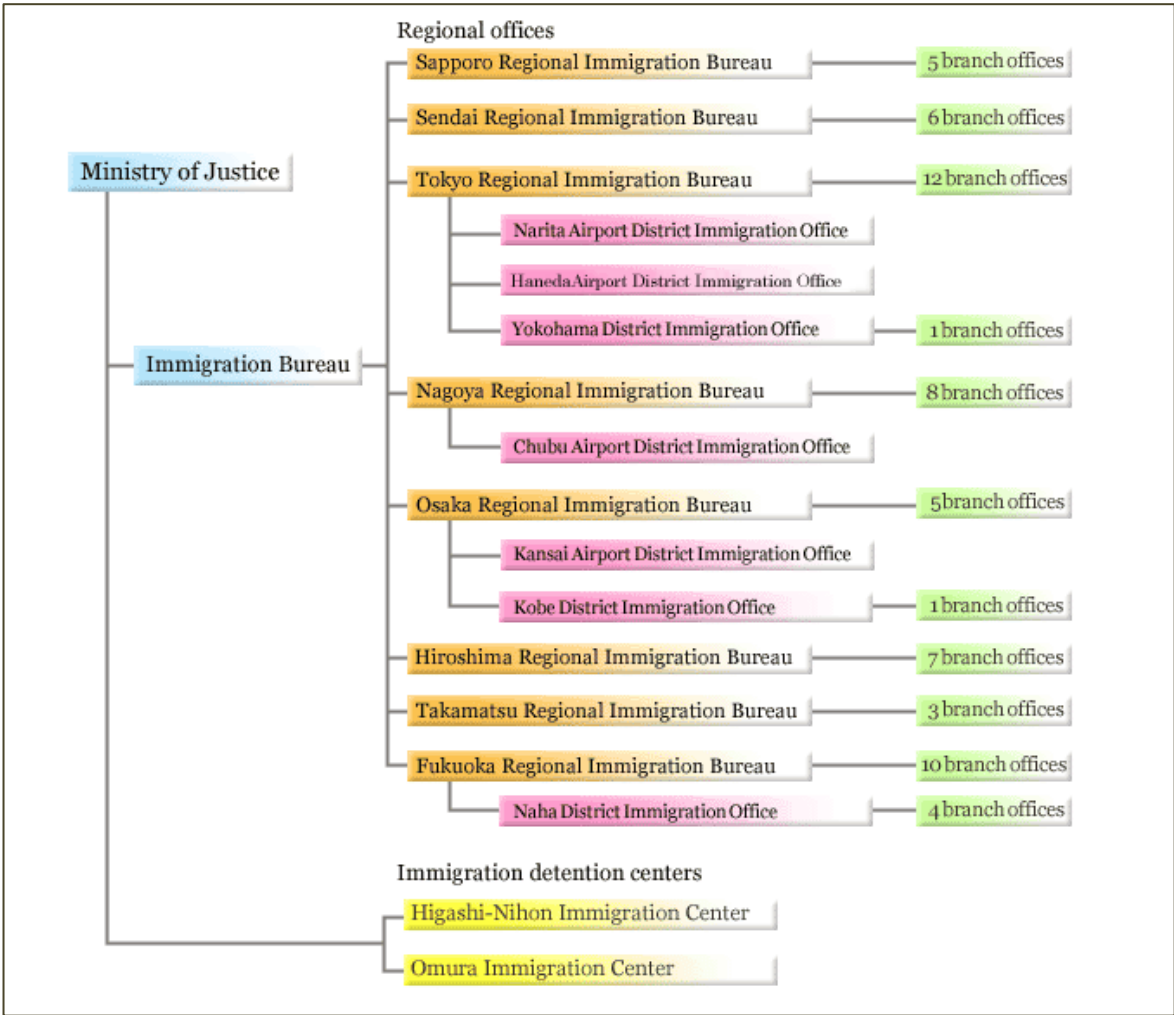
As it would be expected, the growing pressure of the increasing immigration flow lead to structural changes at the central government level, and the body which manages the immigration field has considerably evolved from the one deriving from the US Commonwealth legacy.

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<sup>24</sup> Immigration Bureau, Ministry of Justice, Japan, *Immigration Control 2015*: 4.

The Immigration services are responsibility of the Immigration Bureau in the Ministry of Justice, and it directs eight Regional Immigration Bureaus, who in turn supervise seven District Bureau and sixty-two Branch Offices, and two Immigration Detention Centers,

**Table 7: Immigration Bureau Organizational Chart.**



geographically organized as displayed in Table 6<sup>25</sup>. The way the bureau and offices are distributed in numbers and in terms of geographical position, reveals the consistence of immigration in the different regions of the country; in this frame, Tokyo and Fukuoka clearly host the biggest shares of alien inflow, but they alone are not sufficient to manage the occurrences of the other prefectures and districts, which explains why the organizational chart of the Immigration Bureau has widely grown and become so branched.

<sup>25</sup> Immigration Bureau of Japan, *Organizational Chart*, retrieved from <http://www.immi-moj.go.jp/english/soshiki/index.html> (accessed March 23, 2016).

The importance given to the efficiency of the immigration control are also underlined by the increase of staff, which has doubled in last ten year, and the growing budget expended over personnel and equipment in the sector, which reached 46,933 million yen in 2015<sup>26</sup>.

### 2.5.3 Immigration Procedures

At the moment of landing and entering the country, the foreigner is granted landing permission when in conform to all the requisites, first of all carrying a valid identity document. Whether the entrant is not found in possess of the landing conformities, it might firstly be examined by a special inquiry office, and if objections get filed, the case passes to the Ministry of Justice where the appointed Bureau will provide for the final decision – whether to grant special permission of landing or order to leave the country.

The timing required for examination might vary case to case, but in more than one occasion it could become quite extended and the suspect to be entering the country illegally (or as it will be analyzed later, waiting to be granted the status of refugee), might be redirected to one of the two Immigration Detention centers, where he or she might spend several months.

### 2.5.4 Visa Categories

When the alien wish to stay for a period of 90 days or more, he or she needs to apply and obtain a visa. Of course a valid document of identification is needed, together with a series of other documents, like the Certificate of Eligibility (CoE). There are 27 visa categories<sup>27</sup> in total, and each one of them might require a particular set of documents. There are two highly skilled professional visas (high skilled professional, high skilled foreign professional); thirteen working visas (professor, artist, religious activities, journalist, business manager, legal/accounting services, medical services, instructor, engineer/specialist in humanities/international services, intra-company transferee, entertainer, skilled labor); five

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<sup>26</sup> Immigration Bureau, Ministry of Justice, Japan, *Immigration Control 2015*: 170.

<sup>27</sup> Ministry of Foreign Affairs, *Visa*, “MOJ”, retrieved from [http://www.mofa.go.jp/j\\_info/visit/visa/long/index.html](http://www.mofa.go.jp/j_info/visit/visa/long/index.html) (accessed March 23, 2016).

general visas (cultural activities, student, training, dependent, technical intern training); five specified visas (spouse or child of Japanese national, spouse of permanent resident, long-term resident, designated activities, designated activities such as long stay for sightseeing and recreation); one diplomatic visa and one official visa.

Even though some of these visas held some restrictions in terms of working conditions (amount of hours and typology of jobs), or forbid the foreigner to engage in a working activity at all, we will later see with the 'side-door' issue how limitations are subtly surmounted, thus enlarging the actual foreign labor force.

### 2.5.5 Naturalization

Naturalization in Japan is based on the *jus soli* which grants the nationality to those people born within the borders, and on the *jus sanguinis*, which means that it is granted only to Japanese descendants. After the already previously mentioned ratification of the Convention on the Elimination of all Forms of Discrimination against Women signed in 1985, children with only one Japanese parent, whether it is the father or the mother, are enabled to acquire the Japanese citizenship, maintaining also the original (whether the case) citizenship. But once the subject reaches the age of 22, he or she must deny all other citizenship in order to be able to regard the Japanese one. Other conditions must be met to acquire the citizenship, such as: continuous residency in Japan for a period corresponding to five years or more; the applicant must be at least 20 years old and must have shown a history of good behavior, thus penal accusations or incriminations; he or she must be financially able to provide for his or her own sustenance, either alone or with the support of the family.

The trend of naturalization has actually slowed down in the last ten years, passing from 17,633 in 2003 to 8,646 in 2013<sup>28</sup>, and it mainly involved the former Koreans and Chinese, as shown in the table 4.

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<sup>28</sup>OECD, *International Migration Outlook 2015*, 2015.

Retrieved from [http://www.oecd-ilibrary.org/social-issues-migration-health/international-migration-outlook-2015\\_migr\\_outlook-2015-en](http://www.oecd-ilibrary.org/social-issues-migration-health/international-migration-outlook-2015_migr_outlook-2015-en) (accessed March 12, 2016).



**Table 8: Naturalization by Nationality 2006-2015<sup>29</sup>.**

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Korea	8,531	8,546	7,412	7,367	6,668	5,656	5,581	4,331	4,744	5,247
China	4,347	4,740	4,322	5,392	4,816	3,529	3,598	2,854	3,060	2,813
Other countries	1,230	1,394	1,484	1,576	1,588	1,444	1,443	1,470	1,473	1,409
Total	14,108	14,680	13,218	14,785	13,072	10,359	10,622	8,646	9,277	9,469

Once citizenship has been issued, the recipient does enjoy the same rights of the rest of the Japanese population. And this is probably the main reason why, together with the exacerbation of immigration procedures, the issuing of naturalization pace has slowed down. In fact, the following table shows the numbers of requests against the numbers of effective permitted and denied requests.

**Table 9: Naturalization requests and permissions 2006-2015<sup>30</sup>.**

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Total requested	15,340	16,107	15,440	14,878	13,391	11,008	9,940	10,119	11,377	12,442
Total permissions	14,108	14,680	13,218	14,785	13,072	10,359	10,622	8,646	9,277	9,469
Total denied	255	260	269	201	234	279	457	332	509	603

According to surveys conducted among the foreign naturalized population in the 2000s, the reason behind the decision to naturalize are of material nature<sup>31</sup>: among the interviewed,

<sup>29</sup> OECD, International Migration Outlook 2015, 2015.

Retrieved from [http://www.oecd-ilibrary.org/social-issues-migration-health/international-migration-outlook-2015\\_migr\\_outlook-2015-en](http://www.oecd-ilibrary.org/social-issues-migration-health/international-migration-outlook-2015_migr_outlook-2015-en) (accessed March 12, 2016).

<sup>30</sup> Ministry of Justice, 帰化許可申請者数, 帰化許可者数及び帰化不許可者数の推移 (*Kikakyoka shinseshasū, kikakyokashasū oyobi kikafukyokashasū no suii*), Evolution of number of naturalization requests, permissions and refusals, retrieved from <http://www.moj.go.jp/content/001180510.pdf> (accessed September 2, 2016).

<sup>31</sup> CHUNG, 2010: 12.

most of them applied for the citizenship in order to gain all the privileges that come with it, like social welfare benefits or avoiding the risk of being deported, thus to continue to live in Japan; only a small percentage of naturalized applied for it with the intention of political empowerment, such as obtaining voting rights. But still today there are some who acquired the permanent residence permission, but do not wish to give up their citizenship to gain the Japanese one; this category is labeled by Thomas Hammar (1990) as 'denizens', and represents in particular the case of many Koreans, who do not want to lose their ethnic identity, strictly related to the possession of the citizenship, either for personal reasons regarding the Japanese colonialist history.

#### **2.5.6 Labor Law**

Taking into consideration the decreasing birth rate, the shrinking population and its aging, the Ministry of Labor has been trying for some years now to harmonize the working sphere together with the family one, which in terms of policy implementation means developing a more suitable Child Care and Family Care Leave Law. And even though, as already underlined, the assimilation of a wider share of foreign unskilled workers could pose a solution to the issue, the government put much more effort in creating possibilities for high skilled professional, neglecting a further enhancement of unskilled worker policies.

The Japanese Labor Law applies either to nationals either to alien workers. It embodies the principle of non-discrimination in terms of wages, hours of work and other fundamental working conditions which could be caused by the worker's status, creed and citizenship background; it also obviously states the minimum requisites of compensation and the total amount of working hours not to be exceeded (no more than 8 hours per day and 40 per weeks, excluding the breaks<sup>32</sup>) which all employers must respect. Most of the present labor laws are direct products of the Allied' influence period, like the basic Labor Standard Law (LSL), enacted in 1947. In 1949 the Labor Union Law (LUL) was put into force and it entitles workers to mobilize and organize forms or labor union to achieve better working conditions. The 1947 saw also the enactment of the Worker's Accident Compensation Insurance Law

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<sup>32</sup> Labour Standards Law, Article 32.

(WACIL), which application sometimes becomes complicated when applied to trainees' cases, who, as expressed in the previous subchapter, do not fall in the working category visa, thus cannot be regarded as 'employees'.

The Labor Law provides for services specifically thought to answer the necessities of the foreign worker. The presence of the Employment Service Section for Foreign Workers, together with the interpretership services offered by the Public Employment Security Offices, should ease the procedures for foreign job applicants. In addition, two other sections which target only determined groups of foreigners can be found: the Employment Service Centre for Foreigners deals with students and foreign professional or technical fields, and the *Nikkeijin* Employment service focuses on foreign workers of Japanese descendants.

According to the OECD Economic Surveys JAPAN released in April 2015, foreign workers are less than 2% of the total Japanese labor force, and due to the government stance leaning towards a closure stance, there had been registered a decrease, from around 76,000 foreign workers in the 2009 to 35,000 in 2013<sup>33</sup>, and this numbers also include the share of high-skilled workers.

Looking at the typology of jobs foreign workers are employed could help to understand how they are positioned inside the society and could show whether or not pattern of disadvantage are manifested. Since, according to the principle along which unskilled labor is not to be accepted, is not an easy task to retrieve official data on figures of employment among foreigners, but what could be considered is the percentage of typologies of visas issued. In 2014, the number of aliens registered for high-skilled professions visas were around 2,360<sup>34</sup>, which is the mere 6% of the total foreign working population. In addition, it should not be forgotten the number of unofficial workers who exponentially feeds the figure of alien unskilled labor, so the former percentage actually is far lower than it is officially stated.

However, the situation seems to drastically change for those who have obtained the citizenship or at least the permanent residency permission: they can more easily access to a

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<sup>33</sup> OECD, *OECD Economic Surveys, JAPAN*, APRIL 2015, OVERVIEW: 16.

<sup>34</sup> Immigration Bureau, Ministry of Justice, Japan, 2015: 5.

number of public positions and have fewer problems to gain a job in firms and thus get a long term employment.

### **2.5.7 Deportation**

Deportation might be imposed at the occurrence of thirteen situations, among which there are illegal entry or landing, overstay, illegal activity, imprisonment over three years, engaging business connected with prostitution, etc.

It is curious to realize that regardless the huge number of illegal immigrants present in the national territory<sup>35</sup>, today's figure of deported or expelled foreigners are quite low minor if compared to the situation at the end of the 1990s, when they reached a peak of 48,493<sup>36</sup>. In the 2014 the number of deported was merely traced back to two people (respectively from Spain and Philippines), and the expulsion orders implemented accounted to 846 people, who mainly came from North Korea, Thailand, China and Taiwan<sup>37</sup>.

### **2.5.8 Recognition of Refugees status and Asylum Seekers**

The procedures which regulate the recognition and treatment of refugees and asylum seekers are provided by the 1981 Convention Relation to the Status of Refugees and the 1982 Protocol Relating to the Status of Refugees.

*Generally, a refugee is defined as a person who is outside the country of his or her nationality owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion and*

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<sup>35</sup> Refer to point 1.4.3 for a closer examination.

<sup>36</sup> KONDO, 2002: 10.

<sup>37</sup> Immigration Bureau, Ministry of Justice, *2015 Immigration Control*, Data Section: 187.

*is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country.*<sup>38</sup>

Though Japan has agreed to and signed at the end of the 20<sup>th</sup> century the International Convention on Refugees, compared to the other industrialized countries it shows one on the lowest rate of refugees accepted into the country.

In 2014 there have been registered 5,000<sup>39</sup> refugee applications (to which must be added 236 landing permissions for the temporary refugee status), a net increase from the past. There had been 73 nationalities, and the most representative had been Nepal, Turkey, Sri Lanka, Myanmar, Vietnam, Bangladesh, India, Pakistan, Thailand, Nigeria, Philippines, Ghana, Cameroon, Iran and China. However, the increasing number of requests did not meet and equivalent growing number of authorizations: the following table shows how in the last decade the tendency has leant towards decreasing permissions to asylum seekers.

**Table 10: Asylum seekers' requests and authorizations 2006-2015<sup>40</sup>.**

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Total requests	954	816	1,599	1,388	1,202	1,867	2,545	3,260	5,000	7,586
Total permissions	34	41	57	30	39	21	18	6	11	27
Percentage of authorized requests	3.56%	5.02%	3.56%	2.16%	3.24%	1.12%	0.70%	0.18%	0.22%	0.36%

Even though the Immigration Bureau has stated to have achieved important improvements to handle refugees' requests in a more responsive and appropriate way, many problems are still found nowadays, as has been shown by the exemplary case of Niculas Fernando. He was a Singhalese man, who died in the Immigration Detention Center in Tokyo on November 22<sup>nd</sup>

<sup>38</sup> Ministry of Justice, 2015 Immigration Control: 157, retrieved from [http://www.moj.go.jp/nyuukokukanri/kouhou/nyuukokukanri06\\_00068.html](http://www.moj.go.jp/nyuukokukanri/kouhou/nyuukokukanri06_00068.html) (accessed April 12, 2016).

<sup>39</sup> Immigration Bureau, Ministry of Justice, Japan, Immigration Control 2015: 66.

<sup>40</sup> Ministry of Justice, 難民認定申請者数の推移 (*Nanmin nintei shinseishasū no suii*), *Evolution of number of refugee authorized requests*, 2015, retrieved from <http://www.moj.go.jp/content/001170703.pdf> (accessed September 5, 2016).

2014, while waiting for his request of asylum to be analyzed and eventually accepted. Niculas Fernando has been subject of political persecution back in his country and has reached Japan, where his son moved and now lives and works, hoping to be at least temporally hosted. There he died before he could even be admitted into the country: from the Haneda airport in Tokyo, where he landed, some irregularities had been noticed in his documentations, and he had directly been transferred to the detention center for immigrants in Tokyo, where he died ten days after his arrival. The presumed causes of death had been traced back to the lack of medical assistance given to the man<sup>41</sup>.

Niculas Fernando had been the fourth person dying during that year, and from 2006 twelve people lost their lives in the two Japanese immigration detention centers, four of which committed suicide. On February 2016, more than forty convicts went on hunger strike to protest against the situation in which they are forced to live, first of all, the scarce medical assistance provided<sup>42</sup>.

These episodes actually show gaps not only in the assistance given to refugees and asylum seekers, but also to the managing of the whole immigration system itself. Apparently, though the enhancement of some of its aspects, the Japanese immigration system appears not to be adequate in responding to the continuously growing rate of alien entrants, and these points out the need of further improvements. For example, the time requested for the analysis of refugee status or asylum seekers should be cut down, medical services for such facilities could necessitate to be re-evaluated and measures taken; and these seem to be just the iceberg point of least visible issues which must be re-considered.

## **2.6 Immigrants' Entrance Doors: Front, Side and Back Door**

As it has been previously being laid out, there is a wide number of visa categories, and each of them is meant to serve to a specific scope; they differentiate themselves in the aim with which the applicant enter the country, the lapse of time he or she is granted to reside in the

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<sup>41</sup> MIYAZAKI, 2016.

<sup>42</sup> MIYAZAKI, 2016.

national territory, what kind of activities he or she can perform and in which particular circumstances.

According to what are the principles under which the immigration policies are constituted and executed, the number of categories which grant the permission of legally work without restrictions is quite limited considered the big request from the Japanese labor market for unskilled labor. But this is why, in order to obviate to the lack of low-skilled labor and supplement the labor market, the Ministry of Justice has opened a 'side-door', through which the inflow of foreign workers can be redirected without thwart the immigration tenets.

It is in this context that the three expressions, "front", "side" and "back door" have been coined, where the first simply denotes the legally entered immigrants, inflow of foreigners entering under a specific program but ending up filling the working figures (except for legal professional and high-skilled ones, who amounted to 2,360 of skilled labors and 67,086 entering with a 'Diplomat' or 'Official' status in 2014<sup>43</sup>), and the back door representing all the illegal immigrant workers, which were esteemed to be around 6,702<sup>44</sup> in 2014.

### ***Side-door***

The side-door represents all those immigrants legally admitted under a professional visa category, but who actually stream in the unskilled labor force rate. There are four main groups who can be traced back to the side-door entrants: the trainees, *nikkeijin*, pre-college students and the entertainers.

The trainees who newly entered the country in 2014 accounted to 16,162, showing a steady decrease from the previous years<sup>45</sup>; they are the most representative case of how side-door entrants end up being imported as migrant labor, and most of them are coming from China, followed by Thailand, Vietnam, Philippines and Indonesia.

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<sup>43</sup> Immigration Bureau, Ministry of Justice, Japan, *Immigration Control 2015*: 11.

<sup>44</sup> Immigration Bureau, Ministry of Justice, Japan, *Immigration Control Report in Recent Years*, 2015: 51.

<sup>45</sup> Immigration Bureau, Ministry of Justice, Japan, *Immigration Control 2015*: 180.

The trainee program is officially tagged as overseas development assistance and aims at enabling trainees of developing countries to acquire new knowledge and skills at small and medium Japanese companies which, at the same time, are meeting labor shortage problems. But, as a matter of fact, these trainees perform unskilled labor, and their title reserve them low wages.

The second group is constituted by the *nikkeijin*, and their policy is justified as a chance given to the Japanese descendants, who lived, and in certain cases were born, abroad and have almost completely detached from the Japanese heritage within them, to rediscover their origins and customs, their ancestors' traditions, to visit around the country, meet and spend time with their relatives, and learn the Japanese language. But as for the trainees, the *nikkeijn* who entered the country as trainees find themselves entangled with low-skilled jobs in small and medium factories. Even if they subtly contradict with the 'no unskilled labor to be admitted' assumption, they seem to be more likely accepted within the society compared with other ethnic groups such as Chinese and Korean, most probably because they at least do no threat the ideological pillar of cultural and ethnic homogeneity which keeps cohesive the imaginary of a cohesive society, which thematic will be deepened later.

The third group refers to the student visa category applicants, which concession was established with the 1990 Immigration Control Act in order to encourage foreign students to conduct their researches and studies in Japan. In 2014, 82,460 newly students were registered entering the country, showing also in this case an increase of 17.8% compared to 2013<sup>46</sup> (and almost doubled from the beginning of the 2000s). Students can reside in the country for a maximum of four years and three months, and are granted to have a part-time job which working hours must be kept between the 20 and 28 hours a week. But most of them usually either exceed the allowed amount of hours, or overstay their visas, either becomes full-time and unskilled employee. Another lower percentage of them are entering the country in possession of false documentation or enter in presumed 'language schools' which actually reveal themselves to be immigrants-smuggling firms<sup>47</sup>.

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<sup>46</sup> Immigration Bureau, Ministry of Justice, Japan, *Immigration Control 2015*: 12.

<sup>47</sup> Tsuda, 2006: 15.



Lastly there are the entertainers, whose 'Entertainment' visa allows them to participate in theatrical, musical and sportive performances, and a stay up to three years. Their inflow has fluctuated during the years, increased until 2013, and started to decrease again, reaching 35,253 people in 2014<sup>48</sup>, and has been mainly composed by immigrants coming from the United States of America, Republic of Korea, Philippines and from the United Kingdom. Like the precedents groups, they are admitted in the country with a professional visa category, but they end up working in bars and night clubs as hostesses and prostitutes. The considerable share of Asian women, the majority of which are from Philippines, are deceived by smugglers and forcedly sent into the country under false documentation; once in Japan, the so called *Japanyuki-san* (literally translated as 'Ms. Going-to-Japan') are exploited by labor brokers and constrained to work under conditions of sexual slavery. Regarding the sex industry loud critics had roused against the Japanese government, which has not shown itself to be willing to propositionally take action to resolve the problem<sup>49</sup>.

### ***Back door***

With all the restriction posed on the front door, not even the policies of the side-door seem able to answer to the need of the demanding labor market. Anyway, what also should be considered is that there is still nowadays a considerable share of immigrants who simply enter the country illegally.

The back door thus comprehends all the immigrants workers, who amounted to 6,702 people in 2014<sup>50</sup>, which represent a drastic reduction if it is compared to the figure of 2010, when they accounted to 18,490<sup>51</sup>. The majority has Asian origins, such as China, Philippines, Vietnam, Thailand, Republic of Korea, etc. Most of them are male (62.1%), and the main type of works that are performed are construction workers (1,336, accounting for 19.9%), factory

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<sup>48</sup> Immigration Bureau, Ministry of Justice, Japan, *Immigration Control 2015*: 178.

<sup>49</sup> JONES, 2010.

<sup>50</sup> The figure accounts for 62,8% of the total foreigners illegal residing in the country, which means that most of them are also illegally working.

<sup>51</sup> Immigration Bureau, Ministry of Justice, Japan, *Immigration Control 2015*: 52.

workers (1,230, accounting for 18.4%), agricultural worker (946, accounting for 14.1%) and attendants such as bar hostesses<sup>52</sup>.

It comes without say, that the figure above showed, even if issued by official sources, does not include the total and real amount of illegal foreigner entered in Japan: much more manages to pass unobserved to the government's controls, or are simply without documentation, so the numbers are actually way more consistent<sup>53</sup>.

## 2.7 Japanese Social and Political Movements

By analyzing which policies have been implemented so far, it becomes quite easy to understand what the Japanese perceptions are over the immigrant. Among the already existing academic and field research literatures, together with news, articles and blogs, it would be safe to trace back what originates the Japanese widespread sentiment<sup>54</sup> of wariness towards the foreigners to two main reasons. The first is the conception of the Japanese society as ethnically intact and to be preserved as such, aroused especially in the 20<sup>th</sup> century, and the second could be pointed out by the particular role that Japanese media, especially some governmental entities such the police, had in managing and manipulating the public opinion over critical issues such as foreign criminality.

But before analyzing what are the prevalent social movements among the Japanese population, the following section offers a concise glance of what are the main tendencies in the governmental environment and the nature of the composition of the most influential political parties.

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<sup>52</sup> Immigration Bureau, Ministry of Justice, Japan, *Immigration Control Report in Recent Years*: 53.

<sup>53</sup> JONES, 2010.

It has also been reported by the Ministry of Justice itself, in its Immigration Control Report, that the figures are actually higher than official statistics show because of the nature of unofficial and illegal act.

<sup>54</sup> In here, "sentiment" refers either to the government stance either to a social movement coming from the population itself. It is indeed widespread, but not absolute, because not all governmental actors or the whole population share the same thoughts and opinions.

### 2.7.1 Government's Stance and the Political Parties

Two important elements impacting policies are related to the government's stance and to the most influencing political parties.

As the previous subchapters about the Japanese immigration systems have illustrated, governmental institutions are quite reticent in issuing naturalization permissions or entry authorization, as the figures of naturalized foreigners or accepted asylum seekers emphasize. And this stance is adopted by the government not only in facing directly the entering immigrants, but in handling cases of those already living within the Japanese borders. In a particular way, there seems to be a constitutional problem at the very base of many legal issues related to foreigners, hampering a transparent comprehension of what effectively are immigrants' rights. As a matter of fact, Japanese legal protection for immigrants, or better to say non-citizens, is rather fragile<sup>55</sup>. Since generally judges tend to interpret the Japanese constitution to be applicable only to Japanese nationals, people of foreign origins are automatically excluded from its directives, and have to turn to civic protections or international law guidelines. There have actually occurred some episodes where constitutional rights have been extended to foreigners<sup>56</sup>, but it is clear that since these events are only occasional, in order to ensure a solid legal protection to immigrants a revision and promulgation of a more explicit legislation is needed.

Furthermore, as it occurs in other OECD countries, like in Italy or France, among the political parties there is a right-left division corresponding to an opposite view of the political landscape, especially that of migratory policies. The left wing seems to be more likely favorable to a welcoming body of migratory policies, while the right wing tends to a closer stance. However, though this political contrast could bring a balanced outcome in the migratory issue management, those leftist parties, as the Democratic Party of Japan<sup>57</sup> (DPJ), the Social Democratic Party<sup>58</sup> (SPJ), the Japanese Communist Party<sup>59</sup> (JCP) or the

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<sup>55</sup> GAUNDER, 2015: 225.

<sup>56</sup> As Gaunder (2015) points out, in two important events the Supreme Court has extended constitutional privileges also to non-Japanese citizens: in 1995, over the question of local suffrage for permanent foreign residents, and in 2005, over the permission for foreigners to become municipal civil servants.

<sup>57</sup> In the original language *Minshutō*, 民主党.

<sup>58</sup> In the original language *Nihon Shakaitō*, 日本社会党.

<sup>59</sup> In the original language *Nihon Kyōsantō*, 日本共産党.

Kōmeitō<sup>60</sup>, have shown often some tenuousness because of the existence of conflicts within. In 1995 these parties had actually put forward a proposal that would have given permanent residents of foreign origins to vote at the municipal-level elections<sup>61</sup>. However, until the first decade of the 21<sup>st</sup> century the coalition of these parties could not overcome the contrasting wave of the Liberal Democratic Party of Japan<sup>62</sup> (LDP) who had hold the reins of the country from the 1955<sup>63</sup>, and little could have been enforced without the LDP's approval, who would have rather softened the criteria for naturalization eligibility rather than enlarging the range of rights that non-citizens could enjoy, preserving them as privileges of Japanese nationals alone. Finally, in 2009, with the victory of the DPJ the situation had the entire basis to begin anew, yet other tensions and contrasts among same wing parties and coalitions mined and still hamper today the possibility for a route change towards a national immigration policy opening.

### 2.7.2 The Homogeneity Clash

What Morris-Suzuki states in her work might be a starting point to better understand this concept. She assumes that borders, image, either literally considered either symbolized, around which she builds her studies over Japanese immigration, create a visible line that clearly separate *“some people (‘nationals’) from others (‘aliens’)”*.<sup>64</sup> According to academic literatures and articles researching over Japanese social aspects, mainly in the 20<sup>th</sup> century and particularly in its World War aftermaths, Japan has been depicted as an ethnically homogeneous country, which experienced a long period of closure, the so-called *sakoku*, from 1641 to 1853<sup>65</sup>, and only relatively late in history did face the outsider<sup>66</sup>. In this way the

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<sup>60</sup> The *Kōmeitō* (公明党) was previously called formerly called New Komeito (NKP), and is also known as “Clean Government Party” (CGP).

<sup>61</sup> GAUNDER, 2015: 225.

<sup>62</sup> In the original language *Jiyū-Minshutō*, 自由民主党, but is also know in its abbreviation *Jimintō*.

<sup>63</sup> In fact, the LDP had actually held the majority from 1955 to 2009, except from a short interval from 1994 to 1996.

<sup>64</sup> MORRIS-SUZUKI, 2010: 7.

<sup>65</sup> The *sakoku* (closed-country) represent the period of autarchy settled during the Tokugawa *shogunate* by the Tokugawa Iemitsu shogun, and was ended by the United States Commodore Mathew Perry. The main reason behind the edict was the intention to regulate the trade and international relations; basically,

figurative line between Japanese and foreigner has been deeply rooted in the country's tradition.

The imaginary of a Japan spiting the migrants has been more than once brought up by the Japanese government itself; in mentioning the reason why the immigration control's procedure are absolutely not to be loosened, the Immigration Bureau stated that "it would not be realistic to suddenly introduce a large amount of foreigners"<sup>67</sup>. Others link this hostile sentiment of discrimination towards minority groups to culturally related causes: perceiving themselves as a pure race, Japanese ended up considering themselves unique and superior, in particular way during the period of imperialistic conquests towards the rest of the Asian countries.

In fact, the evolution of the myth of Japanese homogeneity, which represents the fulcrum of the 1970s and 1980s *nihonjiron*<sup>68</sup> literature, can be reconstructed though history with certain concreteness<sup>69</sup>. In the first half of the twentieth century where Japan was attempting to build a multiethnic empire and the Japanese migrants could have played a quite decisive role in it, the perception of homogeneity seems to have been less permeating; it was only later in the century and definitively after the second postwar scenario that the superiority of the Japanese ethnicity affirmed itself in the population mind-set<sup>70</sup>, reshaping the image of Japan as self-contained and untouched by the alien. And still today, politicians, media and literatures contributes pump up this *tanitsu bunka* ('culturally homogeneous') aspects.

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foreigners could not enter the territory, and Japanese nationals could not leave the country without the permission from the *shogunate* authorities, and the transgressors were sentenced to death.

<sup>66</sup> However, it should be kept in mind that the *sakoku* expression and this imaginary of Japan as a closed country is an ideal tag created not by Japan, but rather from outsider, in particular from Americans and Europeans academicians. As a matter of fact, while Japan in its *sakoku* period had severed any relationships with Westerners, it kept its contacts, economic and political, with other Asian countries, mainly with China, with whom it continued trade and commercial businesses. This is why, the *sakoku* tag should be handled with care, especially when trying to portray a country's stance. Still, figures and numbers are quite solid in showing the population's composition, which reveal a low rate of foreigners, thus a high level of ethnic composition.

<sup>67</sup> Immigration Control Bureau, *Basic Plan for Immigration Control*, 2000.

<sup>68</sup> The expression *nihonjinron* (日本人論), which literally can be translated as "Essays about the Japanese", denotes a collection of papers and texts focusing about the Japanese social, ethnical, cultural and national identity, based on the assumption of particular uniqueness aspects typical of the Japanese trait.

<sup>69</sup> BESTOR, 2011: 42.

<sup>70</sup> MORRIS-SUZUKI, 2010.

It is actually true that the Japanese society is only constituted by around a mere 1.7% of foreign nationals, thus having a high ethnic and cultural homogeneity, but this also applies for many other countries around the world<sup>71</sup>. Only in few of them this characteristic has become a legitimized discourse and an ideological justification on which policies implementation and government decisions are rooted.

### 2.7.3 Media and Foreign Criminality

In a more globally tendency, since the 1960s, the criminal justice systems of various countries, especially of those registering a consistent inflow of immigrants such as Canada or Australia, have notified a much wider rate of foreign criminality within their borders. There is a strict connection between ethnic minorities and crime which rises from such studies<sup>72</sup>. Usually, minorities are overrepresented in prisons' figures, in a particular way if compared to the overall population, and they seem to be more subjected to discriminatory acts when judged by criminal justice authorities, and of course, once they have been imprisoned<sup>73</sup>. By a sociological study conducted by Roger Graef on police in 1989, England, it resulted that policemen were particularly hostile towards the minority groups. But paradoxically, minorities are the ones most in need for police protection since are more probably targeted by criminal acts.

Media, with the essential contribution of the National Police Agency (NPA), has played a central role in shaping the public image over foreign criminality in Japan. According to the NPA 2015 Report over foreign criminality<sup>74</sup>, it has decreased in the last 6 years, and in 2014 there have been more than 7,000 criminal cases during the year and over 5,000 aliens implicated in them, most of which are Chinese, Vietnamese and Brazilian. Indeed, dependently of how data and information are displayed, they can be read differently. For example, in its report, the NPA showed a graph (Table 11) of the evolution of foreign

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<sup>71</sup> MORRIS-SUZUKI, 2010.

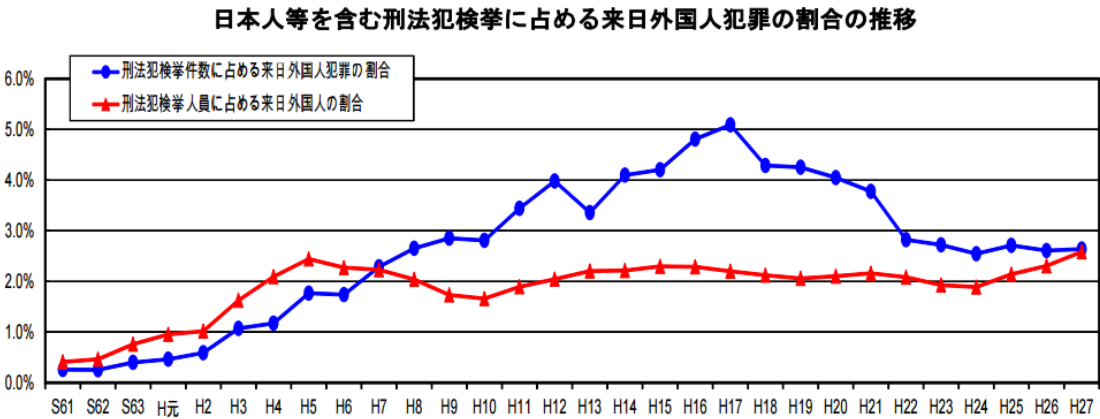
<sup>72</sup> For example in Giddens' *Sociology*, 2009.

<sup>73</sup> GIDDENS, 2009.

<sup>74</sup> NPA, 来日外国人犯罪の検挙状況, (*Rainichi gaikoku hanzai no kenkyo jōkyō*), *NPA Report in 2015 Over Foreign Criminality*, Tōkyō, 2015.

criminality over almost thirty years, where the line shows a general upward trend, instead of considering a shorter interval of time, as the last ten years. Whether the graph would have been focused on the last ten years evolution alone, the trend would have shown a clear downward tendency.

**Table 11: NPA report 2015 – Evolution of foreign criminality 1986-2015<sup>75</sup>.**



As in all fields of study, not only the information in itself, but how it is selected, displayed and along which other criteria it is compared with is very important and it might change the results of inquiries. So, even though foreign criminality rate has decreased in the last years, by stretching the temporal parameters, thus considering a longer interval of time, it seems more likely that the NPA charts show an alarming increasing curve of criminality. In addition this reports do not point out that the foreign population itself had increased in Japan, which logically would cause an increase of chance of alien criminal cases occurrences, as well as they do not always specify the nature of the crime itself. For example, visa violations are crimes that Japanese nationals cannot virtually commit, thus if the figures of both Japanese and foreigners crimes are to be compared, they would confusedly lead to wrong conclusions<sup>76</sup>.

<sup>75</sup> NPA, 来日外国人犯罪の検挙状況, (*Rainichi gaikoku hanzai no kenkyo jōkyō*), NPA Report in 2015 Over Foreign Criminality, Tōkyō, 2015.

The blue line represents the evolution of percentage of criminal cases committed by foreigners, while the red one indicates the evolution of percentage of the numbers of criminal foreigners.

<sup>76</sup> ARUDOU, 2013.

## 2.8 The Supranational Level

To understand the dynamics of immigration into one country it is unequivocally important to analyze all the domestic aspects and levels of the country itself, but what must not be forgotten is to also take in consideration the international context in which this nation exists. In particular after the end of the Second World War, Japanese immigration policies have shifted and been shaped in accord to the nature of relationships it had with its neighbors and Allied nations. Thus, analysis of the global environment where Japan acts and relate with the outside is essential to complete the vision of its internally made decisions.

It can be stated that Japan has for a long time lagged behind the rest of developed countries in providing means of integration and legal protection to immigrants and long-term residents, both the historically tied Koreans and the newer entrants. But from 1945 onwards, the influence of international norms, through conventions and agreements, has been crucial to assure rights to foreigners in Japan, mainly targeting two categories, which are the Koreans and the alien workers.

The 'internationalization' theme has its origins in 1853, when Euro-American countries willed for Japan to open to the international community and, though the hand of the United States Commodore Matthew Perry, forced on it the negotiations of treaties labeled as unequal, since the advantaged the Euro-American countries to the detriment of Japan. After a partially successful attempt to revise the iniquitous sides of the treaties, the country aim had been to try to achieve an equal status among the other Euro-American countries, which could otherwise be translated in the adoption of the international law system, thus to modernize.

Once Japan had obtained its international role by becoming a major economic power in the 1970s, the debate over internationalization shifted focus, and its theme were more likely addressed to the idea that becoming an economic power comes with certain responsibilities. Already in the transition from the late 1800s to the 20<sup>th</sup> century, internationalize lost its 'catch up with the rest of the globe' acceptance and came more to signify 'look like the European and American countries', not only in its international façade, but also within its



borders in the domestic stance, and to do so, adopting international standards had become inevitable.

By trying to answer to the expectations of the internationalization demands, Japan ended up by re-shaping and increasing its role in the Asian region, in the most effective way through its involvement with the United Nations, and more precisely with its adherence to the UN human rights discourse. And it is with this acquired importance that supporters in favor of migrants rights stress the attention on the responsibility Japan has as one of the latest most industrialized country; being more internationalized would thus show the Japanese commitment in the acceptance of migrants and refugees, and the willingness to retry its ethnocentric vision.

It is by riding this internationalization flows that Japan in 1979 ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, the Refugee Convention in 1982, the already mentioned Convention on the Elimination of All Forms of Discrimination Against Women, and ten years later the Convention on the Elimination of All Forms of Racial Discrimination.

Not only from the outside, but also internally domestic pressure have pushed Japan toward a more open stance. As I will better discuss in the next chapter, instead of having a direct impact on Japanese legislation, it is curious in this way to notice that the ratification of all these treaties and the acceptance of the internationalization flow and norms have deeply influenced the domestic and local sphere, by been largely used by legal, NGOs and advocacy groups supporting migrant rights, who would eventually either directly use them to justify and defend the single migrant in need, either create the stage for future policy implementation.

## **2.9 Conclusion**

Despite the labor shortage, the aging and shrinking population of the middle 20<sup>th</sup> century, the Japanese central government has thus opted for to tight restrictions and strict controls towards the immigrants, especially in the Second World War aftermath. Even if there have

been some changes and adjustments aimed at the internationalization of the domestic environment, such as norms and mind-set, the situation has not really driven away from the past stance. Either political either cultural hindrances are somehow hampering the development of a more comprehensive set of immigrant-oriented policies, whose opponents lever their convictions with rather relative argumentations, that a considerable inflow of immigrants (and in particular of foreign workers) would lead to a higher crime rate, industrial inefficiency and destabilize the integrity of the Japanese society.

The structural demand for a widening labor market eventually created a contradiction between the state official policies and the actions taken. Then again the push for internationalization, especially aroused in the 1970s, set the ground for the liberalization of immigration policies thus potentially disrupting the current situation in the near future.

### 3 The Local Level

The contradiction among the national official's stance of not admitting unskilled labor, and what has actually been enacted by opening the so-called 'side-doors', has resulted as a burden loaded on the shoulders of local governments institutions. While the central government does not recognize the new entrant class of undocumented foreign workers<sup>1</sup>, the local realities have witnessed an increasing foreign population which management and responsibility entirely falls on local governments.

At the national level, citizenship is granted only to a selected circle of foreigners, who can enjoy all the rights and securities Japanese nationals do; the rest of a much more consistent number of immigrants, either permanent but mainly temporary residents, as well as others who entered applying for one of the visas above-listed, can only access to a restricted range of services and rights, as for health care and social benefits, and are more exposed to risks of episodes of discrimination and exploitation by their employers.

It is in this context of a net separation in sensitiveness between the local and the central level that the role of localities has grown stronger. The importance in considering policies and integration programs implemented at the local level lies in three considerations<sup>2</sup>: firstly, as already expressed, there is a form of mute but seemingly agreed delegation from the central government in the implementation of all form of integration aiming at dealing with the foreigners; secondly, the localities are autonomous and independent over the issue, therefore are able to act accordingly to what they consider is the best course of action;

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<sup>1</sup> Indeed, the main role of the central government in regards of immigration policy is related to border controls and domestic security. However local level and daily dynamics cannot be ignored, therefore it should be responsibility of the central government implement, or at least assist the local governments implementing incorporation policies.

<sup>2</sup> TSUDA, 2006.

thirdly, the local immigration policies are eventually and concretely enforced. This last point is in turn connected to the reason why the local government ended up to virtually considering the local foreign population rights and needs. As a matter of fact, with the localities being responsible for the welfare of all the local residents, they, before anybody else, are interested in what immigrants can bring to the local community either as consumers, workers and taxpayers; in addition, the daily cohabitation among national citizens and foreigners has been in more than one occasion cause of frictions (for example, cases of foreign neighbors been too loud or not been responsible for the correct garbage disposal), and it is in the best interest of the local municipalities to relieve such tensions.

The difference in response between local and central government has marked different ways in dealing with the immigrants: whether the national level is focused on border control issues and is more oriented towards an exclusive or assimilative stance, the local government (and local actors and intermediaries) has opted for an open and positive position. This separation in turn widens the gap existing among the *formal* and *substantive* rights. Even if the judicial (or formal) citizenship enables the recipient to enjoy the most extended range of benefits, it is granted only to a limited share of foreigners, leaving the rest in a precarious condition. But with the existing opportunities at the local level, providing for a more effective, inclusive and reliable response, this circle of citizenship-excluded people can also achieve stability, channeled to them through a substantive form of rights, recognized in this case also as *local citizenship*<sup>3</sup>.

The birth and delineation of a local citizenship does not derive only from this opposition among formal and substantive rights. In order not to yield to the weight to the newcomer immigrants, many local government had adhered to the 'internationalization' national program (in Japanese *kokusaika*), a 1980s governmental campaign aiming at enabling Japan to catch up with the other industrialized countries in matters such as influence and participation in international organization, boosting the technological innovation, increasing the tourism rate. Eventually, with the pressure coming from the international community and the growing pushes from the inside, local governments came to implementing the *uchinaru kokusaika* ('internationalization within'): in order to face and handle the inflow of

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<sup>3</sup> TSUDA, 2006.

immigrants, they directly got involved in the introduction and development introducing of integration and incorporation programs, making them the core policy in their agendas. The wave of the 'internationalization within' campaign saw the creation of an environment aiming at the cultivation of internationally oriented attitudes, skills and among Japanese nationals by means of formal and informal education at home. Resources and efforts were directed towards the realization of institutions meant to provide administrative services and education assistance to non-Japanese individuals, and more remarkably to the constitution of advisory councils and assembly systems led by foreigners, which aimed to giving them voice and represent their interests.

The local citizenship is not a result obtained by the efforts of local governments alone; there are other important actors which assist and complement the municipalities' actions. The following subchapters offer firstly an historical vision of the localities' empowerment, with the dawn of local Korean movements; then, it follows an analysis of what are the main problems that hinder the immigrants' integration, and an overview of the present situation, by delineating who the local actors are, how they take action to resolve problems, which are their targets, and what have been their major accomplishments in the last two decades.

### **3.1 The Korean Limelight as a Mean of Local Empowerment**

Japanese reforms at the national level had mostly often been originated by local government reforms, which in turn have been pushed to take action and bring changes to the situation under the pressure of either internal or international movements. Among the domestic causes, the most influential boost has been given by the Korean community resident in Japan.

Although the Korean immigrants are not a focus of this study, since they mainly belong to the oldcomer category, they have played a decisive role contributing to the uplift of the local government liberalization, shaping it to its present form.

After the Second World War, with the Japanese defeat, the being in possession of the Japanese nationality became decisively less appealing, and, as soon as they could choose,

some Korean decided to keep their foreign nationality, because naturalize would have meant losing the original citizenship, and losing the Korean nationality in turn would have signified giving up the chance to easily repatriate. Therefore, rather than fight to obtain the Japanese citizenship, the Korean community decided to mobilize to ensure themselves their foreign resident's rights.

Since for many years the existence of minorities in the country had been officially denied, and also because the Korean community had been conducting its life relatively quietly and silently, without representing a menace to the social harmony, the Japanese government has after all ignored it. But with the advent of the economic hype, Japan had been exposed to the attention of the international community, and could no longer neglect the international norms for policy implementation regulations regarding immigration, in particular concerning refugees and asylum seekers. The voice of the Korean community thus began to resonate stronger, and the activists mobilizing to obtain equal rights for the foreign residents gave birth to 'a noncitizen civil rights movement'<sup>4</sup>. One of the most agonized and yet important achievement of this movement was the abolishment of the fingerprinting procedure for permanent residents in 1993, obtained under the directives of the Occupation administration. In addition, this Korean-based movement has been battling in order to obtain local voting rights for foreign residents and to grant their participation in local assemblies; they had petitioned aiming at removing the nationality requirement necessary to obtain local civil service jobs or to object to the revision of Japanese textbooks.

One of the first events which marked the beginning of the several Korean communities' legal and political campaign had been the so-called Hitachi Employment Discrimination Trial taking place during the 1970s. The trial set a turning point in particular for the fight to condemn racial discrimination against foreign residents, in this case, Koreans. The at-the-time nineteen-year-old Korean Arai Shōji (Pak Chōng-sōk in his Korean name<sup>5</sup>), born and raised in Japan, had been selected to join the Hitachi Software Plant in Totsuka, Yokohama. To complete the procedure and being officially employed he had been requested to submit

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<sup>4</sup> CHUNG, 2010: 24.

<sup>5</sup> It was indeed a common practice, in particular for Korean and Chinese immigrants to hold a Japanese name, even when it had been no longer required by law. Holding a Japanese name facilitated the integration in the society, in particular regarding the working sphere.

his family registration certificate, which is usually used as an identification document among Japanese nationals. Even though Shōji was born in Japan, he holds the Korean nationality, and he informed the firm's human resource office that he would have sent his Korean family registration certificate as soon as possible. Once the company had been notified, they answered back that foreigners were not to be hired, thus the employment had been cancelled. In 1970 Pak Chŏng-sŏk (who began from that time on to use his Korean name) filed his lawsuit against the firm, accusing Hitachi of employment discrimination. At the beginning he was mostly backed up by Japanese activists, mainly coming from the academic sphere like teachers and students, who had been created and shaped by the 1960s worldwide movements fighting against racism, discrimination, poverty, etc. Eventually the Committee to Support Pak had been assembled, and it reunited legal staff and journalists who kept track and studied the trial's progress and periodically published the new outcomes. Nevertheless, Korean activists and supporters were initially more reticent, being more focused on homeland politics like the South Korean democratization movement, and condemned Pak's initiative as an "assimilationist"<sup>6</sup> act.

Still, not everyone shared the same political believing, and two main facts helped to change the goalposts. First of all, the figure of Reverend Yi In-ha, a Korean national who migrated in Japan in his fifteen. He was a prominent religious character in the Christian international community, actively involved in organizations such as the National Christian Council in Japan (NCCJ) and the World Council of Churches (WCC). Making use of his influence, he managed to bring Pak's case under to the international attention and to raise public awareness over the discrimination issue. Secondly, although a consistent share of the Korean community did not want to tangle in the pro-Pak movement, the 1970 Hitachi trial found its backers in the new Korean generations, who were willing to establish their own identity, which came to clearly detach from the needs and desires of the previous generations. By the 1974, the committee expressly created had mobilized more than 7.800 activists<sup>7</sup>, joined later by several regional committees throughout the country and international organizations.

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<sup>6</sup> WENDER, 2005: 74.

<sup>7</sup> CHUNG, 2010: 100.

The reason why Korean political activism managed to stand out, while other minorities did not succeed, is mainly explainable because of the extent of the community existence in Japan. Before the 1970s, permanent Korean residents were almost framed in the same situation of the newcomers today: the movement was originally very limited and sporadic and individual acts of mobilization lead to scarce or even flimsy outcomes. The associations bringing together Korean residents in Japan, like the Mindan and Chongryun<sup>8</sup>, respectively established in the 1946 and 1955 in Tokyo, were mainly concerned with homeland politics, and firmly discouraged Korean nationals from taking part in the Japanese society life, either under the form of cultural activities, either regarding its political aspects. However, with the achievement of the permanent residency, the Korean community ensured themselves a safe and secure legal status, which enabled them to break free from these organizations restrictions and to act more liberally, according to their own interests and necessities. Besides, by being in Japan for a longer time and considering that the younger generations of Koreans were born in the host country, they were (and are) equipped with a considerable baggage of social wealth on which other immigrants cannot draw. Thus, the Korean communities had better linguistic skills enabling them to better navigate the harsh environment of politics and bureaucracy. In addition, their long-term permanency eventually led them to assume leading roles in the local community, which granted them a certain leverage power over local issues. All told, the historical path of Korean generations in Japan has provided them with the necessary tools to shapes the foreign residents' concerning, the political options available to confront them and finally, it has allowed the Korean movements to deeply influence the Japanese public policy and debate.

### **3.2 Foreign Integration Problems**

Delineating and creating programs meant to facilitate the integration of foreigners in the local communities is indisputably an onerous task. The identification of obstacles and problems impeding its realization is indeed one of the first step to undertake. There are several areas which require the attention of policymakers, and they represent the focal points where these programs should start from.

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<sup>8</sup> The same associations which discouraged the Korean community from supporting the above-cited Pak Chŏng-sŏk's case.



The first obstacle hindering the integration process is the language barrier. The language plays one of the most important roles in granting a smooth integration of the new immigrants in the host society. And this fact reveals itself to be especially true when realizing how much Japanese differs from the language of most of the *nikkejin*<sup>9</sup>, like Portuguese. Therefore, two factors are essential in order to overcome this barrier: certainly the foreigners must be willing to accept and learn of the hosting country; on the other hand, the host society must assure the opportunity to enable the immigrants to master the language, by providing for the adequate educational infrastructures, of which one of the most important would be the creation of a body of teachers mastering bilingual skills. Thus, a commitment from both the two sides must be taken. The mitigation of the language barrier would not only facilitate foreigners in their everyday activities and educational path, particularly enabling foreign national students to keep up with the courses' pace, but would also ease the labor interaction among foreign workers and their employers.

A second hindrance has been traced down to the discrimination wielded in the housing field. In a general tendency, immigrants are relegated in a confined space, like quarters and house complexes, and subtle restrictions are set either in areas and typologies of housing. In this way, they are excluded not only physically but also socially for the surrounding society. Hence, even in the case where language proficiency is acquired, their isolation brought by housing discrimination in regards of ethnicity and origin, would prevent or hindrance a smooth integration. Therefore, those who master certain language skills or simply have better financial possibilities can easily found any typology of collocation, independently of the siting, while others, especially among Korean, Chinese or Vietnamese, sometimes end up living in separated house complexes.

A third wall is the discrimination exercised in the employment market, which could actually derive from the lack of linguistic proficiency. The difference in position hold and the amount of salary earned compared to Japanese nationals become factors of social marginalization. According to Betsy Brody, who in her study gives a series of policy recommendations, *haken gaisha*, which are intermediary companies brokering labor, play a vital role since they basically supply the biggest share of unskilled worker to the Japanese industry. Considering

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<sup>9</sup> DE CARVALHO, 2002: 31.

how many this intermediaries can influence the position of foreign workers, the author suggests that they should be held accountable by the Japanese central government<sup>10</sup>, in order to prevent such form of discrimination to take place.

A fourth point is the lack of political rights. The almost inexistent political incorporation policies (aside for the big cities' cases) are indeed another gap that must be filled. Not being able to be politically represented prevents foreigners to express themselves in their own problems and needs, and once again, they come to be excluded and almost disappear from the country's survey.

Lastly, but still a fundamental element, is the non-acceptance of the host country's regulations by the immigrants. Scores of times it has been said that Japan appears to be an overruled country<sup>11</sup>; this vision does not apply only to the overall national context, but also to the daily aspects of life. Carrying out the correct garbage disposal or respecting the traffic law are essential matters, not always credited by foreigners, no matter the nationality or origins, who are generally used to overlook these kinds of regulations<sup>12</sup>. Not being able to respect such local norms might bring to frictions and tensions with the cohabiting population, thus impeding social integration.

Most of these issues, however, should be addressed to by the central governments: financially and logistically speaking, not always local governments are able to afford such programs, and the outcome is for these issues to be overlooked.

### **3.3 Local Integration Policies**

One of the main problems regarding local citizenship, as it could be deduced by the term itself, is the lack of territorial homogeneity: each locality carries out its own course of actions, which will clearly lead to different payoffs. In this way, one municipality might defers from others regarding regulations over foreign employment for civil occupations or in the access

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<sup>10</sup> BRODY, 2002: 109.

<sup>11</sup> DE CARVALHO, 2002: 55.

<sup>12</sup> This "overlooking" is referred to immigrants of all nationalities, though it is true that the critic is specifically addressed to Chinese, Koreans and Vietnamese, since, rather than in English, the correct disposal's regulations are mainly translated in these three languages.

of certain services and benefits<sup>13</sup>. In addition localities must take into account the different pattern of their foreign population: different compositions in terms of nationality require obviously different approaches and solutions. It has been found that, for example, Korean communities tend to be much more organized and independent, while the Chinese ones are more geographically and organizationally scattered<sup>14</sup>.

However, some common tendencies and practices had been discovered<sup>15</sup> in the stances adopted by the most concerned and active local governments and local entities, in particular regarding what are the main embraced initiatives and how these are spread and shared.

### **3.3.1 The Local Actors**

Incorporation programs and immigration policies introduced at the local level are not results of local governments alone. There are many other actors which contribute, either directly or subtly, to the implementation of such forms of integration, like advocacy groups, NGOs, NPOs and immigrants groups themselves.

Local governments are indeed the most stable and nationally legitimized actors, and they have logistical and financial capabilities to concretely carry out any plans and programs. Their autonomy from the central government enables them to act accordingly to their own situation, and thus they are able to properly address to their own singularities. Anyway, they lack in responsiveness towards temporary visas and illegal immigrants, such as overstayers. This latter category of foreigners, in particular, does not appear in official statistics because they do not hold a document or at least a valid one, and does not participate to the local welfare (by not been registered as citizens or residents, they come to work illegally or simply do not pay any taxes), and consequently are not considered part of the community.

This overlooked gap has given the opportunity to other civil-society actors to take action and to give voice to a percentage of people whose needs and problematic would otherwise be left unnoticed. In this context NGOs and other similar organizations and unions show their

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<sup>13</sup> The limits of local citizenships are furtherly discussed in subchapter 2.5.

<sup>14</sup> EDGINGTON, 2010: 47.

<sup>15</sup> TSUDA, 2006: 88.

commitment to bring under the spotlight of the public debate democratic and multicultural issues, together with offering tangible support and services directly to the immigrants. One of the most influential organizations is the National Network in Solidarity with Migrant Workers (referred as Migrants' Network<sup>16</sup> in its shorter denomination). After the 'Forum on Foreign Workers Issues in Kanto' had been held in 1991 by several organizations in the region, the number of associations working on the matter increased and finally the Migrant's Network project was launched in 1997. It is a nationwide networking organization with a system of regional representation, and today has reached a much expanded framework all over the country. It concerns itself with almost all the aspects related to the immigrants daily life, and its members' representatives meet on periodical base to update the overall situation, to focus the attention to particular occurrences or new problematic, to check any changes and consequently to take the opportune measures. It also releases a monthly (at times bimonthly) magazine, where the last news and data are published, which contents is divided in topic area, such as job, women, poverty, education and schooling, refugees, health service; it also takes into consideration matters related to the Immigration Control Act and Refugee Recognition Act and its effective and legitimate enactment. In special occasions it issues some special numbers to report or answer to exceptional events, like in the recent occasion of the spread fight against hate-speeches, releasing the special issue of "NO! ヘイトスピーチ NO!人類差別 NO!排外主義"<sup>17</sup> ("NO! Hate-speeches. NO! Racial discriminations. NO! Xenophobia"). It is indeed also set up with a well-organized and functional web-site, often updated; through its internet page, available also in English, it is possible to register in order to participate to several volunteer activities, to apply and take part in the following meeting, or for the immigrants, to directly contact the association and ask for help over several matters.

However, these latter actors present their limits too. In terms of tangible resources, these groups are not always set up with appropriate skills and means to handle a certain amount and importance of cases. Reason why, they usually target only a restricted circle of people,

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<sup>16</sup> Migrants' Network, 移住労働者と連帯する全国ネットワーク (Ijū rōdōsha to rentai suru zenkoku nettowaaku), retrieved from <http://migrants.jp/> (accessed March 23, 2016).

<sup>17</sup> Migrants' Network, 2016, "NO! ヘイトスピーチ NO!人類差別 NO!排外主義", 移住者と連帯する全国ネットワーク・情報誌, Number 184, 2016.6.

discerning either by nationality, gender or typology of problematic. So, aside from big organizations like Migrants Network or Jichirō, local associations try to narrow down their targets, like Korean workers, Brazilian *nikkeijin* children, or Philippine spouses.

**3.3.2 Main Incorporation Policy Initiatives**

The cities of the most foreign populated prefectures in Japan (the first seven are listed in Table 5) are inclined to show some common tendencies in the adoption of incorporation programs.

**Table 12: Foreign population by Prefectures 2015<sup>18</sup>.**

City	Foreign Population
Tokyo	390,414
Osaka	122,147
Yokohama	84,257
Nagoya	69,320
Kobe	44,614
Kyoto	42,045
Kawasaki	34,004
Fukuoka	30,312
Chiba	22,326
Hamamatsu	22,068

These initiatives structures can be framed in five main points<sup>19</sup>: mitigation of language barriers; cultural integration programs; surveys and research for the enactment of appropriate initiatives; advocacy initiatives; alternatives forms of political participation.

<sup>18</sup> Ministry of Justice, 第7表 市区町村別 国籍・地域別 在留外国人（上位8か国・地域）(*Dai shichihyō shikuchōsonbetsu kokuseki-chiiki zairyū gaikokujin (jōi hakka kuni-chiiki)*), Table 7: division by municipalities and nationality and regional origin (the upper eight countries and regions), Japan, 2015. Retrieved from [http://www.moj.go.jp/housei/toukei/housei05\\_00021.html](http://www.moj.go.jp/housei/toukei/housei05_00021.html) (accessed April 23, 2016).

<sup>19</sup> TSUDA, 2002: 73.

### ***Mitigation of language barriers***

Cities hosting consistent shares of foreign population have shown themselves propositional in attempting to defy language barriers. Local governments information, either in form of information sheets, leaflets or road signs, comes to be displayed in foreign languages, depending on each area immigrants' nationality pattern; despite English is still the most frequently used second language, cities registering high numbers of Korean or Brazilian residents, for example, go through the trouble to translates important information in Korean and Portuguese. All the largest cities in the prefectures listed in table 5, like Osaka, Nagoya, Sapporo, Kobe, Kyoto, etc., have at least the top page of the official city website translated in English. Services regarding cities administration, consultation over daily matters, counseling on immigration procedures and other various translation services are usually guaranteed, and easily accessible from the city homepage. Japanese classes for foreign nationals are organized and can be attended for free or under the payment of a symbolic sum, and special business Japanese classes are guaranteed for the newly alien workers.

### ***Cultural integration programs***

In 1988 the Ministry of Home Affairs dictated on each city the realization of international centers. In most cases, these centers contemplate both staff locally hired both personnel sent from the central government, and this composition allows an appropriate management of the incorporation activities.

Some of these international centers are specifically focuses over certain areas, like in the mitigation of language barrier itself, for example, by providing classrooms for the Japanese language courses. But their principal target resides in the organization of cultural activities aiming at bringing together locals and foreign nationals, to achieve acceptance and mutual understanding. The initiatives include abroad trips for students or officials or local social events over specific thematic, also providing for public spaces where to hold these activities, like gyms or parks.

### ***Surveys and researches for the enactment of appropriate initiatives***

In order to better coordinate their initiatives, local governments pursue activities of survey of foreign residents, to clarify what are the most urgent social needs and which could be the best way to respond to them. Also Japanese residents recently became subject of local researches, in order to understand the level of public support such initiatives and programs would have from the overall population.

### ***Advocacy initiatives***

One of the main tools that local actors, in particular NGOs, use to catch the attention of the central government over their concerned issues is, indeed, the petition. Petitioning has been used in the past years in particular by the Korean community as a lever to ask for the granting of voting rights, at least in the local sphere. The results achieved did not lead to a crushing victory, but they loudly resounded, and by the April 2004, almost the half of Japanese municipalities and prefectures, among which stand over the cities list in the previous table like Tokyo, Osaka, Kanagawa, etc., were in favor of a local suffrage rights and eventually conceded it to the legal immigrant community.

In reality advocacy initiatives brought much more accomplishments than what has been described so far. In the next subchapter it is better described how the resulting advocacy outcomes dug their way through the achievement of further local government liberalization over the immigration policy making issue.

### ***Alternative forms of political participation***

There are indeed other forms of incorporations policies, which might be less common, but are still implemented, in particular in the six most concerned prefectures.

One is the direct financial support delivered by the prefectures themselves like scholarships or the provision of apartments to foreign exchange students, public housing, access to national pensions, monthly allowance to disabled or elderly foreign residents, etc.

A second policy form is represented in the school-age educational programs. These initiatives not only aim at the integration of foreign residents, but also to the preservation of the cultural background and ethnic origins. Big cities with important foreign population like Yokohama, Nagoya, Kyoto and Kobe particularly aim at the enhancement of the teaching staff, enabling it to better deal with the foreign students, thus recruiting foreign teachers or special Japanese language teachers. Other initiatives which fall within these programs are the establishing of ethnic clubs in public schools, clubs for schoolchildren to use their foreign languages, consultation on education issues, counseling services for foreign children, provision of support staff to help individual children to adjust to Japanese schools<sup>20</sup>, etc.

In addition, there is another set of incorporation policies which are strictly related to the granting of political participation, and more specifically with the integration of the foreign residents in the local government policy making. Cities like Osaka, Kyoto and Kobe have engaged in various projects to ensure local political integration to their foreign population. Its most effective outcome has been the creation of council and consultative bodies aiming at representing aliens' interests in the local community, were normally at least half of these councils' members should be non-Japanese. For example, Osaka created its own Osaka Expert Committee on Foreign National Residents' Policy (*Osakashi gaikokuseki jyūmin shisaku yushikisha kaigi*<sup>21</sup>) in 1992. The Kyoto Council for Foreign-National Citizens' Policy (*Kyōto-shi gaikokuseki shimin shisaku konwakai*<sup>22</sup>) began meeting in 1998.

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<sup>20</sup> TSUDA, 2002:76

<sup>21</sup> In the original language, Japanese: 大阪市外国籍住民施策有識者会議, retrieved from <http://www.city.osaka.lg.jp/shimin/page/0000007110.html> (accessed June 22, 2016).

<sup>22</sup> In the original language, Japanese: 京都市外国籍市民施策懇話会, retrieved from <http://www.city.kyoto.lg.jp/sogo/page/0000087865.html> (accessed June 22, 2016).



### 3.3.3 Policy Advocacy

Having previously introduced the most common advocacy initiatives, this section aims at underlining and furtherly develop the advocacy movement in Japan over the immigration issue.

According to Deborah J. Milly, actually, advocacy in Japan had only occasionally obtained concrete results in general public policies in the past, since they had been lacking in cohesion, either regarding physical and geographical position either in the objective they target, thus concluding their work with merely scarce and disperse changes<sup>23</sup>. The difficulties impeding advocacy from achieving more tangible results is mainly linked to the fact that in Japan, beside the entry and residence status, there is not a comprehensive regulation meant for foreign residents, and they end up being constricted in a social and political environment expressly designed for the Japanese nationals, where aliens encounter no little difficulties in fitting and finding their own place. Policies for foreign immigrants, though falling in the wider set of immigration policy, cross throughout a broader ensemble of jurisdiction, such as health care, pensions or education. The core problem lies in the absence of a single and cohesive body of institutions meant to coordinate all these diversified matters related to foreign residents; therefore, advocates bustle by running after a various number of agencies and offices, making it more difficult for them to achieve virtual changes. The identification of the most suitable office to target, the coordination with other complementing advocates, the specialization in a certain area or over defined matters reveal to be decisive and winning factors. In turn, the lack in oneness of these agencies causes two major problems, not only to advocates' activity, but to the legislation process itself. The multitude of scattered agencies regulating over immigration matters and the absence of communication among them bring to the generation of a set of regulations contradicting each other, either in their contents either in their application.

In this disrupt bureaucratic and institutional bewilderment, the advocacy's actions take two forms. The first, as already described, assumes a more substantive connotation, and when managed effectively, result visible impacts, like a change the achievement of local suffrage in voting rights by the foreign residents. The second form takes place when advocates act as

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<sup>23</sup> MILLY, 2006: 115.

mediators among the overabundant and self-isolated offices. Here advocacy acquires the very important role of filling the administrative and communication gap existing in the Japanese system, thus favoring the creation of more attentive and adequate policies.

Along its immigration policy liberalization and foreigners' right defense roles, advocacy has also played a triggering role and managed to awaken the courts by sensitizing them over the issue. As a matter of fact, once advocates' attempt to engage the plethora of agencies and offices fail, they address their concerns to the attention of courts. Once interpellated, the courts have shown themselves to be more than efficient in pointing out legislative problems and contradictions, and had assumed a leading role in delineating and clarifying the position and rights of foreign residents. For example, in a trial occurred in 1995, they had found the Ministry of Justice to be at fault regarding the handling of some immigrants and asylum seekers cases, whether authorizing their refugee status; then again, throughout various civil cases and suits, the courts' activities have laid down a set of standards for the ruling of work injuries, divorce practices or traffic injuries for foreign residents, which actually take into account the peculiar circumstances of the latter<sup>24</sup>.

However, since the 1980s hasty inflow of immigrants and the wider rate of foreigners applying for the residency status, various advocacy associations agreed on coordinating their efforts and eventually evolved towards an ensemble of more synchronized groups of support to immigrants. With the experience acquired and the cooperation of more active municipalities, advocacy groups extended their range of action and increased their influence. They identified some common issues around which they converged, in particular regarding those concerns overlooked by the local governments, as for example undocumented residents' rights, asylum seekers, refugees, spouses of Japanese, Korean illiterate woman, and so on, and the most influential among them managed to expand nationally, as in the case of Migrants' Network.

Being conscious of their own limits and in order to achieve more tangible results, these advocacy groups came to target local governments and made use of their knowledge and means. In this way, mainly associations organized on local basis levered the municipalities to

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<sup>24</sup> TSUDA, 2006: 130.

acquire more detailed, and sometimes difficult to retrieve, information, hence facilitating and speeding up bureaucratic processes, and making them as a valid support for their causes. At the same time, local government had been furtherly encouraged to take a more committed stance towards the immigration policy matter.

Another push factor had been played once again by the media, which exposed under the spotlight matters nationally mobilized by stronger and louder advocates, as for example the 1995 case over the abuses occurring in the immigration detention centers, which resulted amplified and thus a real public challenge.

But the real step forward occurred in the 1997 with the above-cited creation of the Migrants' Network, where the numerous advocacy associations converged around the same name. This is how, from litigations and demonstrations, this unified body of organizations began to act unanimously: these methods have shifted to include regular but still informal meetings with official from the central ministry to discuss about policy matter, to provide for expert testimony to aim at achieving legislative changes, or to try to have a word regarding Diet proceedings, while, at the same time, being able to maintain a certain degree of independency.

There have been two illustrative cases in the 1990s and 2000s which showed what role has advocacy played in the immigration policy shaping process.

### ***Visa rights advocacy case***

The first case concerns visa decisions, and sees a close engagement with the correlated Bureau of the Ministry of Justice. In the first years of the 1990s conditions of eligibility for permission and visa extension were still quite vague, in particular the undocumented foreign residents were the most at risk, and greatly changed from the different visas' categories. In these spheres advocacy groups played an intermediary role, and approached immigrants case by case, for example by proving for help in paperwork documentation, in dealing with officials on behalf of the alien questioned, or giving social support. In 1996 the central government decided to take action against the heavy load of piled requested and emitted a

directive where criteria for eligibility of visa were clearly stated. This tremendously helped the bureaucratic process for issuing of visas and extensions for most of the immigrants, but again undocumented residents had been overlooked, and the situation was still far away from been resolved. In September 1999, a group of families and few individuals decided to take action and addressed their requests directly to the Ministry of Justice, followed later on by another group in December. They were sustained by various advocates who coordinated the petitioning and organized media coverage, together with protests and demonstrations. In the end almost all the claimants were enabled to obtain their visas permissions, while the rest of them endured and presented themselves in front of higher courts, though with scarce success<sup>25</sup>.

#### ***Health care accessibility advocacy case***

The second case is related to the access of medical care, which in turn is strictly entangled with the possibility to enroll in the medical insurance and other medical programs. Many concerns have arose from problematics such as unpaid medical bills caused by the fact that the insurance would not cover the expenses, together with the insurgence of alternative forms of medical services and assistances, and the possibility to access to other medical programs. It is a matter of fact that migrants face a clear disadvantage in the acquisition of health care services, in particular regarding emergency and maternal and child care.

The Japanese healthcare system is divided into two sections: on the one hand there is the Employees' Health Insurance (EHI) where all employers and dependents are accountable for, and on the other the National Health Insurance (NHI) meant for the rest of the population. These two programs ensure the coverage of healthcare services for most of the Japanese society, but unfortunately a consistent share of immigrants, in particular those with restricted immigration status, such as temporary stayers, are left out of them. A research conducted over immigrants' health<sup>26</sup> show that in more than few occasions foreigners have

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<sup>25</sup> PARIKH, 2010: 12.

<sup>26</sup> PARIKH, 2010.

unmet emergency care, which in the long run makes them suffer of chronic diseases and high risk factors.

In the late 1980s, advocacy and support groups would manifest themselves where initiatives of localities were no longer enough, and complemented them with additional support. Not only local or national advocacy groups, but also supranational NGOs would participate in the assistance to grant services to immigrants without access to medical care. One example is SHARE<sup>27</sup>, a non-profit sector organization founded in 1983 in order to support people's health and to help develop the countries' resources to achieve it, working in the Asian and African region, with a particular focus in Thailand, Cambodia, East Timor, South Africa and Japan. Once also the advocates' assistance was no longer enough, these organizations called for the central government action and measures, which took concrete shape in the Ad Hoc Council on Medical Care of Foreigners (*Gaikokujin ni kakaru iryō ni kansuru kondankai*), instituted in 1995 by the Ministry of Health. The Council resulted to be a fertile soil for national policies to develop and spread around the country, giving in this way a guide line and harmony to the national stance related to the foreign health care system. Along with the importance of assuming a guiding role, one of the most productive outcome of the Council's recommendations had been the establishment of a fund<sup>28</sup> to cover for the unpaid expenses of foreigners' medical bills (even though this fund was actually inscribed in a thick web of criteria and restrictions).

Since then, the focus of advocacy has shifted from providing complement assistance to the municipalities' inefficiencies, to applying the existing medical programs to all foreign residents. In addition, the interaction with the Ministry of Health had considerably incremented to deal with the application of welfare and health law, or in time of emergency as in the occasion of the unfortunate event of the Great Hanshin earthquake in 1995 where around 85,000 foreigners (residents and non-residents) were affected by the disastrous consequences.

From how these advocacy groups act and what they achieved, I have drawn three important key points: firstly, the advocates have the professional skills to deal with representatives

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<sup>27</sup> シェア, retrieved from <http://share.or.jp/> (accessed March 28, 2016).

<sup>28</sup> The fund was actually inscribed in a thick web of criteria and restrictions.

from the respective Ministry or governmental authorities, and have the technical knowledge which enables them to properly discuss and act; these advocacy groups have demonstrated to be able to master the rules and means necessary to win their causes, as in the case of the health care system. Secondly, working locally, advocates have a way more deep and detailed baggage of information not available at the central government level, thus they become important mediator among local realities and the upper levels, where eventually countermeasures will be decided and put into action. Thirdly, the advocate's long history of engagement with legislators enabled them to be acquainted with legislative mechanisms, thus to bring to the plate much more concrete and sustainable results.

### 3.3.4 Horizontal Policy Links

In the last decade, several new policies concerning immigration integration plans and integration programs show a tendency to spread through three horizontal links. First of all, policies are conveyed through direct cooperation, as expressed by the Committee for Localities with a Concentrated Foreign Population (CLCFP; *Gaikokujin shūjū toshi kaigi*<sup>29</sup>). The CLCFP was born in 2001 bringing together cities with consistent foreign population, in particular Brazilian *nikkeijin*, which were willing to share their efforts to deal with the growing immigration issue. Today the committee counts eighteen members<sup>30</sup>, and they annually meet in order to bring up to date the problematic which rise in their jurisdictions, lastly in December 2015. According to the CLCFP declarations, the members are committed in the developing of integration policies side by side with foreign residents, recognized in their critical role as essential identities for the communities. They also appeal to the national government to ask for its commitment in reshaping the educational, health and registration systems, so that they can meet the needs of nowadays immigrants.

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<sup>29</sup> In the original language, Japanese: 外国人集住都市会議, retrieved from <http://www.shujutoshi.jp/>. (accessed April 22, 2016).

<sup>30</sup> The member cities are: Ota and Oizumi in Gifu prefecture; Ueda Iida in Nagano prefecture; Ogaki, Minokamo and Kani in Gifu Prefecture; Hamamatsu, Fuji, Iwata and Kosai in Shizuoka prefecture; Toyohashi, Okazaki, Toyota and Nishio in Aichi prefecture; Suzuka, Iga and Yokkaichi in Mie prefecture.

The second horizontal diffusion is realized by the influence exerted by local institutions, organized on a national basis, on the local governments, such as nongovernmental organizations, no-profit organizations, advocacy groups and immigrants groups. The most visible actors at issue are indeed the NGOs committed over immigrations policies and immigrants' rights, which networks stretch all over Japan. A notorious one is the All Japan Prefectural and Municipal Workers Union, the Jichirō<sup>31</sup>. This union was founded in 1954, and in 2013 counted 844,549 members. Even being an organization fighting for workers' rights, the Jichirō has included in its target area also foreign workers, by stating in the 1990s that "foreigners are local residents, too"<sup>32</sup>. The union has shown itself active and responsive also towards other local problematic, as demonstrated in the participation to help rebuild the Kumamoto area, stricken by an earthquake in the recent April 2016. In the matter of local foreign integration, Jichirō has invited its members to undertake sixteen steps, which would pave the way for the implementation of immigration policies, such as guaranteeing an egalitarian treatment to both Japanese and foreigners in the employment field, for wages or other forms of compensation, extinguishing discriminations over the housing system, creating a system of assemblies to represents foreigners' interests, etc.

The last horizontal link is enacted through the adoption of the so-called 'best practices'. This expression describes the tendencies among Japanese municipalities to embrace innovations created elsewhere, and to adapt them to their peculiar cases and situations. In this process the largest Japanese cities play a vital role to set an example for the rest of the communities: as a larger circle of cities sees its local foreign population growing and looks for an appropriate mean to handle it, cities which have already a long history of experience in dealing with immigrants, become models for the other localities, and the effective programs and policies adopted come to spread wider and wider.

It is thanks to this horizontal links that a standardization of integrations programs might be actually feasible in the next future, and it would help to uniform local rights all over the country, thus giving much more importance to the local citizenship.

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<sup>31</sup> In the original language, Japanese: 自治労, retrieved from <http://www.jichiro.gr.jp/>.

<sup>32</sup> TSUDA, 2006: 69.

### **3.3.5 The Limits of Local Citizenship**

As it has been seen until now, at the local level the substantive citizenship is acquiring little by little a more concrete shape, thus overcoming the constraints deriving from the non-possession of the formal one. Not only because of to the gradual liberalization of the local government, but also thanks to the intervention of independent organizations taking active participation in the defense of immigrants' rights, important steps forward had been undertaken and solid objectives had been achieved.

But there are still some factors hampering the complete consolidation of the local and substantive citizenship, which could be summed up in two elements: the lack of geographical and political uniformity and the lack of immigrants' local participation.

#### ***Lack of uniformity***

There is no need to say that the term 'local' comes itself with its own peculiar connotation. As a matter of fact, talking of local citizenship could be plenty explicative and very limiting at the same time: it indeed indicates a growing important set of rights which can be concretely obtained by immigrants, especially important whether they are not granted by the formal citizenship, but in the meanwhile it also indicates a very circumscribed situation, which in most cases differs from other local realities. Therefore citizenship, if left in the hands of localities and its multiple actors, might greatly change accordingly to each local circumstance and conditions, which eventually will results in lack of homogeneity and, whether the institutions are not well or fully developed for the scope, deficit in the quality of the policies implemented.

The reason why local citizenship ends up differing so substantially from one local area to the other can be tracked down to different causes. Historically, Japan has been signed by a marked regionalism, with every local area being under the jurisdiction of a noble family and its lord, building their own peculiar culture, culinary traditions, customs and habits. Localities which in the past grew acquainted and get used to the foreigners' presence show nowadays a predisposition to accept them, with a more open aptitude. The policies resulting today are



sure enough a direct consequence of these local historical events and local economies contingency. In addition, richer municipalities tendentially are more willing to spend resources and efforts to develop and enact integrations programs, while more restrained realities tend to more deeply evaluate the priorities to focus on.

Therefore, the difference in means and financial wealth also contribute to deepen regional differences, regarding not only local government, but also advocacy groups and NGOs. Even though, as previously illustrated, it has been witnessed the existence of self-affirmed and nationally expanded NGOs like the Migrants' Network or the Jichirō which have the capacity to focus their attention over a plurality of issues on the immigration sphere, and extend their influences on a wider area, these are actually few and sporadic cases; whether municipalities cannot step over their territorial boundaries, most the majority of organizations are not developed enough to extend their influence over a wide geographical area or do not have the capability to separate their efforts over several problematics, thus come to focus only on a limited circumscription and over no more than one or two issues. Consequently, the quality and quantity of services and support offered throughout the national territory appear scattered and uneven. The most wealthy and developed areas it is definitely easier for immigrants and foreign residents to enjoy better rights and services, whether in other regions incorporation programs are very patently absent or scarce. Living and residing in a city or another might thus imply being granted with a different treatment.

Hence, the gap between formal and local substantive citizenship appears evident. The formal rights are uniform and equally applied for everybody to the same extent. The limits regarding the formal rights lie in the restriction of its concession: not everybody is eligible for the national citizenship or permanent residency, and the disparities appear particularly accentuated in the applied to certain minorities or ethnic origins. Still, the formal rights do not vary across the country's territory, assuring that those in possession of it can enjoy the same rights no matter where they are situated. In addition formal citizens' security is ensured abroad, since it is the nation duty to protect its individuals.

The absence of the central government directives and the lack of a national incorporation program contribute to furtherly mark the regional differences over substantial local citizenship. By one side there are cities (like Osaka, Kyoto or Kobe) ready to open up and

welcome the foreigner, either temporary and permanent, and by the other side which still have designed no integration plan, and are not expected to creating any in the near future. This results in a paradox when we realize that actually only the 6.5% of foreign workers are residents in the prefectures listed in Table 5, while the rest of it are scattered all over the country.

To summarize, the local citizenship not only lacks in geographical uniformity, but it is also signed by heterogeneity in terms of quality, regarding the type and extent of service and support offered, and NGOs contribute to furtherly emphasize these differences.

Nevertheless, how it has been described beforehand, at the present time forms of horizontal linkages among local governments of incorporation policies have been proven, and this is already showing signs of a common approach to the matter between one region and the other, which might eventually nullify this geographical and political discrepancy. In addition, the interdependence among municipalities has sometimes been seen under a competitive light, which could actually push neighbor localities to promote and ameliorate their immigration policies.

A similar tendency occurs among the numerous NGOs, which lean to collaborate and complement each other either geographically speaking, thus organizing themselves to assure all cities a certain degree of support, wither regarding the typology of issue concerned. This, together with the liberalization of local governments might at least partly make up for the lack of uniformity and give fundamental concreteness to the local substantive citizenship.

### ***Lack of a local activism from the immigrants***

Another severe problem hampering a further recognition and empowerment of the local citizenship is the actual detachment of the immigrants from the political environment and its participation.

As a matter of fact, among the immigrants and foreign residents it has been noticed a lack of sense of belonging to the local community<sup>33</sup>, in other words, there is no sign of a collective immigrant identity among the several different minorities. Differently from what occurs in other immigration countries, like in the United States or Australia where the landed foreigners can identify themselves again in the numerous ethnic built communities, the integration in Japan has revealed to be more direct and its impact less smooth<sup>34</sup>, where the foreign is usually forced to fit in the existing social pattern. For immigrants to coexist with the daily situations, they have to adapt to the local cultural background and shape according to it. However, not everybody share the same unfamiliar feeling, and certain categories of immigrants actually feel a sense of belonging to the local Japanese society, for example, the spouses of Japanese. Still, this feeling concerns the local belonging sphere, whether a national belonging is virtually missing<sup>35</sup>.

Yet, newcomers, especially Chinese, Vietnamese and at some extent also *zainichi* Korean, do not undertake any initiative or do not institute any political movement to try to change their situation or claim their rights. This lack of political participation can find its roots mainly in three factors. The first is a certain degree of ethnic segregation, as already explained, which does not encourage the foreign minorities to take action to sustain their values. Moreover, the degree of diversity in terms of origins, language, cultural background and legal status prevent the immigrant from embracing a sense of social cohesion among each other, thus mobilizing towards common and shared problematics. A second element is the sojourner's mentality: many immigrants see themselves as temporary sojourners, who plan to return to their home countries once they will have completed the business in Japan. Some matters like the local education for immigrants' children require constant and long-time commitment, only exercisable by permanent and stable immigrant families and individuals. This "*migratory transient*"<sup>36</sup> identity makes immigrants overlook what could be their future situation in the host country, therefore they do not worry about what could be the consequences in the long run in fields such as employment, education, health care, etc. The third element is strictly related to the previous one, and concerns instrumental economic

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<sup>33</sup> CHUNG, 2010: 78.

<sup>34</sup> DE CARVALHO, 2009: 23.

<sup>35</sup> SUGINO, 2009: 133.

<sup>36</sup> TSUDA, 2006: 279.

motives: foreigners entering the country looking for a job are usually tied with temporary contracts, and jump from an occupation from another searching a better salary, better conditions or simply because the contracts do not last more than few months. Hence they do not stay in the same place long enough to be able to build a sense of belonging to the community, and do not concern themselves which what could be their situation in the long run.

As a proof of this frail immigrants' participation, the NGOs built and managed by immigrants are scarce, and encounters many difficulties in attract and recruit other immigrants because of their transient characteristic. Furthermore, since these groups lack of means to grow and enhance, they can only focus over a specific category of immigrants, thus offering programs which result to be scarce and insufficient when compared with the ones offered by the municipalities. Most of the times, immigrants do not even know what kind of services they have at their disposal, and also ignore what rights and privileges they can address to.

Still, there are some programs which are more considered and used than others. Services like translation for official documentation or counseling help are usually daily requested, and their existence is well-known among the foreign community. But generally speaking the nature of participation is mostly episodic. Immigrants engage in petitions, claim for their rights or use services when an emergence occurs or whether the situation requires it, and they end up not acting as long-term citizens. The result is the lack of a strong unions or suitable incorporation programs, which eventually damages the immigrants' stance in the near and distant future.

### **3.4 Conclusion**

From the 1990s localities have played a growing important role in making up for the lack of the central government in the implementation of immigration and integration programs. Even though it is clear that the first concern of central governments is to ensure the security of the country, thus focusing on the legislation of immigration procedures and controls, the Japanese central government is patently lacking of a national incorporation program, consequently overlooking the expanding foreign population being registered within its

borders. Undoubtedly the national level has been implied in the crafting of incorporation programs in the resolution of particular immigrants' rights related problematics, but this usually happens once the issues have been previously put under the spotlights by the media, thus making it very evident and not more ignorable.

Therefore, local governments and civil-society organizations are nowadays bearing the responsibility to help and sustain immigrants in their daily life matters, and thanks to them foreigners can more easily access services and claim their rights. This furtherly marks the difference between formal and substantial rights, creating a more tangible and concrete form of citizenship: the local citizenship.

Local governments have in the years grown through their experiences, and today present a more organic and systematic set of immigration policies, with which they can better handle the rising rate of foreign population. Also NGOs and advocacy associations have developed over the years, learnt to cooperate together and complement each other, refined their skills, showing themselves to be a fundamental piece for the shaping of local immigration activism. Thanks to them, Japanese courts are increasingly taking an active role to protect immigrants' rights, mostly focusing on foreign workers situations and the issues related to it.

Enhancing the work of the local government and NGOs does not only imply to build a stage for further improvement of local citizenship, but might also bring at raising public awareness over the immigration matter, and eventually ensure the mobilization and sincere commitment of the central government to build a nation-wide suitable and necessary set of integration program.

There are still, however, some problems menacing a full empowerment of localities, as the pronounced regionalism and lack of uniformity, which together with the Japanese cultural sense of homogeneity and a tendency towards closure, present to be severe obstacle to a nationally acknowledge immigrants' integration and acceptance.

## 4 Kobe Case Study

Kobe is a city situated in the Kansai region, Hyōgo prefecture, and today counts a rounded population of 1,5 million, among which 44,614<sup>1</sup> are foreign residents. The city stretches along the coast, the modest mountain range limiting its development further into the territory. It offers a wide series of activities and touristic spots: in the mountain side you can climb to the top with the Maya cable, have a barbecue in the Rokko Fruit and Flower Park or enjoy a relaxing day at the thermal village in Arima Onsen; by the sea side, the port area provides for several entertainment spaces, like Meriken Park, the Mosaic Shopping Mall with its Ferris wheel, the Kobe Tower panoramic view or the several beaches, as Ashiya or Suma. Not as vast as the capital city, Tōkyō, or as hectic as its neighbor metropolis, Ōsaka, it can be said that Kobe is a human scale city easy to live in.

By selecting a case study to apply what has been researched so far, the choice of Kobe could initially appear quite enigmatic. The city does not host the highest rate of foreign population in Japan, nor does it attract a particularly high number of tourists compared to other Japanese cities and prefectures.

However, the history of Kobe is utterly unique, and what have ensued of its contingent path is not to be underestimated if considered in terms of multicultural diversity. In order to face its constantly increasing foreign population, today the city displays one of the most organic and well-developed incorporation and integration programs among other Japanese

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<sup>1</sup> Ministry of Justice, “国籍・地域別 在留資格（在留目的）別 在留外国人 (Kokuseki – Chiikibetsu , Zairyūshikaku (zairyūmolkuteki) betsu zairyū gaikokujin), Table of Foreign Residential Population ‘Table of registered foreigners’, “MOJ”. Retrieved from <http://www.e-stat.go.jp/SG1/estat/List.do?lid=000001150236> (accessed May 12, 2016).

metropolis, and its stance appears to be more patently open towards the acceptance of immigrants, favoring the daily life of temporary and permanent foreign residents.

This third and last chapter focusing on the Kobe case study underlines how the city, even without being an exemplar pole of foreign concentration and composition has shown the will to face the integration issue and to fully committing itself to it, achieving considerable results, and clearly jarring what has been the national stance so far.

Indeed to fully understand how Kobe reached its present situation, this chapter starts with an historical excursus of the three most important events which radically marked the path of foreign integration in the city's pattern. The first one arises in 1868 with the opening of the Kobe docklands to foreign concession, signing the city's concrete first step towards a welcoming of a more consistent and economically active foreign population; the second occurrence took place with the community of oldcomer Korean uprising against the abolition of their local privileges, paving once again the road for further immigration policy liberalization; and thirdly the disastrous events of the 1995 Hanshin earthquake, which in the sad consequences of its tragedy some positive outcomes can still be acknowledged as it will be later deeply described.

Running across this historical path, the study of the today's Kobe multicultural pattern becomes definitely easier to approach and evaluate. Therefore, it follows the analysis of what is the nowadays pattern of foreign population in the city, paying more attention on what are the most consistent minorities established in the city and how they have organized themselves in the already existing social pattern (for example, whether they built their own area, or got assimilated, or other).

Lastly, it has been researched the set of policies and programs meant to integrate this foreign composition in the life of the city, enacted either by a very active and sensitive municipality, either by the net of several organizations acting within the local boundaries, as NGOs, NPOs or simply by self-sustained groups.

#### 4.1 The Treaty Port: Kobe Foreign Concessions

Archeological finds confirm that the area corresponding to the present eastern Kobe was already inhabited during the Jōmon Period (10,000 BC- 300 AD ca.), and its notorious religious pole, the Ikuta Shrine, is mentioned as an important social core in old historical manuscripts, as in the *Nihon Shoki*<sup>2</sup>. During the Nara (710-784) and Heian (794-1185) periods, Kobe acquired more importance as a port city, and because of its proximities to the capitals it became the country's most important port, receiving an considerable influx of foreign embassies, particularly from China. In 1180 it became the capital city, hosting the Emperor Antoku, but lasting only for six months. In the medieval time, the Hyōgo area was a well-set trading center, and had created close business relationships mainly with China.

In the 1633 the country entered the *Sakoku* Period, established by the Tokugawa Shogunate under which jurisdiction Kobe was directly controlled, when no foreigner was permitted to enter and no national to leave. This interval of seclusion clearly damaged those who based their wealth on trade and abroad communication. Thus ports all over the island which had already built their net of trade connections, in particular with other Asian countries, lost a fair source of richness<sup>3</sup>, and went through a period of stagnancy.

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<sup>2</sup> The *Nihon Shoki*, also known in its English translation as *The Chronicles of Japan*, is one of the most important works in the Japanese classical literature, and it treats the myth of the origins of Japan, and contains a set of other several myths. It has been estimated to be completed in 720 AD.

<sup>3</sup> Even though some ports had been granted with special permissions, so that foreigners could land in some designated areas and operate there their businesses, like in Dejima, Nagasaki.





**Photo 1: Dejima today, 2016.**

Source: Author.

In the present situation the artificial island that during the Sakoku served as the only exclusive linking point among foreigners and Japanese, today has become a museum, far absorbed by the city continuous growth and no longer accessible by boat.

### ***The dawning of the Treaty Port***

Finally, more than 200 years later, the isolation edict had been uplifted, not only caused by exogenous pressures, of which the already cited Commodore Matthew Perry had been the mandate, but also internal, like the strong monetary devaluation and a grave famine, which were signs of a no longer bearable situation leading towards the worsening of an already exacerbated national equilibrium. In 1854 and 1855 few treaties had already been signed either with American and British representatives, later followed by Russia, Netherlands and

France. These agreements basically assured the principal Japanese ports to be open, securing an entry portal to foreign trade and landing; some of these arrangements, however, in some cases stretched their requests to the demand of the creation of foreign consular representation settlements. The most important strategic areas for trade and business, like the ports of Hakodate, Nagasaki e Kanagawa were scheduled to be opened by 1 July 1859, and Hyōgo, that was none other than Kobe port, in 1863.

Kobe port held a very strategic role: it was sited in proximity of important social and economic fulcrums, like Kyōto, Ōsaka and more antically Nara, thus serving as an irreplaceable bridge to reach these yearned destinations. As a matter of fact, Ōsaka could have served as an even more strategic port, considering the extent to which its flux of businesses and economic activities had developed, if only it did not suffer from navigational difficulties. As a matter of fact, the ideal port should provide for an easy entry for vessels, wide deep water, and small tidal range (in other words, the level of water should remain somehow constant). In addition, the importance of a dock area is heightening by its connections or cities strategically essential for trade, which means that the land surrounding the port area should be suitable for the construction of transportation lines. Unlike Ōsaka, Kobe presented all the characteristics which rendered it a much more favorable environment to navigation and all it entailed.

However, the increasing influence over these strategic spots acquired by the foreign delegations threaten the leadership of the Bakufu<sup>4</sup>, which was humiliated by the fact that it had been powerlessly watching its walls breaking without being able to counter. This is why, considering the proximity of Hyōgo to the wealthy Kyōto, the Shōgunate suddenly decided to postpone the opening of Kobe port, frustrating the outsiders in their anxious wait<sup>5</sup>.

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<sup>4</sup> Bakufu (幕府), indicates the military government of the Shōgun. In this period, the government was under the control of the Tokugawa Shōgunate. The terms literally means “the tent government”, retrieved from the tents in which the generals and militaries used to camp during military campaigns.

<sup>5</sup> The decision to postpone the Hyōgo port opening actually had also some internal roots, particularly in the struggling among feudal lords. The Satsuma clan, openly against the Bakufu, together with other clans badly envisioned the opening of Hyōgo port (and Ōsaka port), since it was a source of wealth for the somehow economically destabilized Shōgunate. In perpetrating their causes, these clans mainly put the emphasize on the fact that, having foreign settlements so close to Kyōto, the emperor house, would have threaten the Imperial power, thus the integrity of the entire country.

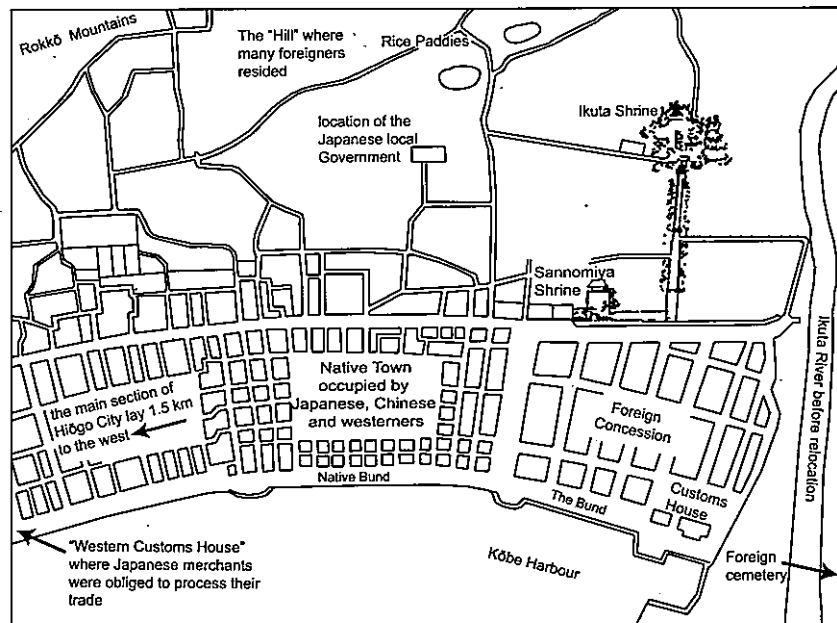
Finally, five years later the Hyōgo opened, being one of the last ports to do so. Despite the late timing, Kobe became only second to Yokohama, in terms of economic splendor and a foreign turnout.

### ***The creation and development of the Foreign Concession***

In 1868, at the time it opened, the port city of Hyōgo was already assuming the connotation of a well distinguished trade center. It was collocated in proximity of either the core of the political power, Kyōto, the imperial cradle, and Ōsaka, one of the most strengthened Japanese industrial centers. On top, the deep waters and the natural surroundings offered the best protection against storms or gales, enabling a safe navigation.

Nevertheless, the city was still not ready to welcome in its pattern the insertion of that foreign population which logically followed the port opening. The problem did not concern the Japanese authorities alone, but the entrant foreigners too. Indeed, the extraterritorial provisions resulting from the agreements signed could not envisage the integration of foreigners in the already existing native settlements; instead, the creation of a space arranged only for the aliens' usage, would have settled much clearer boundaries, and thus would have resulted much easier to control and regulate. Furthermore, the already instable political situation and the often out breaking tensions suggested that the institution of a foreign concession where foreigners would have lived separately from the local population was so far the best choice possible. Still, since the newcomers would have indeed taken active part into the newly opened port businesses, they could have not been relegated in a faraway site either. Eventually, it was decided to cut out the appointed site from the existing city.

The Japanese authorities decided for the Foreign Concession to be a patch of sandy ground of 1.046 hectares<sup>6</sup> (corresponding to 10,46 kilometers square; Map 3.1), 3 kilometers away



**Map 1: Map displaying the Foreign Concession in the City of Hyōgo, ca. 1870**

Source: Society from Map Archivists, "Collected Maps from Japan's Modern Urban Transformation – Ōsaka, Kyōto, Kobe, Nara". Tōkyō, Kaiswa Shobo, 1987.

from the heart of Hyōgo city, but adjoining to at the time still discrete Kobe village. Whether in 1860 Hyōgo city counted around 10,000 inhabitants, Kobe village did not exceed the 1000 residents, mostly committed to fishing and sake brewing<sup>7</sup>. However, even though the site was not at the center of the city life, it had a direct access to the docks, and it was placed in the nearness dwellings and warehouses were available; behind it, there was the High Road leading to Kyōto and Ōsaka, where the goods imported could be easily transported and traded; it was crossed by the Ikuta River, which ensured a source of potable fresh water, and protection from fire incidents, which were a recurring worry considering that the principal material used in Japanese construction was wood.

<sup>6</sup> ENNALS, 2014: 23.

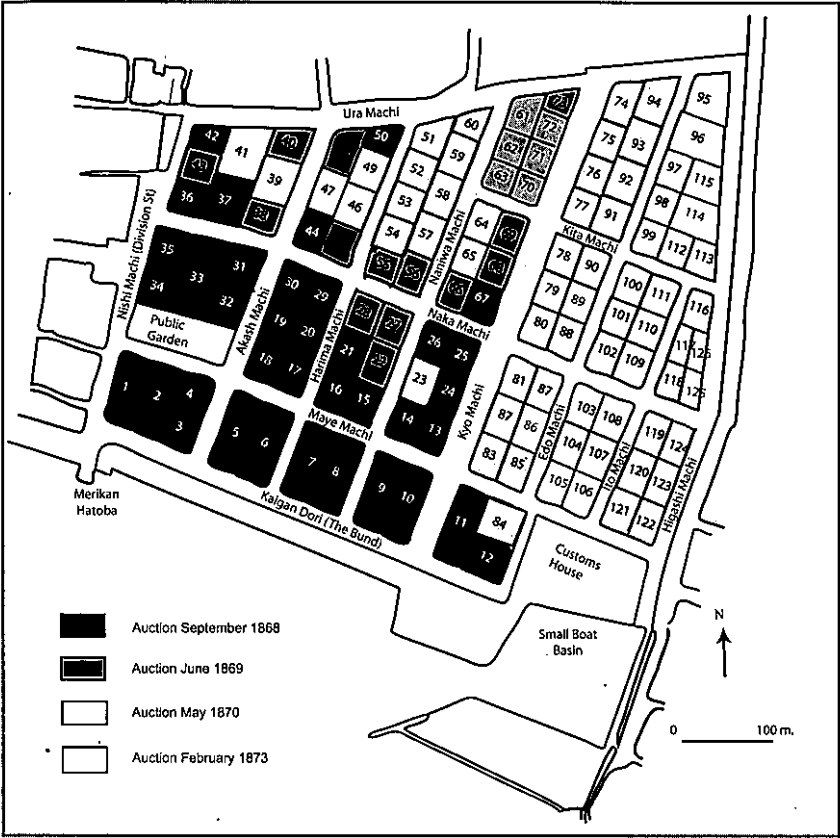
<sup>7</sup> Regarding these activities, today there are still plenty of remains witnessing the brewing of the sake. In particular in Nada District, there is an area still active in the production of sake, where the facilities are either museums, factories or shops, keeping the ancient tradition alive. To know more: "Sake Brewery of Nada Course - Walking the sake brewery and museum zone, the home of refined sake", retrieved from [http://www.feel-kobe.jp/en/model\\_course/012/](http://www.feel-kobe.jp/en/model_course/012/).

But for this site to be ready to host the new foreigners early to expand their trade a find fortune, it took another year of works of urban planning: in fact, the foreign representatives were rather worried about assuring a certain level of public hygiene and a protection defending the site against periods of severe tides. Engineering drainage systems and building a sea wall to limit the effects of floods thus postponed furtherly the setting of the new foreign circle.

Those who were impatiently waiting for the Concession's works to be ended, ended up establishing themselves in Native Town (the core of Kobe village), which were clearly the most comfortable and accessible area were they could conduct their trades from. Later on, other areas of the surroundings were also contemplated as possible residential areas from the foreigners. Initially these choices were made out of necessity, since during the time of the Concession's construction there were no physical dwelling complexes for them to use; yet, even later in years, these extra-Concession areas were expressly targeted with permanent residential purposes, since they offered a healthier environment away from the rough docklands' activities. In particular, the area up the hills, Kitano, became a quite luxurious residential area, where wealthy western architectural buildings are still vividly visible today.

These foreign residential areas though were nullifying the main reason for the Concession to be built in the first place: those living outside the appointed site were no more under the extra-territoriality jurisdiction, but rather subject to the Japanese legal system, which means for example local property taxes or the relationships between tenant-landlord. Many of those living outside the Concession were worried to come across the Japanese jurisdictional sphere in which they would have been in a net disadvantage, inasmuch as it was a field totally alien to them, and even by mastering its basics, the language barrier was decisively an insurmountable factor for the most.

Still, these concerns did not prevent the foreigners to establish their personal housings outside the Concession, marking little by little a no more ignorable foreign presence in the Hyōgo area. The Concession came to host prevalently business facilities, and the auctions of the lots gradually filled all the available hectares, mainly bought by British, American, Dutch and other Europeans firms and companies (Map 3.2).



**Map 2: Map displaying the lots sales in Hyōgo**

Source: Ennals, 2014: 35. Reconstructed from information retrieved from local news in Kobe, 18 May 1870.

***The coexistence: a path to integration?***

Given the premises, how did the first years after the Concession establishment turn out to be? What has been the reaction of the host and settlers in the attempt to coexist with each other in such proximity?

The most critical issue indeed concerned the primacy over governance. How it should have been expected, the different political and structural natures lead to contradictions and clashes among Japanese authorities and newcomers. The signed treaty, under which the port of Kobe was opened and which granted the Concession to the foreigners, also provided for the institution of a council at the municipal level which would have jurisdiction over the newly created site. This council regulated disputes occurring within the Concession, which means, among the parties residing or belonging to the foreign site. However, whenever an issue occurred among a Concession resident and an extra-Concession party, matter tangled and became more complicated, since the consular authorities had to inevitably face the local law system and try to compromise with it. Lots bought by foreign settlers in Kitano were, for example, at the core of innumerable trivial frictions: being outside the Concession jurisdiction, the lands in the hill were subject to Japanese property taxation, which was usually collected in rice<sup>8</sup>. Many foreigners went through the bother to buy rice in order to pay these taxes in kind, but many other requested to be able to pay in monetary currency. The local authorities thus designated an amount of money which according to them should have been proportionated to the *kokus* of rice, but which in reality resulted to be disproportionately exorbitant.

The concomitance of these events showed how it was practically impossible to neatly separate the two existences, and common ground among culturally different jurisprudence had to be found. To resolve this problem, further provisions had been negotiated, and one of these achieved the request for the Municipal Council to be characterized by an appropriate popular representation. It was so decided for the council to be composed by “*a representative of the Japanese government in the person of the local governor, or his delegate; representatives of the consuls of the treaty nations; and three representatives elected from among the community’s registered foreign residents*”<sup>9</sup>. This provision definitely balanced in a more realistic way the presence of the foreign community, which, differently from what happened in other treaty ports, gained the right to be represented. Following, it was also ensured a form of relative democratization: in fact, all male officially registered

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<sup>8</sup> Rice was indeed the old coin for trade exchanges. It was measured in *kokus* of rice, with one *koku* corresponding around 278,3 liters.

<sup>9</sup> Ennals, 2014: 45.

with a consul, either they were resident within the Concession or not<sup>10</sup>, were allowed to vote in regards the Municipal Council matters. The focuses around which the council aimed its efforts were mainly attempting to build a well-order settlement, which could mirror the standards of the western cities, like the construction of public roads or essential urban systems.

The Municipal Council had been the necessary mean through which the Concession citizens could enjoy the usufruct of basic services, like drainage system, firefighting, policing, etc. Even though the first years of the 1870s turned out to be quite a deception for trading, the phase of public works boosted by the council's directions managed to keep high the enthusiasm in the Concession, and settlers became to plan their establishment in the new site further in the future. The securing of this kind of services was, in the 19<sup>th</sup> century western point of view, the corruptive of attaining a common well-being and public order. All these factors made Kobe a more appealing destination particularly to European and American, since they saw their social values and frames reflected in the Concession façade.

However, even with the agreement reached over a more representative council, the relations among natives and settlers were still far from being smooth and peaceful. Tensions and disputes easily arose, mainly caused by the different cultural pattern and lack of communication, either in terms of means and willingness. Ignorance of the alien customs and usages was a fault borne by both sides, and racial prejudices were most of the times the triggering cause.

An exemplary case of the mistrust stirring during those years is the institution of a mere three-room hospital built by the Japanese authorities, meant for the usage of foreigners only. Foreigners could not enter Japanese hospital, at least not until 1869, when a group of native citizen voluntarily decided to fund the Kobe General Hospital, situated near the Ikuta Shrine. Until that time, foreigners landing in Hyōgo could only obtain medical assistance by these specifically designated hospitals. There were mainly two reasons behind the hospital construction, which accompanied the feeling of resentment towards the new settlers: firstly, it was patent that the locals was eagerly attempting to preventing the spreading of

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<sup>10</sup> This because the moment the first elections occurred, since the Concession construction workings were not finished yet, there was virtually anybody living within its boundaries.



contagious diseases foreigners brought with them, like smallpox; secondly, Japanese were clearly trying to gain more western medical knowledge, of which they had already a taste while confronting the Dutch expertise.

However, even though trade took some time to get going, the 1868 opening of the Hyōgo area port and its consecutive Foreign Concession establishment signed an openly and willingly attempt for the at the time newcomers to create a set of civic resources which would enable them to evenly conduct their lives in a so unfamiliar reality.

#### **4.2 After WWII: The Korean Upraise**

In the postwar period, when the US Occupation authorities had achieved a steady control over the recreated social and economic situation, Japan was still largely inhabited by a consistent figure of Korean nationals, who reaching over 650.000<sup>11</sup> people represented the biggest alien population over the territory. However, the imposition of their presence, together with increasingly demanding requests to their historical hosts, had irritated either Japanese and American authorities, ending up to be seen as troublemakers rather than simple foreign neighbors. Yet, it would be correct to say that the Americans had never had an overly positive image of Koreans. Looking back at the beginning of the 20<sup>th</sup> century, the US were the first to endorse and legitimize Korean annexation to Japan, and the following words, retrieved from a US report (“Aliens in Japan”), explicitly depicted the American perception over the peninsula’s originated population: “*The Koreans in Japan are, for the most part, a distinct minority group with a low social and economic position. [...]*”<sup>12</sup>.

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<sup>11</sup> Caprio, 2008: 2.

<sup>12</sup> Caprio, 2008: 6.



**Photo 2: Discrimination and vandalism acts against Korean ethnic schools.**

Source: Professor Yasuko Takezawa (竹沢泰子先生), retrieved from the Kobe Center for Overseas Migration and Cultural Interaction permanent exposition.

With these premises given, it is not difficult to presume that the Korean episodes occurred in Kobe during the Second World War aftermath, more than a victory for the attainment of

formal foreigners' rights, symbolize the growing and more than ever stronger presence of a cohesive alien presence entrenched in the local tissue, a foreign presence firmly willing to fight in order to affirm its social demands for immigrants' rights. As a matter of fact, it cannot be said that the Korean protest in Kobe were a success for those who initiated it, but they had been indeed a springboard for the following immigrant generations.

One of the most controversial demands that Koreans presented to Kobe municipality was based on the request of educating Korean children in Korean ethnic schools. Living in an environment where they found the path toward integration harsh (if not even hostile), Koreans regarded ethnic schools as a mean to ensure their future generation a solid cultural and social Korean legacy. Their demand caused the restlessness in particular of the US representatives, who perceived the Korean stance as a display of impudent behavior, as an attempt of deepening their autonomy, and, more dangerously, as an act of effrontery against the SCAP authority, which, as a consequence, decided to enforce an order to close down all ethnic schools. Actually, the Occupation forces had more rooted concerns regarding the Korean presence on the Japanese soil, and, rather than simple insubordination, it was more likely that the American contingent's fears were related to the suspicion of a spread wave of communist, which were at the time proliferating in the northern Korean peninsula<sup>13</sup>, of which the debated ethnic schools could have been cradles for its indoctrination<sup>14</sup>. In fact, the timing of Korean riots all over Japan was matching with the 1948 contested Constitutional Assembly elections in Korea, which did not occurred without serious collateral outcomes. Thousands of people who saw these elections as a mean for the United States' government to act on its own will, legitimated by the United Nations' permit, protested against the Korean elections, and many of the demonstrators fell under the police repression. In addition, the elections provided a another motive for North Korean supreme leader Kim Il-Sung to furtherly reject the American interference, thus scoring even more deeply the north-south split of the peninsula.

Inevitably, in 1948 a movement of protests raged throughout the country, and hit Kobe on April 24. At 10:30 in the morning, a group a Korean men and women assaulted the Hyōgo

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<sup>13</sup> YOSHIDA, 2008.

<sup>14</sup> CAPRIO, 2008: 11.

Prefecture offices, with the main intent to forcefully persuade the governor, Kishida Yukio, to withdraw the SCAP's order and deal the opening of the four ethnic schools in Kobe. Unfortunately for the intruders, their occupation did not go as planned: the little concessions obtained by the governor, which also included the release of 65 Koreans<sup>15</sup> who participated in a previous protest, were only flimsy and seeming. As soon as the order had been restored, the SCAP issued a state of emergency: from the midnight of the following day the Kobe Police was pushed on a so called 'Korean hunt', where all those even by just looking Korean or showing Korean features were subject to arrest. The American issue had the exact contrary result than what it was meant for, bringing to more chaos rather than peace, since it brought to the arrest of 1.732 people<sup>16</sup>, among which there were Japanese, mainly Okinawans, and Taiwanese.

The outcome of this particular protest saw the trail of 75 people, among which one was Japanese, and the accusation of different crimes of 71 of them. Those who had flown into the Hyōgo Prefecture offices were sentenced to 15 years of hard labor; the others either received from few months to some years of imprisonment, either were fined 50 yen. The reason of imposing such severe penalties was mainly related with the intention of the Japanese and American authorities to use the Koreans as scapegoats for future potential rebellious movements.

In fact, Kobe was not the first hotbed hosting these kinds of troubles; the same nature of incidents has previously occurred in other cities around the country, such as Yamaguchi, Okayama, Hyōgo, Ōsaka and Tōkyō, and was followed two days later on April 26 by the much more turbulent Osaka protests, which gathered more than 30.000 participants.

Regarding the ethnic schools circumstance, in order to pursue their educational activities, these institutions had to apply for authorization becoming thus private schools. By one point of view this actually enabled Korean children to enjoy their educational path in a pretty much culturally exclusive Korean environment; yet, by being private schools they had to submit themselves to the Japanese Ministry of Education regulations, which very evidently means that they still had to follow the Japanese directives.

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<sup>15</sup> CAPRIO, 2008: 1.

<sup>16</sup> CAPRIO, 2008: 2.

As already previously mentioned and as it has been deduced, it cannot be stated that the Kobe protests represents a clear victory for the Korean demands. However these incidents embody important implications regarding the immigrants' integration theme. Firstly, the occurrence of these events underlines a remarkable presence of well rooted foreigners in the country, whose existence requires a growing set of necessities and attention by the local administrative authorities; secondly, this foreign group showed itself to feel confident enough in its position to create a cohesive protest movement; thirdly, the components of this alien group had proved to be able to act in unison towards some common and shared objectives.

Lastly, the Kobe riots showed that the city, even without standing out in matter of its foreign population (amounting from around 60.000 to 70.000 people) compared to other metropolis like Ōsaka or Tōkyō, has been the stage of outstanding and tempestuous protests, drawing in determined and cohesive participants.

#### **4.3 The Great Hanshin Earthquake: Opportunities Arising from the Disaster**

Throughout the 20<sup>th</sup> century, the city of Kobe have been afflicted by three major disastrous events: the first one occurred in 1938, when a tremendous flood caused landfalls submerging houses and entire residential areas; the surrounding mountains collapsed over the city, resulting in around 130 fatalities and 300 missing people. The second tragedy took place in 1945, on March 16 and 17, when the Second World War targeted Kobe with a series of well calculated bombing.

**FLOODS IN JAPAN.**

**KOBE SUBMERGED.**

**130 People Dead; 300 Missing.**

**TOKYO, July 5.**  
**The floods continue to cause death and damage in Japan. In Kobe 100,000 houses—almost the entire city—are submerged. Two thousand one hundred houses have been washed away. It is known that 130 people have been drowned; 300 are missing. Transport services have been brought to a standstill.**

Kobe had a population of 800,000. Between 225,000 and 277,000 houses were reported on Saturday to have been destroyed by floods as the result of the terrific typhoon which swept the country for two days. There were 1,300 landslides. In the prefecture of Kwanto 134 people were drowned.

**The New York Times.** LATE CITY EDITION  
 Monday and Today  
 (Continued from Page 1)

NEW YORK, SUNDAY, APRIL 19, 1942

**KOBE AND NAGOYA BOMBED, JAPANESE SAY; FIRE DAMAGE LAID TO 60 'AMERICAN' PLANES; U. S. PLANES RAID RANGOON, CHINESE RETIRE**

**FOG IS HIT IN BURMA**  
 Japanese Fail to Halt Demolition of Oil Wells in Yenangaung Area

**PLACES JAPAN SAYS WERE BOMBED AND POSSIBLE AVENUES OF APPROACH**

**TOKYO ADDS DETAIL**  
 Insists Raids on 4 Cities Hit No War Targets in Two-Hour Assault

**BASE IS STILL A MYSTERY**  
 But Japanese Insist Gunter, Expert Ave Blows—Multiple Damage to Transport Lines

**AGAIN ONE HOLD**  
 British Will Not Leave Field to Allies, but Are Anxious to Rest Tired Troops

**FLANKED CHINESE RETREAT**  
 British Will Not Leave Field to Allies, but Are Anxious to Rest Tired Troops

**THE BOMBING**  
 The bombing that started the war for the first time in the heart of Japan continued, according to the Associated Press and the United Press, started last night. The planes left in three waves of 10, 10 and 10 planes.

**OTHER PLACES BOMBED**  
 (Following) China, and that more than 100 planes had participated in the raid. The second wave, according to Japanese broadcasts, consisted of 10 planes.

**PLACES BOMBED**  
 The first Japanese reports described the damage and mentioned the explosion. "Bombing" planes were also said to have machine-gunned factories at Wako and other points and the "Yokohama" (delivered by explosion).

Photo 3: Newspaper article regarding Kobe's 1938 flood and 1942 bombing and their consequences

Source: The Sidney Morning Herald, *Floods in Japan*, National Library of Australia, July 6, 1938, , retrieved from <http://trove.nla.gov.au/newspaper/article/17471286> (accessed August 25, 2016); The New York Times, *Kobe and Nagoya Bombed*, Monterey Public Library, April 19, 1942, retrieved from <http://www.freerepublic.com/focus/f-chat/2874281/posts> (accessed August 25, 2016).

The city had been in the American sights because its strategic significance, since at the time it was the sixth biggest Japanese city with its one million population and one of the most productive port area, cradle of transportation junctions and thriving businesses; as dictated by the country architectural feature, most of buildings and constructions were wooden, particularly appealing whether the aim was to start an inescapable fire. The raids repeated themselves few months later, on June 15, worsened the already precarious situation by seriously damaging more than half of the city, hindering the local reconstruction efforts.



Lastly, the earthquake, on 17 January 1995. The formally denominated Great Hanshin Awaji earthquake (after the areas it hit), but more simply also called Kobe earthquake, reached a magnitude of 7.2 on the Richter scale, transforming the flourishing port area in a staggering view. Around 70.000 buildings in the central administrative area collapsed<sup>17</sup>, roads and public facilities such as firefighting stations and hospitals were no longer accessible or



Photo 4: Local newspaper article reporting about the Great Hanshin-Awaji earthquake.

Source: 朝日新聞 Digital, “神戸中心に大震災”, January 17, 1995, retrieved from <http://www.asahi.com/special/timeline/asahicom-chronicle/great-hanshin-earthquake.html> (accessed August 25, 2016).

<sup>17</sup> Shaw, 2004: 20.

disposable, making impossible the intervention of the most urgent aids. More than 200.000<sup>18</sup> people had been forced out of their houses, and had to move to the hastily built temporary shelters, or to find any acceptable provisory arrangement. The electricity service, together with water and gas, were out, leaving everybody at the mercy of the rigorous of winter, and the communication lines were down or instable for many following weeks, creating a frustrating confusion in the coordination of aids and to those trying to find out whether relatives or friends were safe and sound. According to The Great Hanshin-Awaji earthquake memorial museum, the Disaster Reduction and Human Renovation Institution<sup>19</sup> (hereafter DRI), it took more than ten years to finally be able to officially determine the casualties' figures: the number of dead people reached registered had been ascertained to be 4.571, 2 missing people and 14.678 injured<sup>20</sup>. Among the casualties in Kobe city, there were 199 foreigners<sup>22</sup>.

While it has been expressly illustrated how deeply the Great Hanshin-Awaji earthquake troubled Kobe and its inhabitants, it might still appear not clear how this event could have contributed to enhance the city's multicultural mark.

According to many researchers who dealt with the topic, and more systematically expressed by Tatsuki's journal publications, the Kobe earthquake signed the 'renaissance of volunteerism'. In a society where the volunteering and nonprofit organizations' net was still not robustly rooted in the social custom, it would have resulted natural to delegate to the government the management of such disastrous crises. On the contrary, the earthquake extent, like the severity of it, the considerable human loss and need among the surviving people, the timing<sup>23</sup> and the vast echoing given by mass media awakened two major

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<sup>18</sup> Data retrieved from the DRI – Disaster Reduction and Human Renovation Institution's permanent exposition.

<sup>19</sup> 阪神・淡路大震災記念：人と防災未来センター(*Hanshin-Awaji daishinsai kinen: hito to bōsai mirai sentaa*), DRI – Disaster Reduction and Human Renovation Institution), retrieved from <http://www.dri.ne.jp/>.

<sup>20</sup> City of Kobe, 2009: 1.

<sup>21</sup> These figures display only the casualties within the city of Kobe boundaries jurisdiction. The overall ascertained casualties caused by the earthquake certify 6.398 dead people, 3 missing and 40.082 injured.

<sup>22</sup> According to the data retrieved from the Kobe Center for Overseas Migration and Cultural Interaction Museum.

<sup>23</sup> The earthquake took place in January, during school winter vacation, which means that those who meant to prove relief to the critical areas had actually the free time to do it, without been concerned by their daily tasks.



changes: firstly, the raising of volunteering associations and non-governmental organizations; secondly, the commitment of either local government and local residents' groups to mutually cooperate in view of the achievement of shared goals.

Altogether, it has been estimated that around 620.000 people have provided relief in the Hyōgo prefectural area<sup>24</sup>; organized in groups or associations, the volunteers collaborated dispensing any kind of aid, from medical and nursing services, cooking emergency food, clearing the roads, providing psychological support, etc. There were two particular components of the local society who most of all needed the backing of such organizations. The first is easily identifiable with invalids and elders; these were the most directly affected, because of their impossibility to freely and rapidly react to sudden crisis and their vulnerability to the winter cold temperatures. And even after having been safely evacuated to the newly built shelters, this component was still at risk: as described by the staff of the DRI, the shelter complex had been built near the mountain side, far from the dangers of the most centered and affected areas, but also far from public facilities and first necessity services. Many of these people could not in fact move from the shelters site, hindering their daily needs, like looking for food or medical assistance.

The second group of more disadvantaged people was the foreigners, especially newcomers. Foreigners were, contrary to the elders, indirectly shaken by the earthquake: as a matter of fact, while they had the physical capability to rush to safer locations and evacuate, those who had only recently immigrated and therefore were still not integrated in the social net, could not enjoy the relief of insurance security nor medical assistance.

At the time of the earthquake, Kobe counted three main minorities: the Korean, the Chinese and Vietnamese one.

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<sup>24</sup> According to the data retrieved from the DRI. The figure displays the number of volunteers who has provided aid for at least one day; averagely it was 20.000 the number of people daily rushing in the area to provide any kind of assistance.

**Table 13: Number of foreign residents by nationality in Kobe city in 1994<sup>25</sup>.**

	1994
Korea	9.286
China	503
Vietnam	478
Brasil	42
Philippines	16
Peru	14
America	9
Tot.	10.348

While the presence of Koreans and Chinese was rooted in the previous imperialist history of the country, thus it was the legacy of older immigrations, the Vietnamese community was still definable newcomer. From the 1980s onward the Vietnamese affluence in Kobe came to be more deeply perceived, facilitated by the existence of the Teijūsokushin Center (定住促進センター) in the nearby city of Himeji, where immigrants were supported in the search of accommodation. The community was particularly concentrated in the Nagata district of Kobe, where apparently the availability of low-skilled jobs made it an appealing environment for the new settlers to live in. In fact, the district boasted a series of industrial complexes, among which there was the chemical shoes factory, where the workers were mainly of Vietnamese origins.

Therefore, among the victims there have been a high number of foreign seniors, but also trainees, immigrant workers and language students. For those who survived, the luckiest, as already underlined, had lived in the country long enough to have built their own community organization, thus could dispose of a net of acquaintances to turn to, a reliable social and health insurances and strengthened communication skills. On the other hand, the

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<sup>25</sup> City of Kobe, 神戸統計書 (*Kobe tōkeisho*), Statistics of Kobe, 1995: 45

newcomers could not enjoy all this: most of them were not enough familiar with the language to be able to properly communicate, and some had problems regarding their immigration status, let alone proper social or health insurances.

Right after the quake, several associations and organizations were constituted to assist the afflicted ones, and some of these focused their attention towards the necessities of foreigners. One of the first steps was the creation of the Foreigners' Earthquake Information Center (外国人地震情報センター), on January 22, meant to provide assistance and relief information to the non-Japanese speaking minorities. The center furtherly organized itself and developed a more systematic support network: it opened a telephone hotline in more, published periodical newsletter and broadcasted via radio news information in several languages. The volunteers offered assistance for the documentation to apply for government support, handled counseling cases and other minor daily concerns. Later in the year, the organization reshaped itself and constituted under the new name of Center for Multicultural Information and Assistance, CMIA, showing the intent of widening the organization's horizons and perpetuating its activities even once the earthquake emergency would have been extinguished. Furthermore, the CMIA not only directly helped resolving difficult situation case by case, but also acted as a bridge for those groups created and constituted by immigrants themselves, facilitating their movements, organization and communication.

The CMIA collaborated to the realization of another important program, which resulted in the unification of two pre-existent ethnic community radios. In fact, few weeks after the earthquake, the amateur Korean radio FM *Yoboseyo* started airing in Nagata district news and relief information to help the community in the reorganization process. On April, another little station opened, the FM *Yeu Men*, launched by the volunteers of the Vietnamese Survivor Relief Council previously created at the semi-demolished Catholic Takatori Church. While the former radio provided for technical information, the latter aired in five different languages, Vietnamese, Tagalog, English, Spanish and Japanese. Sharing their

competences, the two radios merged in the summer of the same year, giving birth to the FM YY<sup>26</sup>.

Not only the FM YY projects were idealized and sustained by the Takatori Relief Base volunteers, but other relevant associations and groups have been originated in the church site, as the Kobe Resident Foreigner Support Center (KFC), meant to provide for relief services and other advocacy related matters; the Kobe Asia Town Promotion Council, aspiring to build a multicultural community in Nagata district; or the Park Tent Community, which assisted those who, by not being able to evacuate to the official shelters, ended up taking cover in tents set in near-by parks. The Takatori Church was seriously damaged but the first quakes, and almost burned down by the following spread fires; only the parishioner's building was left untouched. The Catholic Church gathered weekly most of the Vietnamese community, either for liturgics services both for recreational activities, and at the time of the collapse, had acquired an important significance for this isolated minority. This is the reason why, even once its walls collapsed, the church managed to stay at the fulcrum of the community streaming, gaining even a stronger meaning and during these last twenty years it kept maturing, standing today as these minorities community hub.

An important remark must be made regarding the government response to the raising of all these non-governmental organizations. Right after the earthquake occurred, the central government took action in order to legitimize and facilitate the wave of volunteering effort, and enacted a new law in 1998 to 'promote specified non-profit activities'<sup>27</sup>. Previous to this law, there was no legislation regarding the constituency of small and medium civic groups; whether some non-profit organizations or public corporation were to be formed, they had to obtained the permission from governmental agencies and holding already some sort of assets, becoming thus semi-governmental organizations rather than independent ones. After the 1998 NPO bill promulgation, the procedures to obtain the permission to officially form were eased and speeded up, and also little NPO could be readily acknowledged and legitimized.

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<sup>26</sup> The new coined name indicated either the initial letters of the two original radios, but also represented the Japanese onomatopoeic word standing for 'racket, fuss' (わいわい).

<sup>27</sup> Shaw, 2004: 20.

### 4.3.1 Considerations

From what entailed the Great Hanshin-Awaji earthquake, three relevant and patent considerations could be drawn.

Firstly, the formation of volunteering associations, along with the several newly born NPOs and NGOs, concretely developed itself towards the needs of the affected foreign population. Even though there were already some groups devoting their attentions to the local minorities, the quake revealed to be an occasion to trigger the spark, shedding more and more light over some issues which until then have been mostly overlooked<sup>28</sup>. Hence, what later emerged extensively, the earthquake did not really create further problems for the foreign communities living in the area, but rather, it amplified and put them under the local community spotlight and attention, deepening its sense of awareness. And even considerate is the fact that among these volunteering associations, some of them did not put an end to their activities once the emergency situation had been overcome, but, shifting their means and methods, kept standing as landmark for the local foreign communities, as it has been shown with the CMIA case, or the Takatori Church Community.

Secondly, the foreign community itself showed the willingness to participate in the recovery activities in the affected areas: as a matter of fact, some of the previously mentioned volunteering groups registered a high level of participation of foreign residents. The Vietnamese community, mostly workers of the Chemical shoes factory, in particular has been acknowledge for its warm commitment operating through the organization of the Takatori Relief Base, either towards their own compatriots and also towards the destitute Japanese people. In this way, the minorities made a step forward to the merging in the local social web, carving out their own place.

Lastly, the emergency derived from the disaster aroused the central government sensitivity over the lack of non-governmental activities legislation. The celerity with which the 1998 NPO bill has been promoted and promulgated clearly indicates the government's perception of the need of regulation and legitimizing such groups, as useful means to respond to local necessities. In addition, the local government's attitude also changed: as it has been

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<sup>28</sup> For example, the lack of participation by the foreign residents to an appropriate health or social insurance program.

perceived by the foreign resident survivors, once past the initial emergency stage, the municipality itself has taken steps to bring relief and support to foreign communities, although these were gripped by the same problematics even before the earthquake occurred.

#### 4.4 Kobe Foreign Minorities

How it has already been illustrated in the introduction section of this work, the Hyōgo prefecture, and in particular the city of Kobe, does not display the most representative figure when referring to the number of foreign residents. As a matter of fact, without the need to compare the capital numbers, the near metropolis, Ōsaka, estimated that the foreign residing population reached the 2,667,306 people in 2013<sup>29</sup>, while Kobe, as showed in Table 2, counted 42,411 foreign residents.

**Table 14: Number of foreign residents by nationality in Kobe city in 2015<sup>30</sup>.**

	2015
Korea	18.390
China	12.629
Vietnam	2.676
USA	1.228
Philippines	1.018
Taiwan	999
India	955
Brasil	373
Nepal	368
UK	353
Tot.	42.411

<sup>29</sup> City of Osaka, 第1章 大阪市内における外国人住民の状況 (*Daiisshō Ōsakashinai ni okeru gaikokujin jūmin no jōkyō*), Status of foreign residents of Osaka city in Chapter 1, 2014: 1.

<sup>30</sup> City of Kobe, 神戸統計表, 「人口」, 3-10. 国籍・地域別外国人住民数 (各年3月末現在) (*Kobe tōkeihyō, "Jinkō", 3-10- Kokuseki-chiikibetsu gaikokujin shūminsū (kakunenn sangatsushū genzai)*), Statistics of Kobe, "Population", 3-10. Number of residents of foreign origins by nationality-region (updated at the end of March). 2015.

Taking these two cities as a comparison, the factor that differentiates the respective foreign population is their homogeneities and dissimilarities in its nationalities' composition: indeed, according to data retrieved from Ōsaka city databases, the Korean and Chinese communities represents the most consistent share, respectively the 83.3% and 24.5%, whether the following nationalities reach only the 2 or 1 units in percentage<sup>3132</sup>. The Kobe's figure, thus do not distances itself too much from the neighbor city's numbers, show a more variegated pattern. The Korean and Chinese shares still occupy a substantial stake, but other nationalities emerge more vividly; in addition, considering the total number of the foreign population, the less consistent nationalities becomes more visible compared to the Ōsaka's ones.

**Table 15: Percentage of the Foreign Residents Nationalities in Kobe city in 2015<sup>33</sup>.**

	2015
Korea	43.36%
China	29.77%
Vietnam	6.30%
USA	2.8%
Philippines	2.4%
Taiwan	2.4%
India	2.3%
Brazil	0.9%
Nepal	0.9%
UK	0.8%

<sup>31</sup>第 1 章 大阪市内における外国人住民の状況, 2014: 8.

<sup>32</sup> To be more accurate, the other minorities (in descending order) corresponds to the following percentages: Philippines: 2.5%; Vietnamese: 1.7%; USA: 1.1%; Brazil: 0.8%; Thailand: 0.8%; Nepal: 0.6%; Indonesia: 0.4%; India: 0.4%; Peru: 0.4%; England: 0.4%; Australia: 0.3%; others: 2.8% (for a total of 133 nationalities).

<sup>33</sup> City of Kobe, 神戸統計表, 「人口」, 3-10. 国籍・地域別外国人住民数 (各年 3 月末現在) (Kobe tōkeihyō, “Jinkō” , 3-10- Kokuseki-chiikibetsu gaikokujin shūminsū (kakunenn sangatsushū genzai)), Statistics of Kobe, “Population” , 3-10. Number of residents of foreign origins by nationality-region (updated at the end of March). 2015.

The streets of the city are dotted with signs marking the presence of foreign ethnic groups. For example, besides Shinto shrines and Buddhist temples, the two most widespread religions, there is a conspicuous number of Christian churches<sup>34</sup>, which in more than one case have become the base around which foreign communities gathered<sup>35</sup>. Kobe also boasts the first mosque ever built in Japan: established in 1935, the Kobe Muslim Mosque is also the only one in the city<sup>36</sup>, and collects the practicing Muslims residing in the city<sup>37</sup>. There are also some ethnic areas, as the Chinatown, of which it will be discussed more in detail in the next paragraph, or the Kitano area, which today is only a distant memory of the legacy of the Western foreigners' residential constructions, resulted from the port concession of the '800. In Kitano, the majestic Western architecture settlements are still intact, some of them restructured to bring them back the old charm, but only few of them still preserve their residential usage; in fact, they are today used as museums, associations headquarters or as fashionable bars, as the one bought by the Starbucks café company.

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<sup>34</sup> According to a research conducted by the CIA, the 79.2% of Japanese are Shintoist, 66.8% are Buddhist and the 1.5% are Christian (other 7.1%; the total exceeds the 100% because most of the Japanese are both Shintoist and Buddhist). Data retrieved from <https://www.cia.gov/library/publications/the-world-factbook/fields/2122.html> (accessed September 4, 2016).

Therefore, it would be incorrect to state that Christian churches mark the presence of foreigners alone, since there a Japanese component who regularly attends religious services and events. However, Christian churches are also attended by many Koreans, Vietnamese and Brazilians, who according to the CIA database show respectively a percentage of 31.6%, 7.5%, and 97% of Christianity in their country of origin.

note: total adherents exceeds 100% because many people practice both Shintoism and Buddhism

<sup>35</sup> As has happened with the Takatori Catholic Church.

<sup>36</sup> 神戸ムスリムモスク (*Kobe musurimu mosuku*), retrieved from <http://www.kobemosque.info/en/top.html#> (accessed September 4, 2016).

<sup>37</sup> The Kobe Muslim Mosque is indeed the only one present in the city, but other locations scattered around the city serve as praying rooms or to host Muslim events.





**Photo 5: Kobe Muslim Mosque.**

Source: Author.

In the previous sections, by illustrating the national and local history of Japan, it has already been introduced some of the historical, political and social features related to the most substantial foreign communities present in Kobe. The following paragraphs are meant to conceive a deeper analysis of the most important foreign groups in the city. However, not all the national minorities cited in the above two table are subject to illustration in the following subsections. The reason behind such a choice, which is the selection of some minorities to the detriment of the exclusion of others lies in their unique relation to the city of Kobe's history. In fact, the presence of some of these communities' making results particularly entangled with the city's development, while others are the result of widespread

phenomena and trends subsisting at the national level, therefore, common to most of other large cities with a large population of foreign residents. Hence, rather than the Korean one, which patently results to be the most substantial in terms of quantity, in the following analysis the Chinese, Vietnamese, and Brazilian communities will be considered as object of closer examination, even though the latter one do not represent anymore a large share of foreign residents.

#### 4.4.1 The Chinese Community and Chinatown

As reported in Table 2, 12,629 were the registered Chinese residents in Kobe in 2015. Considering that the overall city's population was 1,546,891<sup>38</sup> in the same year, the Chinese do not account for a very substantial share, still they are the second largest foreign community in a quantity perspective, and their presence do not go unnoticed. One of the most standing out marks clearly showing the flourishing presence of a Chinese community in the city is Chinatown, otherwise called the *Nankinmachi*.

The stable settlement of a Chinese community in Kobe dates back to the Tokugawa period, around the mid-nineteenth century. As for the Westerners case, the Chinese had finally the chance to permanently enter and inhabit the city once the government had signed for the treaties and granted lots and concessions to the eager foreign merchants and businessmen. Therefore, together with the Americans, Russians, Canadians, etc., also other travelers coming from Asian countries landed on Japanese soil, and so did the Chinese.

As happened with the new hosts, also the Chinese were not seen positively; indeed the national stance influenced the daily situations in cities with a high percentage of Chinese residents, and the political and economic relations between China and Japan did not facilitate the life of those willing to integrate in the newly opened city. The two Sino-Japanese wars (1894-1895 and 1937-1945) in fact had a negative impact on what could have been the imaginary of Japanese perception over their Chinese neighbors, and as they occurred the Chinese population was susceptibly halved, and its businesses accused severe

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<sup>38</sup> City of Kobe, 平成 28 年 7 月 31 日現在 全市, 人口統計 (*Heisei jūhachinen shichigatsu sanjūichinichi genzai zenshi, jinkō tōkei*), Statistics of population of all the city on July 7, 2016, 2016.

losses<sup>39</sup>. Moreover, the Chinese were not accorded with special lots or any concessions: they actually ended up by being ostracized either by Japanese and foreigners, thus were not permitted to establish their businesses nor their residential blocks in the pre-existing city or



**Photo 6: Nankinmachi main square**

Source: Author.

in the foreign concessions. And this is how eventually *Nankinmachi* was born.

The Kobe's Chinatown, even by remaining the hub for the Chinese residents, had shifted its role throughout the twentieth century, following the outcomes of wars and worldwide political relations. In the first decades of its origins the Nankinmachi served as a commercial

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<sup>39</sup> TSU YUN HUI, 2007: 140.

and social bridge among the local population and the newly arrived foreign one. As a matter of fact, while the Westerners were for a long while excluded from any economic relations with Japan, China had actually continued to keep up their mercantile activities with worldwide dealers, making them way more acquainted with both sides' customs and commercial tendencies. In this way the Chinese became the perfect intermediary between Japanese and foreigners, being able to communicate and relate with the both. During the occupation following the Second World War the shops and activities answered to the American soldiers' lifestyle, transforming into bars and clubs for entertainment function<sup>40</sup>. Once they had served their purposes, these bars closed, and grocery shops and businesses for the locals' daily necessities opened again, giving a new and brighter light to Chinatown.

Finally in 1977 the formation of the Nankinmachi Merchant's Association, which gathered not only Chinese traders but also Japanese ones living in the quarter, brought the implementation of a series of programs aiming at the innovation of the ethnic area, realizing in the 1981 the Nankinmachi Restoration Plan<sup>41</sup>. The roads were newly paved and buildings and facilities were given the peculiar architectural style belonging to the Chinese imagery. Still today, while walking through it, the predominant red paint covering columns and walls does not pass unnoticed. The Association not only pledged itself over the embellishment of the Nankinmachi façade, but it also boosted the economic spirit of the district: together with the cooperation of Kobe municipality, the Association promoted and advertised a series of initiatives aiming at rendering the Nankinmachi a unique feature of the city, providing it with those distinctive Chinese characteristics that otherwise would have not appeared. For example, the restaurants and shops sells those products that a Japanese or foreigner would expect to find in a Chinese shop, with specific Chinese cuisine and typical Chinese taste, one of the reason why the Kobe's Chinatown is also called the "gourmet republic"<sup>42</sup>. Moreover, in order to impart a more traditional atmosphere to the area, the group also introduced a series of festivals, of which the best known is the Spring Festival, corresponding to the Chinese New Year Festival, and lasting five days.

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<sup>40</sup> TSU YUN HUI, 2007, 141.

<sup>41</sup> WONG, 2013: 6.

<sup>42</sup> TSU YUN HUI, 2007: 137.

According to the author, this title has been conferred to the Nankinmachi by its people themselves in occasion of the 1987 Spring Festival.

As for the other minorities, also for the inhabitants of Chinatown the Great Hanshin-Awaji earthquake aroused ambivalent outcomes. Indeed, the community had been severely hit as for the rest of the Kobe population, with its elder components facing harsh obstacles in their daily survival. Still, the disaster has been for them a chance of acknowledgement by the rest of the society. According to the *Asahi Shinbun* news articles reporting about the 1995 tragedy's aftermaths, many owners of grocery shops or essential goods sellers promptly took action to organize and set up provisional stands to offer hot meals, for a symbolic price or for free. Thus, not only the Vietnamese community had a chance of renewing its image, but the Chinese as well seized the opportunity to make themselves a valuable piece of the local community.

Today, there are two principal organizations gathering the interests of this ethnic community. The first one is the Association for Promoting Chinatown<sup>43</sup>. Strictly related with the Chinatown activities, the Association is in charge of coordinating its tourism promotion, for example by handling the management and advertising of the district events, which range from the acclaimed Spring Festival to periodical cultural and gastronomic events, daily updated in its website (note n° 36). It also publicizes the several shops and restaurants running their activities in the quarter, listing them in the internet page and bringing out the must-buy souvenirs and which dishes are not to be missed. The second association ranging over a wider variety of the community's everyday life aspects is the Kobe Overseas Chinese Association<sup>44</sup>. The association relies with different problems or difficulties that a Chinese resident living abroad might face. As an example, it organizes travels for those wishing to return, even just temporarily, to their Chinese hometown or to travel somewhere else abroad; it organizes and coordinate several festivals, mainly meant as an occasion of proposing the Chinese native holidays (as the anniversary for the revolutionary leader Sun Yat-sen, the *Sunbun Tanjō 150 Shūnenkinen*<sup>45</sup>) or as moment of exchange with the local

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<sup>43</sup> *Nankinmachi Shōtengai Shinkō Kumiai* - 南京町商店街振興組合. The Association also runs an updated website: <http://www.nankinmachi.or.jp/>.

<sup>44</sup> Kobe Kakyō Sōkai - 神戸華僑総会. The Association website: <http://www.kobe-chinese.com/public/>.

<sup>45</sup> In Japanese: 孫文生誕 150 周年記念 特別講演会 『百年後にスタートした孫文の「夢」と現実』, retrieved from the Association website: <http://www.kobe-chinese.com/public/gyouji.html> (accessed September 5, 2016).

culture (as the *Tabunka Kōryū Fesutibaru*<sup>46</sup>); it also publishes a seasonal short magazine with the new Association's directives, new programs and initiatives, any news related to the Chinese community, etc.<sup>47</sup>. Moreover, the Association provides the contacts of further organizations which work in more specific fields. For example, some institutions offer Chinese children private education in ethnic schools, either for kindergarten schools, as the Kobe Overseas Chinese Kindergarten<sup>48</sup>, or higher education, as the Kobe Chinese School<sup>49</sup>, where the priorities for inscriptions are given to Chinese nationals and children of alumni, at their turn gathered in the Kobe Chinese School Alumni Association<sup>50</sup>.

To conclude this brief overview of the development and existence of the Chinese community in Kobe it can be said that by this time it has seeped in its roots in the local history and contributed to shape the present aspect of the city. Chinatown in particular, has become a glaring symbol underling the multicultural and international atmosphere of the urban-port.

#### 4.4.2 The Vietnamese Community

Regarding the Vietnamese community in Kobe, some words have already been spent, but it might be necessary to illustrate the reasons why Japan and in particular Kobe host a quite consistent Vietnamese minority.

As it has already been mentioned, the Vietnamese started to arrive profusely from the 1970s onward. The timing is not a hazard, as it matches with the Vietnam War (1955-1975). At that time, many Vietnamese crushed by the war atrocities realized that their home country would not offer them any future, and preferred to face the risks of escaping rather than staying. Leaving the country by boat was one of the options, and it is by boat that the

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<sup>46</sup> In Japanese: 多文化交流フェスティバル 多文化交流フェスティバル出店・協賛のご案内, retrieved from the Association website: <http://www.kobe-chinese.com/public/gyouji.html> (accessed September 5, 2016).

<sup>47</sup> The Kobe Overseas Chinese Association's periodical 神戸華僑総会, 2015, 遠望僑声・神戸、神戸華僑総会広報, Vol. 18.

<sup>48</sup> In Japanese: 神戸華僑幼稚園, retrieved from <http://huayou.ed.jp/> (accessed September 5, 2016).

<sup>49</sup> In Japanese: 神戸中華同文学学校、retrieved from <http://www.tongwen.ed.jp/> (accessed September 5, 2016).

<sup>50</sup> In Japanese: 神戸中華同文学学校校友会, retrieved from <http://www.xiaoyouhui.jp/> (accessed September 5, 2016).



luckiest of them reached the Japanese southern coasts. Travelling by boat was indeed a risk, and whether some make it to some other countries' land safely, storms and drowning, piracy, thirst and hunger reaped many victims.

At the time, the Indochinese refugee was widespread problem concerning several countries, and in 1979 following the United Nations conference in Geneva many western countries accepted to open their gates and welcome the refugees. Also the OECD countries almost unanimously agreed to accept the refugee influx, not only as temporarily reception, but also for resettlement in their territories. Japan had actually initially refused to assent to the OECD's initiatives, thereby triggering the international community's indignation. However, to comply with the fact that Japan as an industrialized and developed country could not afford to ignore such criticisms, it eventually agree on accepting 500 Indochinese refugee for resettlements in 1978<sup>51</sup>. The port city of Nagasaki was the location where the refugee has to stay until they would have chosen for resettlement in Japan or in another country.

For those who had chosen Japan as their new home, integration was not an easy task, and the lack of social landmarks and the linguistic barrier where the main obstacles hindering a smooth daily life. Kobe offered some solutions to these problems, so that living in the city became an acceptable choice. Firstly, the Teijūsokushin Center in the nearby city of Himeji facilitated the search for an accommodation, helping the incoming immigrants with documentation and bureaucratic pitfalls to which they were not accustomed to<sup>52</sup>. Secondly, in the city there was already, although small, a circle of Vietnamese people, thus newcomers would have not felt isolated. The Chinatown offered a variety of food very close to what they were used to use in their home country, and although it may seem a marginal factor, it helps to dampen the impact with a different culture, and the presence of catholic churches was a comforting element<sup>53</sup>. Thirdly, the availability of low-skilled jobs made it easy for the new settlers to afford a stable and secure lifestyle. The industrial area in Nagata Ward assured

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<sup>51</sup> SINGER, 2010: 2.

<sup>52</sup> Refer to section 1.3 of this chapter.

<sup>53</sup> Although the most widespread religion in Vietnam is Buddhism, the second one is Roman Catholicism, accounting to more than 6 million people (over a population of 92,5 million). Data retrieved from Vietnamese Home Office, 2014, *Country Information and Guidance - Vietnam: Religious minority groups*, retrieved from [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/389940/CIG.Vietnam.Religious\\_Minority\\_Groups.v1.0.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/389940/CIG.Vietnam.Religious_Minority_Groups.v1.0.pdf) (accessed September 7, 2016).

many job places, and the chemical shoes factory<sup>54</sup> was by the time a stronghold for Vietnamese workers.

Then again, the 1995 earthquake had shaken the lives of the many, but still, as stated in an interview with Nga<sup>55</sup>, some people could find a positive side in its outcomes. Nga is currently the head of the *VIETNAM Yeu Men Kobe* NGO<sup>56</sup>, based at the Takatori Catholic Church Community Center, in Nagata Ward. Nga is one of the Vietnamese ‘boat people’ who, in 1981, fled from her country, entered Japan as a refugee and decided to resettle in Kobe. The earthquake took everything away, but luckily she and her family managed to find shelter in a nearby catholic church. During the recovery phase, Nga started participating as a volunteer at the Takatori Relief Base activities; as she finally had been able to master the language after more than ten years she had been living in Japan, she was in charge of translating and communicating emergency directives from Japanese to Vietnamese.

Today her job is still not finished. As the head of NGO she continues to work in order to help those who find themselves facing the same problems she had when she first landed in Japan. The organization she works in, constituted on 2001, is not the only one sustain and helping out the Vietnamese community in its daily life matters in Japan. There are many other, most of them based at the Takatori Catholic Church Community Center<sup>57</sup>.

#### 4.4.3 The Brazilian Community

Although the Brazilian community presence is very strong in Japan, Kobe did not count more than 373 residents in 2015 (Table 2), indeed not even close to the previous two communities hereby portrayed. However, its presence and its culture and traditions’ echoing can be easily felt and seen by living the city.

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<sup>54</sup> Refer to section 1.3 of this chapter.

<sup>55</sup> SINGER, 2010.

<sup>56</sup> ベトナム夢 KOBE, retrieved from <http://tcc117.jp/vnkobe/> (accessed September 5, 2016).

To clarify any doubt which might arise from a different nomenclature, the same NGO was previously called *NGO ベトナム* in KOBE (*Vietnam in KOBE*), but in 2013 changed its name in *Vietnam Yume KOBE*.

<sup>57</sup> The Takatori Catholic Church Community Center is object of study in the following subchapters.



The Brazilian began immigrating in Japan in the late 1970s early 1980s, following the national trend. Differently from immigrants of other nationality, Brazilians had indeed been led by the precedent agreement between the two countries. As a matter of fact, the treaty signed in 1907 between the two countries marked the beginning of migrant-relations from one land to the other, and the first Japanese immigrants began arriving in Brazil in 1908. Almost 80 years later, as the Japanese economy blossomed, the process reversed, with thousands of South Americans looking for a job. Therefore, before been a recipient country, Japan has actually been the sender one.

Kobe was one of the major ports where Japanese people departed from, to reach the new promised Brazilian land. According to the Kobe Center for Overseas Migration and Cultural Interaction, more than 400,000 Japanese people left by boat from the port of Kobe, assisted in all the documentations and accommodation services by the Center administration. The Center was founded in 1928, and was established under the name of National Emigrant



**Photo 7: Kobe Center for Overseas Migration and Cultural Interaction in 2016.**

Source: Author.

Center<sup>58</sup>. It initially was a western-style building, and beside the offices for the emigration procedure administration provided around 600 beds, where those living away from the city could spend some nights before sailing for the new continent. The interiors were designed and conceived in order to make it resemble to a ship, so that those leaving could get used to the imminent trip. Two years later, the facility was amplified, adding more shelters, and it could now host more the 1300 travelers. A little hospital-like section was also joined to the structure, so that the Center could also offer medical check-ups, health examinations and emergency treatments.

During the Second World War the Center shifted its purposes to hosts sailors trainees and merchant marine officers, navigators and engineers. By 1964, the Center, previously under the Jurisdiction of the Ministry of Foreign Affairs, passed under the control of the JEMIS (the Japan Emigration Service).

In January 1995 the building was severely damaged by the quake, but promptly rebuilt. By those years, it had already inverted its role, and started welcoming mainly Brazilian immigrant, or better specifying, Japanese descendants coming from Brazil.

Today the Emigration Center has stopped its administrative functions. It has become in part a museum<sup>59</sup>, reconstructing the migration history of which Kobe has been the fulcrum; while the other part, including the top two floors of the building, has been converted into a leisure and cultural interaction space for the Kobe Brazilian community. This space counts a recreational room for casual meetings where different Brazilian cultural festivals and artistic events are advertised; two rooms are available as showrooms for artistic expositions; one library with Brazilian literature for children and adults; and two offices for consultancy with staff both Japanese and Brazilians. Many pamphlets and information material translated in Portuguese language is available at the Center<sup>60</sup>: the Ministry of Justice information updates

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<sup>58</sup>The 国立移民収容所 (*Kokuritsu Imin Shūyōjo*).

The Center changed name several times, Kobe Emigrant Education Center, the Ministry of Foreign Affairs Kobe Emigration Assistance Center, Kobe Emigration Center and eventually, after it became a museum, the Kobe Center for Overseas Migration and Cultural Interaction.

<sup>59</sup> Kobe Center for Overseas Migration and Cultural Interaction Museum, <http://www.kobe-center.jp/museum.html>.

<sup>60</sup> 国立神戸移民収容所 - 神戸移住センター (*Kokuritsu Kobe Imin Shūyōjo – Kobe Ijū Center*), <http://www.ndl.go.jp/brasil/column/kobesyuyojo.html> (accessed September 7, 2016).

regarding new visa procedures or changes to the residency requirements, etc.; Information regarding schooling, with possibilities and modalities to apply for scholarships offered either by the municipality either by NPOs (as the scholarships offered by the KFC – Kobe Foreigners Friendship Center), or for the application of special programs to facilitate the integration of foreign children in the local schooling system; contacts for the major local Brazilian associations, like the *Comunidade Brasileira de Kansai* (the CBK).

#### **4.5 Kobe's Boosted Multiculturalism and its Actors**

Until now this chapter has highlighted the most salient historical events about Kobe's interaction with foreigners, and it has pointed out who are the foreign communities most entangled with the local social frame.

Hence, the next and last sections provide for a more concrete panorama of what effectively are the services and benefits that the immigrant groups and foreign residents can actually achieve at the local level.

The first part focuses on government level, thus illustrates what is provided by the municipality of Kobe itself. The second one centers on the most developed NPOs, NGOs and volunteering associations working in the city area, and some times more extensively at the Hyōgo prefectural level.

##### **4.5.1 The City of Kobe**

As explained in Chapter 2, in 1988 the Ministry of Home Affairs promulgated a directive which imposed on the most populated cities the establishment of international centers for the benefit of local citizens, which started to spread in the early 1990s. In order to sustain the local government's effort to boost international activities within its local jurisdiction, in the same year the Ministry created CLAIR, the Council of Local Authorities for International

Relations<sup>61</sup>, as the national manager for the local international initiatives. The Council coordinates the different aspects of the local international interaction process, as the JET Programme, the Japan Exchange and Teaching Programme, which invite in Japan college graduates from 65 different countries worldwide to insert them as teachers in foreign language education classes in elementary schools, junior high schools, and senior high schools<sup>62</sup>; the international cooperation through the establishment of two programs, the Local Government Officials Training Programme and the Local Government International Cooperation Specialist Dispatch Project<sup>63</sup>, which promote the exchange between Japan and another country of local government employees to be sent to abroad or to be accepted in to improve friendly and cooperative ties; the Multicultural Japan<sup>64</sup> program, which aims at enhancing the multiculturalism initiatives a the local level by policy supports and dispatch of staff; and lastly the Local Government International Exchange program, which assist the local government in the search and agreement of sister cities from around the world.

As one of the most foreign populated city, also Kobe has shown some common tendencies and thus the adoption of local initiatives aiming at the achievement of the foreign residents' integration, as the mitigation of language barriers and cultural integration programs. All these initiatives are directed and managed by the city international center, the Kobe International Center for Cooperation and Communication<sup>65</sup> (KIC), established under the directives of the Ministry of Foreign Affairs.

### ***KIC***

The Kobe International Center for Cooperation and Communication is set up by Kobe government, and it is meant to assist the foreign community residing in the city with a wide

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<sup>61</sup>一般財団法人自治体国際化協会 (*Ippan Zaidanhōjin Jichitai Kokusaikakyōkai*). Retrieved from <http://www.clair.or.jp/> (accessed August 22, 2016).

<sup>62</sup> Data retrieved from the JET Programme website: <http://jetprogramme.org/en/about-jet/> (accessed September 4, 2016).

<sup>63</sup> CLAIR's International Cooperation section, retrieved from <http://www.clair.or.jp/e/cooperation/index.html> (accessed September 4, 2016).

<sup>64</sup> CLAIR's Multicultural Japan section, retrieved from <http://www.clair.or.jp/e/multiculture/index.html> (accessed September 4, 2016).

<sup>65</sup> KIC, retrieved from <http://www.kicc.jp/index.html> (accessed September 4, 2016).

variety of services. But it also handles a series of international initiatives in particular with developing countries. All the information is easily accessible through the Center website, which is available in seven languages: Japanese, English, Portuguese, Chinese, Korean, Vietnamese and Spanish. The Center supervises several projects, which can be resumed in three main programs: International Cooperation, International Communication, and Support for International Students.

### ***International Cooperation***

The International Cooperation program mirrors the CLAIR's guidelines, and operates through the collaboration of three main bodies which are the Asian Urban Information Center of Kobe (AUICK), the Japan International Cooperation Agency (JICA) and the Asian Development Bank (ADB). The AUICK<sup>66</sup> is an organization established in 1989 by the United Nations Population Fund (UNFPA) and the Kobe City Government. It has formed nine partnerships with nine different cities from developing countries<sup>67</sup> where exchange of experts and researchers and the organization of training courses aim at the resolutions of problems related to urban inefficiencies. Since Kobe has acquired a lot of knowledge through its disastrous past experiences, it can now mainly provide for emergency services, paramedical and technical training sessions, together with solutions to facilitate the urban life of seniors and parents lives<sup>68</sup>. The second organization is JICA<sup>69</sup>: also this non-profit organization relies with developing countries over similar issues, such disaster prevention and management situations, post-disaster reconstruction by cooperation with research institutions and the expertize of academies. Lastly, the ADB<sup>70</sup> was initially born in the 1960s as a financial institution conceived for the development of the poorest Asian region, and today in its partnership with KIC, with the sustain of the academic members of the Kobe

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<sup>66</sup> AUICK, retrieved from <http://www.kicc.jp/auick/index.html> (accessed September 3, 2016).

<sup>67</sup> The nine cities are: Chittagong (Bangladesh), Weihai (China), Chennai (India), Surabaya (Indonesia), Kuantan (Malaysia), Faisalabad (Pakistan), Olongapo (Philippines), Khon Kaen (Thailand), and Danang (Vietnam); these are referred to as AUICK Associate Cities. KIC's International Cooperation section, retrieved from [http://www.kicc.jp/kyouryoku/index\\_en.html](http://www.kicc.jp/kyouryoku/index_en.html) (accessed September 4, 2016).

<sup>68</sup> Other interesting projects concern forum over the construction of appropriate water systems, maternal and children health care, workshops over the population aging, etc.

<sup>69</sup> JICA, retrieved from <http://www.jica.go.jp/english/about/index.html> (accessed 22 August, 2016).

<sup>70</sup> ADB, retrieved from <https://www.adb.org/> (accessed September 3, 2016).

University Graduate School of International Cooperation Studies (GSICS), mainly support Laotian policy-make process in order to enhance the country public services and ameliorate the population conditions.

### ***International Communication***

The International Communication program articulates its activities through the organization of the Kobe International Community Center<sup>71</sup> (KICC). The KICC offers services on direct fields working directly with foreign residents and immigrants. Firstly, it provides information over living matters and administration in Kobe. Consultation sessions over daily life issues are bookable from the KICC website portals; in addition there is also a counseling service on immigration and visa issues, problems with the residential status and administrative procedures, and specialist consultations over three areas: labor issues, insurance and pension programs and taxes. All these services are available in seven languages: English, Chinese, Korean, Spanish, Portuguese, Vietnamese and Filipino. Also, translation services are directly available at the Ward offices, and it is also possible reserving volunteering staff working as accompanying interpreters. Secondly, the Center offers a series of courses based on Japanese culture, with classes of Japanese languages, calligraphy and flower arrangement (*ikebana*). However, these courses are only meant for the legal foreign residents, as showing the resident card is one of the requirements at the moment of the subscription. Thirdly, the Center favors the international cultural exchange among local Japanese and foreign residents, by providing meeting rooms for the organization of events (upon payment), by advertising festivals and projects, and by making available a library where either Japanese either foreign literature can be borrowed.

Furthermore, on the KICC's website there is a section, the "Kobe Living Guide", where all the information on daily matters, as counseling services, visa's issues and daily life notifications, are stored and available on the before cited seven languages.

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<sup>71</sup> KICC, retrieved from [http://www.kicc.jp/kicc/index\\_eng.html](http://www.kicc.jp/kicc/index_eng.html) (accessed June 23, 2016).



### ***Support for international student***

This last programs offers support to foreign students who in possess of a student visa apply either to a college, university or graduate school in Kobe. In the first place, the municipality offers 30 scholarships per year, the Kobe/Sugawara Scholarship, with a stipend of 80,000 yen. A housing program is also available and offers private apartments either for single students, or for those who live with their families and children. Lastly, in order to render cultural and entertainment attraction more accessible, students are granted with the “Happy Memory Pass Kobe” which allows obtaining some discounts at the participating establishments.

### ***The Municipality***

A very important initiative which has not been promoted by the KIC but rather buy the city’s administration itself is the institution of the Council of Foreign Residents<sup>72</sup>. The Council was formed in 2003, gathered for the first time on May 27 of the same year, and meets periodically with an interval of two to four months. It has eleven participants who turn every two years: the Council Presidents, usually a professor from Kobe University, four Japanese academicians with specialties on foreign politics and social fields, and six foreigners, who are heads of local NGOs or volunteering associations dealing with immigrants’ issues. The Council’s meeting thematic varies depending on the timing, but its main objective conveying the foreign citizens’ voice to the local government level, by arising problematics of matters related to their city lives. The first meeting of the 2015, held in May 27, mainly revolved around the services offered by the KIC and KICC, the support offered by the KIC for international students<sup>73</sup>, and other matters concerning foreigners’ everyday life.

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<sup>72</sup>In the original language, Japanese: 外国人市民会議 (*Gaikokujin Shimin Kaigi*), retrieved from <http://www.city.kobe.lg.jp/culture/international/oshirase/shiminkaigi/> (accessed September 6, 2016).

<sup>73</sup>City of Kobe, 2015, 第一回「神戸市外国人市民会議」, 国際交流, 観光・文化・イベント (*Dainiūnikai Kōbeshi tōkeisho hesei nijūshichinendohan, “Jincō” tōkeihyō*), The 92nd year of the Kobe City Statistical Yearbook, the "Population" Statistical Table, retrieved from <http://www.city.kobe.lg.jp/culture/international/oshirase/shiminkaigi/img/20150527documents.pdf> (accessed September 6, 2016).

#### 4.5.2 The NPOs, NGOs and Volunteering Associations

Besides the local government, an active network of volunteering associations also works to providing services of different nature to foreigners. It can be stated that these organizations' aid reaches a wider range of foreigners than the Kobe's official ones. One concrete case is that in order to ask, for example, a counseling session, there is no need to show the residency card and alien registration documentation, which is contrarily requested by the services offered from the KIC and KICC.

It is thanks to the 1998 "Law to Promote Specified Nonprofit Activities", more commonly called the NPO Law, and consequently also to some other legal reforms regarding taxation status and funds availability<sup>74</sup>, that many small organizations can run as they do today. After the awoken awareness from the 1995 Great Hanshin-Awaji earthquake, many small volunteering groups advocated either through bigger and more capable organizations, such the Coalition for Legislation to Support Citizens' Organizations, or directly to Diet members in order to facilitate and making possible the formation of smaller associations. Before the NPO Law, the radius of action of such small groups was rather limited: volunteering associations that did not reach the 3 million yen budget would not be eligible for incorporation permit, thus could not accede to national funds, and with political and social limitations could definitely not develop nor subsist. On the other hand, there were also some other groups who spontaneously decided not to incorporate (not at least in Japan) because the bureaucratic procedures were way too tedious and, once incorporated in Japan, they would have lost part of their independency<sup>75</sup>.

Many NPOs and NGOs that today operate in Kobe are small in size, but this does not imply that their contribution is only relatively significant. Some of these groups work with the collaboration of the local government, others run their activities independently, drawing their resources from private funds. As it has been seen, some organizations have born to

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<sup>74</sup> The 2006 legal reform regarding Public Interest corporation, established two new special taxation entities, which are the public interest incorporation associations and foundation, aiming at easing the financial burden of smaller volunteering groups. In details *Act on Authorization of Public Interest Incorporated Associations and Public Interest Incorporated Foundations (Act No. 49 of 2006)*, retrieved from the Cabinet Secretariat's website, <http://www.cas.go.jp/> (accessed September 10, 2016).

<sup>75</sup> REIMANN, 2011: 37.



answer to the necessities of specific ethnic groups, such as the Chinese, Vietnamese or Brazilian associations described in the previous sections, and continue to work only with them. Others might have born with the same objectives, but had subsequently expanded their range of action to target a group of foreigners presenting the same kind of social problematics, independently from the nationality origins.

The following is a list of the most active associations in the city in the last years, with the description of the fields they operate in and the main initiatives they undertook.

### ***The Takatori Catholic Church Community Center***

Several aspects have been revealed about the Takatori Center, hence this this section will focus on the Center activities rather than its history.

The Center hosts the headquarters of seven NPOs/NGOs addressing to foreign residents and immigrants, which differ in their purposes, means and targets. Firstly, the already cited 1) Community Radio Station FMYY<sup>76</sup>, is still broadcasting through the radio and internet channels from the 1995 Kobe's earthquake. Today, though it still airs different radio programs over multicultural issues, it has become a meeting point salon where whoever willing to can participate and share part of his or her experience with the rest of the community. Also 2) AMARC<sup>77</sup>, the World Association of Community Radio Broadcasters, with its 4,000 members, operating through radio aims to shape a multicultural community, giving the local minority a mean of expression. FACIL<sup>78</sup>, a Multilanguage centers offers translating and interpreting services, also in specialized area, for example for businesses, administration offices and health related issues. These benefits are enjoyable by all foreigners, residents and temporary stayers. The 4) World Kids Community<sup>79</sup>, also advertised by the KICC<sup>80</sup>, helps foreign children to integrate in a not familiar society different from the parents' cultural

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<sup>76</sup> SHAW, 2014: 125.

<sup>77</sup> Data retrieved from <http://www.amarc.org/> (accessed September 10, 2016).

<sup>78</sup> Data retrieved from <http://tcc117.jp/facil/en/index.html> (accessed September 10, 2016).

<sup>79</sup> ワールドキッズコミュニティ (*waarudo kizzu comyuniti*), data retrieved from <http://tcc117.jp/kids/> (accessed September 10, 2016).

<sup>80</sup> Data retrieved from [http://www.kicc.jp/kicc/guide/shien\\_g/index\\_eng.html](http://www.kicc.jp/kicc/guide/shien_g/index_eng.html) (accessed September 10, 2016).

background. Some of the activities organized by the association are also meant for the parent to build a greater sense of awareness of the new reality surrounding them, in order to facilitate their and their children integration in the local community. Among the project of the World Kids Community, stands almost independently the 5) Hyogo Latin Community: it focuses on foreigners from Latin America countries, addressing to their specific needs. This group organizes events for Japanese and Spanish speakers to meet and develop mutual understanding, Japanese classes and consultation services in Spanish and Portuguese over daily life matters. The 6) AWEP<sup>81</sup>, Asian Women's Empowerment Project, aims at defending women from episodes of discrimination, exploitation, particularly at workplace, and sexual violence. The association was established in 1994, and initially was meant for Thai and Pilipino women, but today has expanded its cares also towards the rest of Asian women. AWEP try to pose a solution to those women who do not smoothly integrate in their new Japanese life, working directly face-to-face with them, but it also promotes solidarity networks with and among other organizations and volunteering groups. Lastly, the 7) VIETNAM Yume Kobe, mentioned in the previous Vietnamese sections. This organization is chiefly oriented towards Vietnamese residents, and offers Japanese classes for children and adults, health counseling for elders, support on issues related to the city life and it organizes events to promote the interaction among Vietnamese and Japanese people.

Other three NPOs are hosted in the Takatori Center, though they are not related with immigrants' issues. These are the Leaf Green, for elderly care, Hyogontech, which assists other organizations with ITC support, and the Northern Noda Hometown Network, for the lovers of the Northern Noda region.

### ***The Kengaikyō***

The Kengaikyō<sup>82</sup> is an organization which idealization goes back to December 1995, but concretely began to take the first steps two years later, on April 1997. The denomination of Kengaikyō (県外教) is actually an abbreviation of the extensive name Hyōgoken Zainichi

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<sup>81</sup> Data retrieved from <http://tcc117.jp/awep/what-awep-aims/> (accessed September 10, 2016).

<sup>82</sup> In the original language, Japanese: 兵庫県在日外国人教育研究協議会 (*Hyōgōken Zainichi Gaikokujin Kyōiku Kenkyū Kyōgikai*), <http://kengaikyō.sakura.ne.jp/> (accessed August 28, 2016).

Gaikoku Kyōiku Kenkyūkyōgi (兵庫県在日外国人教育研究協議会), which literally means “The Hyōgo Prefecture Research Assembly for Foreigners’ Education”, which more completely frames this association’s sights. The Kengaikyō’s aim is to shape the current society to in a more multicultural pattern, thus obtaining a 多文化共生社会<sup>83</sup>, which is a “multicultural society”. In order to achieve their goal, the organizations focuses its attention over education, particularly for children, thus employs is effort to boost the multicultural traits of nursery schools, elementary schools and local educational institutions situated within the Hyōgo prefecture circumscription, like after-schools and recreation centers.

From the 1990s, the increase influx of residential foreigners had consequently brought to an increase of registration in schools of foreign children. The Kengaikyō started meeting moved by the concern of how this growing rate of children would integrate in an educational system such as the Japanese one, considering that it was experiencing this event for the first time without, however, being prepared to welcome foreigners. They organize activities and events, in schools and outdoors, to raise the local citizens’ awareness over the foreign children integration. But in the last years, they have also worked on a series of project to shape a fresher and appropriate educational system. On late July 2016, the association gathered again to discuss about the possibility to change policy around the entrance requirements for international students wanting to enter high school<sup>84</sup>.

The association meets on a periodical base, and publishes a magazine to report the conclusions and update of their reunions.

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<sup>83</sup> 兵庫県在日外国人教育研究協議会、「兵庫県在日外国人教育研究協議会とは」(*Hyōgōken Zainichi Gaikokujin Kyōiku Kenyū Kyōgikai - Hyōgōken Zainichi Gaikokujin Kyōiku Kenyū Kyōgikai toha*)、retrieved from <http://kengaikyo.sakura.ne.jp/towa.html> (accessed August 27, 2016).

<sup>84</sup> According to Professor Ronni Alexander, professor at GSICS (Graduate School of International Cooperation Studies), Kobe University. Professor Ronni has worked with this groups around the issue, but for years has been implicated in the activities with several other NPOs, mainly focusing around foreign children in Japan and their integration in the education system.

### ***The KFC***

The Kobe Foreigner Friendship Center<sup>85</sup> was established in 1997, but has the other NPOs, the engine of its formation has been brought by the 1995 Great Hanshin-Awaji earthquake consequences. The Center has four main divisions. The first one is the area reserved to elders: the *Hana no Kai* (はなの会) has staff speaking five languages among Korean, Vietnamese, Chinese, English and Spanish, and the groups offers recreational activities at the Center facility, such literature, cultural, cooking, painting, etc.; it hosts elders them either just for meal time, or for the entire day. The association also owns a care home for elders, the Hana no Kai Group Home, with volunteering staff and nurses speaking the several languages. The second field in which the KFC operates is the educational one. At Moi<sup>86</sup> it offers Japanese languages to foreigners, either face-to-face or in classes, and besides the Japanese edition it also provides textbooks in English, Chinese and Vietnamese. The third section is reserved to children care: mainly cultural and educational activities, and classes or single sessions are organized by age and level, from kindergarten to middle school level. There are indeed Japanese classes, but also courses of English conversations are a possible option. Lastly, the KFC offer counseling services over daily life matter, like job issues, health insurance, education problems, etc.

### ***The CHIC***

The Community House & Information Center<sup>87</sup> was founded in 1977, and although its headquarter is in Kobe city, its network reaches the main cities throughout the Kansai region. The association's resources mainly come from private fundraising, but also membership fees and course registration fees. The CHIC mainly organizes cultural events for people with different national origins to meet and to share customs and traditions, or just coffee session where people can drop by and casually chit-chat; it also offers cooking classes, dance classes, language classes, and Japanese culture related courses like *shodō*, *ikebana* and traditional Japanese dances classes.

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<sup>85</sup> Data retrieved from <http://www.social-b.net/kfc/> (accessed September 10, 2016).

<sup>86</sup> 多文化子供共育センター (*Tabunka Kodomokyōiku Sentā*), retrieved from <http://www.social-b.net/kfc/katudou/moi.html> (accessed September 10, 2016).

<sup>87</sup> Data retrieved from <http://chickobe.com/wordpress/> (accessed September 10, 2016)

### ***Others***

The organizations up to here cited are indeed the most developed best known ones, which offer a range of services organized organically and on a large scale compared to other smaller ones. There is another vast plethora of little associations, which work on a more restricted target of foreigners, for example selecting them for their nationality, or on more restricted geographical area, the single ward or district rather than the city itself, like the above cited Chinese or Vietnamese groups.

### **4.6 Conclusion**

Kobe has a relatively long history of interaction with foreign parties, considering the path of political closure of the country. The events taking place after the port's opening have gradually marked the city's path towards the present multiculturalism we can find in it. The foreign Concessions in the port area have literally created a room for the new settlers to live in, introducing both host and newcomers to a new interaction. In fact it has been in this occasion that Japanese, locals and authorities, have begun learning how to relate with Western foreigners<sup>88</sup>. The second storming event was the Korean protests, in occasion of the decision of the US Occupation representatives, to close Korean ethnic schools. While the outcomes of the riots could not be considered as a Korean victory, it subtly awakened the local awareness over some already existing problematics faced by the foreign residents. Thirdly, the 1995 Great Hanshin-Awaji earthquake signed a truthful turning point. Many foreign communities, already living in the city for many decades are finally acknowledged, together with the hindrances they meet in their daily integration. Furthermore, the crisis brought to light a weakness of the Japanese legal system over the lack of appropriate regulations for the incorporation of small volunteering groups. Even though this might only

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<sup>88</sup> In fact, even during the *Sakoku*, although the Westerners were not allowed to land and establish political and economic relationships with Japan, the country actually kept their contacts with some Asian countries, mainly China, and continued trade and businesses activities. That is one of the reason why, as previously mentioned, when the Chinese community settled in the *Nankinmachi*, it acted as intermediary between Japanese and Westerners.

indirectly relate with the immigrants integration matter, the 1998 NPO Law has eventually shown great utility for the development of activities and integration policies in favor of foreigners, and not only in the area where the earthquake created the greatest damage, but all over the national territory.

The immigrant community living in the city today has gained a lot from the past three events, on services specifically meant for them and other support options. Firstly, the local government offers a wide and organically structured range of relief benefits, albeit exclusively to the officially registered foreigners, showing itself able and sufficiently prepared to face the multicultural facets the society displays. The same consideration can be stated regarding the several NGOs and NPOs working in the city. In additions, the latter complement the target range the former addresses to, facing not only official residents, but temporary or illegal<sup>89</sup> immigrants. At any rate, both of them, Kobe's government and NPOs, offers to the foreigners what the central government is still not ready to provide, increasing and enhancing the integration process that immigrants face in their everyday lives.

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<sup>89</sup> For example, overstayers.

## 5 Conclusion

The first time the theme of this work has been proposed to my Japanese professor and supervisor at Kobe university, she showed some perplexities on the importance of treating such a topic. Once I mentioned about immigration in Japan, she asked: “What immigration?”.

It is indeed true that with its figures Japan cannot still be referred as an immigration country, but rather as a recent country of immigration. Yet, my researches, although limited by my not so refined skills, have shown that a lot has been done and enacted in the last twenty years to assist this share of population that is still not that patent to the Japanese themselves.

The last years of the 20<sup>th</sup> century have seen the development of local institutions regarding the enhancement of immigrants’ relationship with the Japanese society, either of the local government, either of movements of the civil society. By one hand, the creation of international centers in those cities with a more substantial number of foreigners has indeed widen the possibilities for the immigrants to be officially supported and helped in administration and legal issues or to improve their communication skills through Japanese classes, in order to better build their own independence in their new reality. On the other side, the formalization of incorporation for even small volunteering groups has boosted the creation of NPOs and NGOs complementing the local government’s tasks.

It is also to consider that all this would have not occurred whether there had not been a series of directives promulgated by central government: the 1998 NPO Law has led to the wide range of associations working today in Kobe city (and of course in other metropolis throughout the country), while the disposition of the Ministry of Foreign Affairs of creating international centers all over the territory, and the consequently institution of CLAIR, had

undeniably provided the conditions for the local level actors to shape a multicultural society as it is today.

Therefore, the question would be whether it is really correct to state that the central government and thus the country itself is more oriented towards an immigration closure policy, since the previous facts contradict this assertion.

Firstly, historical events and political orientations communicate us that Japan has tendentially been, and continues to be today, rather closed against immigration. The policy set described in the first chapter of this book I believe confirm it quite patently. Whether there had been moments encouraging immigration or immigrants' integration support, what could be seen as positive promulgation of an open position, could also be considered having a dual intention<sup>1</sup>. The creation of side entrances for more immigrants, besides the few past legitimated ones, has actually been read as an occasion for the worker-hunter Japan to pose a solution to the lean time the labor market was meeting. The creation of international centers, in particular according to Tsuda, has rather answered to the need on "internal internationalization" required to maintain a façade in front of the international community. Finally, regarding the 1998 legislation, it was not specifically meant to create a network of support to foreign residents, but rather to face and solve a problem that had affected Japan for already some years.

Secondly, as I learnt on the way of my studies and as my mentors never cease to remind me, generalizing a situation, especially when treating a theme at the country level, is never right. When talking about a national position considering government's policies or social movements, it is important to remember that, while that policy or an idea could be the one shared by more parties, it is not a unanimous point of view. Especially, as talking about rampant xenophobia, it should be taken into account that it is not a phenomenon underwritten by the all country. Furthermore, the decisions of a country's leading actor should never be considered separately from their triggering factors: if it agree on certain policies or course of actions, as to take the most exemplar Japanese case, the closure of the

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<sup>1</sup> According to several authors cited in the reference list, as Tsuda (2006) or Atsushi (2000).



country towards westerners interaction, it can certainly be explained with the events that provoked such decisions.

However, even though the local government and local independent actors have received the indispensable means by the central government to build themselves and their own tools, it is indeed the local level the main stage for changes in the Japanese immigration field. The City of Kobe is a glaring example. Its foreign population albeit made even more complicated in its diversification can enjoy a network of services and support, not conceded by the central government, but rather by the city's government and its citizens. This is the reason why I believe that Kobe has succeed in building, boosting and conserving its multiculturalism, and that it is has granted its foreign population a local citizenship.

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