THE RHETORIC OF THE FOREIGN WORKER PROBLEM IN CONTEMPORARY

JAPAN

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Abstract

The dissertation conducts a rhetorical analysis of Japan's foreign worker problem from the early 1980s to 2005. To this end, it provides three episodes in a two-decade case study in media representations of "illegal" foreign workers, specifically the emergence and the dominant framing of the foreign worker problem in the media and one organized resistance to the dominant framing of the problem.

Chapter 2 provides an overview of Japan's foreign worker problem to set contexts for rhetorical criticism in subsequent chapters. Specifically, it outlines Japan's immigration policies, offers a historical account of its foreign worker problem, and supplies statistical data to document the recent trends and current status of labor migration in Japan.

Chapter 3 explores the gendered nature of Japan's foreign worker problem. A distinctive feature of the migratory pattern in postwar Japan is that those who came to Japan for work initially consisted overwhelmingly of women. Nevertheless, their influx was not cast as a foreign worker problem; instead, it was generally framed as a peculiar issue of *Japayuki-san*. Importantly, the term *Japayuki-san* functioned to fixate the stereotyped image of female migrants as young sex workers from poor Asian countries.

Chapter 4 demonstrates that the popular media, through a barrage of alarming crime reports interspersed with frightening visual graphics, play a critical role in constructing the public knowledge that "illegal aliens" are posing an unprecedented security threat to Japan.

Chapter 5 underscores the importance of collective symbolic struggles by investigating how overstaying foreigners, activists, and academics collaborated during a special residence permission campaign from September 1999 through February 2000. The chapter also suggests that sustained and favorable media attention was crucial in bringing the campaign to success.

In conclusion, the dissertation stresses the need for contesting the very language used for framing the foreign worker debate. Under the current discursive frame, foreign workers are inevitably reduced to economic units, which in turn limits the scope of the controversy to assessments of economic benefits and costs from accepting foreign workers. A rhetorical move needs to be made from "foreign worker" discourse to "immigration" discourse so that full-blown discussions about immigration could take place.

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LIST OF ABBREVIATIONS

English-language newspapers

AEN	*Asahi Evening News*
DY	*Daily Yomiuri*
JT	*Japan Times*
MDN	*Mainichi Daily News*

Japanese-language newspapers

AS	*Asahi Shimbun*
MS	*Mainichi Shimbun*
NS	*Nihon Keizai Shimbun*
SS	*Sankei Shimbun*
YS	*Yomiuri Shimbun*

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1.0   INTRODUCTION

1.1   OVERVIEW

This dissertation conducts a rhetorical analysis of Japan's foreign worker problem from the early 1980s to 2005. To this end, it provides three episodes in a two-decade case study of media representations of "illegal" foreign workers. More specifically, the dissertation investigates the emergence and the dominant framing of the foreign worker problem in the mass media and one organized resistance to the dominant framing of the problem.

As the term "global migration" suggests, the influx of migrant workers has become a worldwide phenomenon (Harvey, 2000, p. 46). Consequently, it poses a number of difficult political, economic, social, and rhetorical questions in virtually any industrialized country. In particular, international migration flows call for a re-thinking of the relationship among democracy, (nation-) state, human rights, and citizenship in the era of global capitalism (see, for example, Bloemrad, 2000; Castles and Miller, 1993; Soysal, 1994). As a democratic country with global economic functions that has traditionally enforced tight immigration policies, Japan's response to a recent wave of labor migration "is a litmus test of the kind of nation it seeks to become" (Shimada, 1994, p. viii).

While Japan was arguably a latecomer with regards to labor migration, the allegedly unprecedented upsurge of "illegal" foreign workers since the mid-1980s has spawned a fierce national debate and elicited a multitude of reactions from policy makers, businesses, the mass media, citizens' groups, ethnic organizations, migration scholars, international bodies, and

overstaying foreigners. Such varied responses from multiple social actors attest to the complexities of Japan's foreign worker problem. Indeed, prominent migration scholar Wayne Cornelius (1994) goes as far as to suggest: "Japan represents perhaps the most intriguing and important laboratory in the world today for studying the interplay among private market forces, cultural tolerance for immigration, and government attempts to regulate it" (p. 375).

This introductory chapter consists of three major sections. It first defines key terms and concepts, and then provides a description of the project as well as a justification for it. The second section also lays out the major themes of the project, reviews relevant literature, and sets forth a theoretical framework for guiding my inquiry. The chapter concludes with a brief outline of subsequent chapters in the dissertation.

1.2   CLARIFYING KEY TERMS AND CONCEPTS

Since the language of the "foreign worker" debate itself is controversial, a brief discussion of key terminology is in order at the outset. The dissertation is mainly concerned with "illegal" foreign workers because as Lie (1994) concisely puts it, "the 'problem' of foreign workers in Japan refer[s] primarily to illegal workers from underdeveloped countries" (p. 3). By "illegal foreign workers" I mean foreign-born migrants who are in gainful employment without proper documentation. "Illegal" labor migration typically takes one of the following three forms: 1) overstaying of visas, 2) entering Japan illegally, and 3) engaging in remunerative activities not allowed under visas.

Throughout this work no conceptual distinction is made between "foreign workers" and "migrant laborers." The adjectives "illegal" "clandestine," "unauthorized," and "undocumented" are used interchangeably. I prefer the term "migration" to "immigration" in part because the

Japanese government officially denies the admission of any immigrants. "Visa overstayers" is a slightly broader concept than "illegal foreign workers" as the former refers to both employed and unemployed foreign nationals who stay in Japan after the expiry of their visas. "Illegally staying foreigners," "overstaying foreigners," and "visa overstayers" are synonymous, although they are charged with different connotations. The term "illegal aliens" encompasses Penal Code offenders and illegal entrants (either by sea or air) as well as visa overstayers.

The concept of foreign worker (*gaikokujin rōdōsha*), legal or illegal, is frustratingly elusive. In public discourse, the term most typically refers to newcomer migrants from Asia and South America who are engaged in so-called "simple labor" (another notoriously vague concept).[1] Oddly, the customary use of the term excludes the vast majority of foreign nationals working in Japan. For one thing, it does not include "old-comer" Korean and Chinese (who are legally classified as special permanent residents)[2], other permanent residents, refugees[3], and spouses and children of Japanese nationals or permanent residents. For another, neither the public nor the media see foreigners taking on professional, technical, and managerial jobs as "foreign workers." As Miyajima (1993) suggests, "foreign workers" is not considered suitable

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[1] The category of "simple labor" is nowhere stipulated in the immigration or labor laws, but commonly used in the context that the government does not open up the labor market to "simple laborers." Even labor experts are puzzled with the concept of "simple labor" (see, for example, a forum on foreign workers problems in the August 1988 issue of *Bulletin of the Japan Labor Association*). No matter how the term is defined, it has been imbued with negative meanings from the outset (Suzuki, 2004, p. 42).

[2] Special permanent residents denote the Koreans and the Chinese (including the Taiwanese) who immigrated—either voluntarily or forcibly—to Japan prior to the end of World War II and renounced the Japanese nationality after the ratification of the San Francisco Peace Treaty in 1952. In light of this history, they are accorded special privileges and their status does not fall under the purview of the Immigration Control and Refugee Recognition Act.

[3] Japan began to be confronted with the issue of political refugees in 1975 as large numbers of Vietnamese fled the country in the aftermath of the Vietnam War (Takeda, 1998, p. 434). Under strong international pressure, the government rather grudgingly decided to allow refugees mainly from the three Indochinese countries (Vietnam, Cambodia, and Laos) to stay in 1978; it also ratified the UN Refugee Convention in 1981 and amended relevant domestic laws accordingly (most notably, the revision of the Immigration Control Act into the Immigration Control Act and Refugee Recognition Act in 1982). However, Japan still maintains the infamously strict screening procedures for recognizing refuge status as evidenced in the remarkably low figures of refugees compared with other countries. Of a total of 2,782 applicants in the 1981-2002 period, only 305 were recognized as refugees (not including Indochinese refugees who total over 10 thousands) (*AS*, 2003, July 28, p. 3). The figures are strikingly low, considering that "[b]etween 1990 to 1999, Convention refugees in Japan numbered 40 compared with about156,700 in Germany, 73,100 in France and 82,300 in the USA" (Kondō, 2002, p. 429).

for "elite" foreigners staying legally in Japan as skilled workers (p. 40).[4] In a similar vein, Lie (2001), an Asian American academic, observes that foreign workers are viewed as racial and class others in Japan (p. 20). To bolster this view, he recounts his personal experience: "Whenever I asked Japanese people whether I should count myself as a *gaikokujin rōdōsha*, all of them denied it, and often vehemently so" (p. 20).

Not only are foreign workers seen as racial and class others, but they are often looked down upon as "illegal," "cheap," "unskilled," and "simple" laborers undertaking so-called 3-K (*kitsui* [demanding], *kiken* [dangerous], and *kitanai* [dirty]) work that Japanese youths are no longer willing to put up with. Watanabe (1990) further spells out negative connotations attached to the term "foreign workers":

> In fact, the term [unskilled foreign workers] is hopelessly vague, but what it lacks in meaning it makes up for in negative connotations: low wages, dirty manual labor, the impoverished masses of Asia. The use of such an undefined but value-laden category prejudices all thinking and discussion on the subject. (p. 49)

This dissertation focuses upon media portrayals of "illegal" foreign workers and thus sidesteps some of the problems inherent in studying foreign workers in Japan. Accordingly, my definition of "illegal" foreign workers may be a little broader and more elastic than its legal definition. For example, foreign students fall under the scope of this research because they are often portrayed as *de facto* "illegal" foreign workers in the media. Many would-be migrant workers enter Japan on student visas because they allow for a longer stay than tourist visas. Also subject to scrutiny are migrant women who legally come to Japan on entertainer visas. Under the Immigration Control Act and Refugee Recognition Act (henceforth, the Immigration Control Act), entertainers are admitted into Japan in order to perform theatrical, musical, and entertainment activities (Ministry of Justice, 1996, n.p.). In reality, the majority of them engage

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[4] All translations of Japanese texts in this work are mine unless otherwise indicted.

in unauthorized work as bar hostesses, nightclub dancers, strippers, and prostitutes (Piper, 2003, p. 738). Hence the image of Asian migrant women "as undocumented workers associated with criminal background" is pervasive in the mainstream media (Pak, 1998, p. 189). By defining "illegal" foreign workers in this way, I don't intend to subscribe to the stereotypical view that foreign students are disguised cheap laborers or that female migrants are sex workers. This delineation of "illegal" foreign workers, I believe, is adequate for my research because it mirrors their popular images in the media.

1.3   RESEARCH DESIGN

1.3.1   Research Questions and Methodology

The overarching goal of the dissertation is to conduct a critical analysis of public discourse on "illegal" foreign workers in Japan over the last two decades. More specifically, the following three questions guide my query:

1. When and how did the narrative of the foreign worker problem emerge in the popular media?

2. What has been the dominant discourse on the foreign worker problem?

3. How has this dominant discourse been contested in public spheres?

In pursing these questions, the dissertation employs a methodological approach based on analysis of published texts, semi-structured interviews with immigration scholars and activists, and participant observation of various gatherings and events organized or sponsored by foreign worker support groups.

I relied mainly on the following databases for collecting written texts: *Kikuzō* (the database of *Asahi Shimbun*[5] articles), *Nikkei*[6] *Telecon* (the database of *Nikkei*'s four papers), *Nichigai: Magazine Plus* (a comprehensive database of general, business, and academic periodicals), and *Web Ōya-bunko* (a database of popular magazines in postwar Japan). In addition, the Asian People's Friendship Society (APFS), a Tokyo-based foreign worker support group, gave me access to its collection of newspaper clippings concerning the special residence permission campaign.

Close inquiry into print media, especially newspapers, is crucially important in understanding public discourse because they are the prime sources of news even in today's digital age (Schudson, 2000, p. 188). The influence of print news is especially strong in Japan. For one thing, Japan has the world's highest per capita newspaper distribution rate with average daily circulation reaching 575 papers for every 1,000 persons (Krauss, 2000, p. 267). According to Pharr (1996), so-called "Big 5" national dailies (i.e. *Asahi, Yomiuri, Mainichi, Nikkei,* and, *Sankei*) sell over 50 million copies daily; *Yomiuri Shimbun*'s daily circulation alone exceeds 10 million copies, which "is greater than that of the *New York Times, Washington Post, Wall Street Journal, Christian Science Monitor, and New York Daily New*s combined" (p. 4, p. 6). For another, unlike the United States, Japan's major commercial TV networks are all affiliated with the Big-5 national newspapers and depend heavily on them for producing news programs (Westney, 1996, p. 61). In consequence, "the popularity of television spread without undermining the public attachment to newspapers or trust in them" (Krauss, 2000, p. 295). It can be extrapolated from this structure of heavy cross-ownership that the patterns of news coverage

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[5] *Asahi Shimbun* has the second largest circulation of daily newspapers in Japan. According to the Advertising Division of *Asahi Shimbun*, its morning edition sells about 8,285,000 copies daily (n.p.).
[6] *Nikkei* is short for *Nihon Keizai Shimbun* (literally, the *Japan Economic Newspaper*). The newspaper with an estimated circulation of 3,067,000 is regarded as the Japanese equivalent of the *Wall Street Journal*.

are not substantially different between print and broadcast media.

References to visual texts—mostly TV programs—provide added insights into my analysis of written texts. Admittedly, I watched TV news and documentaries (or "docudramas") in a rather ad hoc way during my field research in Tokyo from July 2003 through February 2005. But time and again, I came across and, in many cases, taped (segments of) programs pertaining to the issue of foreign workers. As TV shows featuring foreign crime figured prominently, I refer to visual texts mostly in Chapter 4.

Collected texts are coded into the following four categories: 1) popular texts (i.e. newspapers, magazines, and large-circulation books as well as network TV programs), 2) specialized texts (notably, academic journals and labor magazines), 3) official texts (e.g. police white papers and immigration statistics), and 4) oppositional texts (mostly, print and online publications by foreign worker support groups).[7] Of these four categories, popular texts are my primary concern as they are central to constituting public knowledge, or shared conceptions, values, interests, and principles in a community (Bitzer, 1978, p. 68). I look into oppositional texts by grassroots organizations in order to explore how a counter discourse makes its way into the mainstream media and challenges dominant discourse. As Cloud (2002) argues (following Mary Triece), attention to the texts of social movements must go hand in hand with the critique of dominant discourse if one wants to account for the process through which ordinary people struggle to effect social change (p. 355).

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[7] As Ono and Sloop (2002) argue, categories of discourse should be seen as "tools of criticism" rather than as "objective categories into which given discourses fit snugly" (p. 12). Although this work does not use the same typology as theirs, I agree with Ono and Sloop on their views of the types of discourse. As they suggest, drawing upon Stuart Hall, the distinctions of discourse are useful insofar as they "provide the critic with a 'grid of intelligibility' through which to make decisions concerning which discourses to investigate, to make meanings of discourses, and to establish ends for these investigations (Hall 1997)" (p. 12).

By dominant discourse, I don't simply mean a signifying practice produced to maintain the interests of the dominant class. Rather, I use the term to refer to naturalized discourse that is endlessly repeated and widely disseminated across the media to the point that values, beliefs, and logics underlying the discourse are taken for granted in society at large. As Bourdieu (1998) concisely puts it, "[e]verywhere we hear it said, all day long—this is what gives the dominant discourse its strength" (p. 29). Paradoxically, although dominant discourse takes on omnipresent characteristics, no single finished text is representative of it. For today's socio-cultural conditions have left us with "nothing but *discursive fragments of context*" (McGee, 1990, p. 287). Instead of focusing its analysis on a single text, the dissertation therefore aims to shed light on dominant discourse by identifying prevailing media frames, or "*persistent patterns of cognition, interpretation, and presentation, of selection, emphasis, and exclusion by which symbols-handlers routinely organize discourse, whether verbal or visual*" (Gitlin, 1980, p. 7). To be sure, a variety of discourses are produced and circulated in the mainstream media; but most of them operate within certain frames (Ono and Sloop, 2002, p. 16). For example, the media typically label visa overstayers as "illegal aliens" or "illegally staying foreigners" (*fuhō zanryū gaikokujin*). This is not to say that their illegal status is always highlighted in print and broadcast media. It simply indicates that the media's association of visa overstayers with illegality is so strong and common as to shape public attitudes towards them.

This leads us to the important question of what counter discourse is. By counter discourse I mean the type of discourse that not simply refutes the dominant one but also challenges its underlying logic. As Bourdieu (1998) sees it, counter discourse resists "verbal reflexes, stereotyped images and conventional words, and the effect of habituation that it [the symbolic violence exerted daily on TV, on the radio, and in the newspapers] produces" (p 22). It

may not be powerful enough to subvert dominant discourse but works at least as an effective antidote to it. Specifically, counter discourse takes one of two forms: 1) adversarial discourse that questions the very foundation of the dominant one and 2) outlaw discourse that operates outside the prevailing framework of discourse (for an elaborate explication of outlaw discourse, see Ono and Sloop, 2002). Since dominant discourse is constantly reinforced through a relentless "dripfeed" of selective facts and views in the media (Bourdieu, 1998, p. 30), the spread of counter discourse requires equally "persistent and variable signifying responses" (Williams, 1977, p. 114).

To supplement my archival research, I conducted semi-structured interviews with several members of APFS and immigration scholars from October 2003 through August 2004. Around the same time, I participated in various events, gatherings, and symposia organized or sponsored by APFS. While the chief aim in this work is to analyze media texts from the perspective of communication studies, I use the methods of participant observation and interviewing as complementary tools for analyzing media texts as well as data for offering alternative accounts of undocumented migrant workers. Materials gleaned from interviews and episodes of participant observation are cited mainly in Chapter 5 to provide added insights into the special residence permission campaign that unfolded between September 1999 and February 2000. I contacted APFS because the group spearheaded the campaign for special residency. Besides, APFS had long encouraged irregular migrants to take an active part in running the group. As such, the group provided me with precious opportunities to glance at the everyday conduct of undocumented migrants and to realize that many of them did not even remotely fit the stereotyped images of "illegal aliens." The nature and goals of interviewing and participant observation vary and are to be spelled out in Chapter 5.

1.3.2 Analytical Framework

The works of Pierre Bourdieu, Stuart Hall, Raymond Williams, and Dana Cloud provide a framework for analyzing public discourse on the foreign worker problem in Japan.[8] What unites these original scholars in diverse fields is their avowed materialist approach to discourse analysis. In other words, they are all committed to developing a materialist theory of discourse capable of reclaiming from idealism "the 'active side' of practical knowledge" crude materialism has abandoned to it (Bourdieu, 1997/2000, p. 136). I occasionally overstep this framework when I find it heuristically useful (for example, references are to be made to Edward Said and Kenneth Burke on pages 70-71 in Chapter 3). Such references, however, will be kept minimal and congruous with the overall analytical framework.

My method of rhetorical criticism may be called a materialist/critical rhetoric project. The usefulness of a theoretical approach depends on the social phenomena one is looking at. As Bourdieu suggests, a theory should be construed as "*a temporary construct which takes shape for and by empirical work*" (Bourdieu and Wacquant, 1992, p. 161). I believe that a materialist/critical rhetoric project offers uniquely valuable insights into the workings of symbolic violence and resistance with regards to Japan's foreign worker problem. There are deep political, economic, legal, and socio-cultural barriers that inhibit "illegal" foreign workers from speaking out in public. Discursive aspects of the foreign worker problem cannot be adequately explained in isolation from these material conditions constraining their rhetorical agency.

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[8] In formulating a theoretical framework for rhetorical criticism, one must keep in mind Brummett's (1984) caveats on its methods and theories: "Methods are usually ways of testing theories, but because rhetorical theories are themselves methods of experiencing and are not subject to the usual tests of social science theories, rhetorical theory and its methods are often merged with one another. Therefore, if we see rhetorical theory as equipping people to experience rhetorical transactions more richly and consciously, and its supporting rhetorical criticism as illustrating how such experience might be done, then some of the problems and embarrassments of rhetorical studies disappear" (p. 105).

My critical-materialist project may need five points of clarification. First, it is concerned not so much with the materiality of discourse (*a la* Ronald Greene's materialist rhetoric or Michael McGee's material theory of rhetoric[9]) as with the influence of material conditions on discursive practices. Second and related to this, my theoretical approach is underpinned by the following two premises: 1) Material interests and resources constitute important motives for and constraints on the production and distribution of discourse (Cloud, 2002, p. 343) and 2) the dominated class has far fewer opportunities and resources to get their voices heard in public spheres (Bourdieu, 1991, p. 244). These assumptions may be obvious yet are worth reiterating, given that the field of rhetorical studies remains largely indifferent to the role material forces play in shaping rhetorical action (Cloud, 2002, p. 343). Third, like Robert Ivie (2001), I regard rhetorical criticism as a form of social critique. That is, it is not simply a way of accounting for rhetorical practice, but a way of addressing social problems and improving human relations with particular emphasis on their rhetorical dimensions (Ivie, 2001, n.p.). Fourth, I agree with Raymie McKerrow (1990) that a rhetorical critic is not a detached observer of discourse but "a rhetor advocating a critique as a sensible reading of the discourse of power" (p. 108). Understood this way, the primary goal of a critic/rhetor is to effect social change by demystifying the discourse of power and exploring possible strategies for intervening in the discourse (pp. 91-92). As a critic/rhetor I undertake the following three tasks in this work: 1) to analyze the production and distribution of dominant discourse and to uncover taken-for-granted beliefs, values, and ideas that penetrate seemingly divergent texts in circulation (Bourdieu, 1998, p. 29); 2) to seek out oppositional information and perspectives that act to unveil the prevailing

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[9] At the heart of McGee's (1982) materialist theory is his conception of "rhetoric as an *object,* as material and as omnipresent as air and water" (p. 26)

constructions of "reality" as mystifications; 3) to resuscitate the voices and standpoints of those who are oppressed and exploited (Cloud, 1994, p. 157).

Although my method of rhetorical criticism is informed by McKerrow's critical rhetoric project, there is a major difference between the two. This leads to my last point of clarification: Unlike McKerrow's, my critical rhetoric project is not poststructuralist but materialist. That is, as with the above-noted materialist scholars, I conceive material forces as primary factors in the production and distribution of discourse. As Cloud (1994) charges, by accepting a relativist worldview, McKerrow's critical rhetoric risks collapsing the critique of freedom into that of domination and thereby renders critical judgment inconsequential. Equally important, its neglect of the material realm reduces oppression and liberation to a linguistic and cultural matter. To rectify these problems a critic/rhetor needs to give fuller consideration to how extra-discursive material conditions shape rhetorical action.

The infusion of a materialist perspective into a critical rhetoric project is especially important if one is to explain the *how* of a counter discourse (i.e., how oppressed and exploited groups wage a symbolic battle for economic, political, and cultural hegemony) instead of simply describing the central features of alternative discourse, which Cloud (1994) denounces as "a merely descriptive critical project" (p. 154). Strategic discursive action (which Cloud calls rhetoric) requires relentless efforts on the part of social actors to bring together their political, economic, and cultural capital for putting up a collective symbolic struggle against the dominant discourse in public spheres. In particular, one's opposing view must be voiced over and over again in the mainstream media to exert any counter hegemonic influence. The articulation of radical ideas in academic journals or on the internet alone makes little difference.

The late French sociologist Pierre Bourdieu provides further theoretical support for my critical-materialist approach. On the one hand, Bourdieu (1991) recognizes "the autonomy of language," saying that "language is the exemplary formal mechanism whose generative capacities are without limits" (p. 41). Elsewhere, he holds that "one can, within limits, transform the world by transforming its representation" (Bourdieu and Wacquant, 1992, p. 14). Bourdieu, on the other, strongly guards against overestimating the potential of symbolic struggle. As he (1991) sees it, "symbolic power does not reside in 'symbolic systems,'" but depends on the relative position one occupies in social space (p. 170). Thus, "looking within words for the power of words" is nothing other than "looking for it where it is not to be found" (Bourdieu, 1991, p. 106).

Since the dominant groups are in a far more advantageous position to exercise symbolic power, discourse tends to reproduce and reinforce the unequal social relations (p. 136). Echoing Bourdieu's view, Curran (2005) elaborates on how unequal distribution of power and resources favor political and economic elites on the discursive level:

> Elites have unequal access to economic and symbolic resources. This can assist them to present their own special interests as being in the interests of all, and to win popular consent for the policies, social arrangements, and ideas they favor. Their dominance can cause other perspectives to be marginalized, and result in the media defining public debate largely in terms of differing elite positions. (p. 126)

The dominated groups, for their part, are usually resigned to, or even content with, the hegemonic social order. Even when they rise up to contest the dominant social structure, they usually fail as they lack resources the dominant groups have: authority, wealth, and access to the mass media, to name but a few.

Although the dominant groups have more symbolic resources and opportunities, this does not mean that discourse is a mere instrument of domination. Discourse *does* have liberating

potential inasmuch as it is a vehicle for challenging repressive ideas and practices, advancing alternative lines of thought, and moving others to action. Yet the capacity of symbolic struggle should not be overstated. Since the political and economic hegemony operates in favor of dominant discourse, the efficacy of counter discourse, no matter how rhetorically appealing and logically compelling, is usually limited. As Cloud (2001) argues, symbolic struggle could even take the form of violent scapegoating when undertaken in a context of material scarcity and inequality (pp. 253-254).

After all, rhetoric scholars ought to acknowledge the limits of symbolic struggle in a materially stratified world and situate analysis of discourse within larger political, economic, and social circumstances. As Phil Wander (1984) suggested over two decades ago, rhetorical criticism must "extend beyond the 'text' to include the ability to produce texts, to engage in discourse, to be heard in the public space" (p. 210). A dual emphasis on material and rhetorical aspects of social issues characterizes my analytical framework. It is useful, for instance, in understanding "multiple presents/voids related to speakers, speeches, and audiences," which Wander (1996) calls rhetorical contextualization (p. 403). A materialist perspective, on the one hand, helps to address questions of who gets to speak, who is allowed to listen, and what can be said. A rhetorical perspective, on the other, allows for analysis of the speaker's construction of self (First Persona), preferred audience (Second Persona), and negated audience (Third Persona) as well as what is said *within* texts (for a detailed discussion of the three types of persona, see Wander, 1984). The dissertation combines both perspectives to investigate media representations, the material realities of their production and distribution, and the interplay between the two with regards to the foreign worker problem in Japan.

1.3.3   Rationales

This study can be justified on several counts. First of all, it brings a rhetorical perspective to the interdisciplinary field of labor migration studies. Research on labor migration encompasses a wide range of issues and requires interdisciplinary approaches. Anthropologists offer detailed descriptions and analyses of migrants' life experiences by interacting or even living with them. Sociologists observe their social behaviors, demographics, and life patterns through qualitative and quantitative research. Political scientists evaluate past, current, and proposed immigration policies at local, national, and international levels. Economists weigh various economic factors (e.g. push and pull factors) involved in the flows of migrant workers and assess their short-term and long-term impacts on sending and receiving countries. Law professors study legal issues pertaining to migrant workers in light of both domestic and international laws.

Although a host of literature has been produced on Japan's foreign worker problem by scholars from a variety of disciplines and theoretical perspectives, relatively few researchers have fashioned a systematic evaluation of its communicative dimensions. Even though several scholars address discursive aspects of the issue, their attention is fixated mostly on the repressive functions of discourse (for example, Herbert, 1996; Shipper 2001). In other words, they fail to recognize that discourse is a contested arena where multifarious, often contradictory, voices exist in struggle for hegemony, not simply in service of power. My work fills in this void; for communication researchers prefer to conceive discourse, especially mass-mediated discourse, as a site where cultural contests over meaning are waged rather than as a conduit for the articulation of a dominant ideology (Croteau and Hoynes, 2003, p. 161).

Also overlooked in current scholarship on labor migration is the liberating potential of discourse. As noted in the last section, discourse is more than an instrument of domination by

the powerful or a record of the historical changes that have happened elsewhere; it is an agency of transformation as well. A critique of domination, although valuable in its own right, has a serious drawback: It is unable to explain how dissenting voices get heard and exercise influence. The rhetorical tradition helps to illuminate the generative capacity of discourse because a hallmark of the tradition is the study and practice of strategic discourse. Ever since Aristotle defined rhetoric as "an ability, in each [particular] case, to see the available means of persuasion" (1355a), rhetoric scholars have been concerned with how rhetors deploy discourse to influence particular audiences in a given situation (for example, see Wenzel, 1987). Even Cloud (2002), one of the few historical materialists in our field, maintains that "rhetoric, even in the context of economic constraint and ideological mystification, is about human agency" (p. 343).

In short, there is a great deal of underutilized potential in studying Japan's foreign worker problem from a rhetorical perspective. A materialist/critical rhetoric project allows critics to look into available means of persuasion, while mindful of structural limitations imposed on them. Specifically, the dissertation intends to illustrate the liberating potential of discourse by examining how undocumented migrants and their support groups use rhetoric to guide decisions and actions in situations of contingency and to mediate between social structures and collective struggles (for the functions of rhetoric, see Aune, 2003; Blumenberg, 1987; Farrell, 1993).

Secondly, and related to the previous point, rhetorical theories and methods of rhetorical criticism can be usefully applied to investigating Japan's foreign worker problem as it entails rich rhetorical dimensions. As with many other public issues, a "foreign worker" debate in Japan conceals more than it reveals. As Lie (1992) astutely observes, "[w]hat is noteworthy about the debate is what it leaves out as much as how the issues are discussed" (p. 39). It is important, then, to interrogate not only the issues explicitly discussed, but also the language of the "foreign

worker" debate. Indeed, the very term "foreign worker problem" (*gaikokujin rōdōsha mondai*)

merits rhetorical criticism. Rhetorically, the term serves to reduce the issue of migration to its

economic aspects and to limit a social controversy to economic benefits and costs from accepting

foreign workers (Machimura, 1998, p. 190). The popular use of "foreign workers" rather than

"immigrants" or "foreign residents" implies that foreigners taking up unskilled jobs are seen as

neither "(future) citizens" nor "residents," but as "guest workers" who should be tightly

controlled (Douglas and Roberts, 2000, p. 3). Yet there is a significant flaw in framing the

debate from an economic standpoint alone. Above all, the extension to irregular migrant workers

and their families of heath care, public education, labor benefits, and other social services is

perceived as social "costs." Worse still, the term "foreign worker problem" often conjures up the

image of foreign workers as "problematic beings." Many official documents in the late 1980s

actually depicted foreign "simple laborers" as those who could cause wide-ranging problems to

Japanese society (Suzuki, 2004, p. 42). Herbert makes a similar point in his 1996 *Foreign*

Workers and Law Enforcement in Japan:

> [T]he definition of foreign workers as a 'social problem' insinuates that a wide range of
> problems will occur (for example, rising crime rates) affecting the *whole* of society.
> Their being deemed a 'social problem' also implies that this is a matter to be tackled
> with counter-measures. (p. 216)

Seen in this light, a public controversy over foreign workers remains fundamentally limited as

long as the issue is argued "with the established terms of the problematic in play," to borrow

Hall's words (1982, p. 81). It is vital, therefore, to scrutinize the language of the "foreign

worker" debate and how it influences policy and opinion.

In an effort to challenge such xenophobic official and public attitudes, foreign worker

support groups struggle to present and disseminate counter discourses. Unfortunately, they often

presuppose and thus unwittingly reinforce the dichotomy between overstaying foreigners and

Japanese citizens by portraying the former as "helpless victims" or "docile workers" whose rights and welfare *Japanese* activists must protect. Overstaying foreigners are no doubt more likely to encounter serious problems than the Japanese. But, as Wilson and Gutierrez (1995) argue, excessive emphasis on the bizarre and unusual elements of their lives, no matter how well-intentioned, could perpetuate the stereotypical images of them as "'problem people,' groups either beset by problems or causing them for the larger society" (p. 26).

The dissertation adds to the body of labor migration research by reconsidering the discourse of dependency and vulnerability. Specifically, Chapter 3 documents adverse consequences this type of discourse had on "illegal" female migrant workers in the 1980s. On a more positive note, Chapter 5 examines the rhetorical agency of undocumented migrants, the representations of them as social agents, and the relation between the two. Given that undocumented migrants are politically, legally, and symbolically disadvantaged, they possess few resources to unite against social injustices (Roberts, 2000, p. 283). It does not follow, however, that foreign workers' grassroots movements are inevitably movements by proxy. Rather, as many unregistered foreigners have "settled" in Japan, they have become more adept at using their legal rights and bringing court challenges against the government and their employers. Although undocumented migrants are still generally forced to endure their hardships in silence, they speak out for better living and working conditions in relatively rare moments when concerned individuals and groups stand up to support their cause. Social movements by and for foreign workers deserve rigorous academic study because as Ogawa (2000/2001) laments, no prior research "has showed an interest in how foreign workers have appeared on the

stage as agents for their rights who, with the cooperation of Japanese movements, have began to make their own movement" (n.p.).[10]

Thirdly, the dissertation provides a case study of the possibilities within social movements to bridge among irregular migrants, researchers, and activists. In most industrialized countries migrant workers are comprised of numerous ethnic groups of diverse nationalities. In general, such diversity impedes the formation of a unifying support and advocacy network despite their common interest. The fragmentation of migrant workers is a particularly serious problem in Japan, where different immigration policies are applied to different national and ethnic groups (Douglas and Roberts, 2000, p. 30; Oka, 1994, p. 51). To further complicate matters, the existing ethnic associations, which are composed chiefly of "old-comer" residents, are reluctant to extend support to their illegal compatriots (Shipper, 2001, p. 434).[11]

In the absence of formal support from governmental bodies and ethnic groups, unregistered foreigners in Japan have developed mutual-aid networks on their own by forming self-help groups, going to church, or befriending their Japanese co-workers and neighbors. When a serious problem arises, they usually turn to NGOs for help (Shipper, 2001, p. 434). As an increasing number of migrant workers have come to Japan, a variety of groups have been organized to support and empower them at the grassroots level (Douglas and Roberts, 2000, p. 10). A close examination of the 1999-2000 special residence permission campaign by and for 21 visa overstayers offers salient insights into the study of social movements, as it was among the few moments in Japan when activists, intellectuals, and unregistered immigrants united for the cause of social justice (*AS*, 1999, November 11, p. 15).

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[10] Kaoruko Yamamoto's (2001) field research on manual laborers in the Kotobuki area of Yokohama may be a notable exception in this respect.

[11] A 1990-1993 fieldwork conducted by Zhu Huilin of the Office for Overseas Chinese Affairs found that only 10% of old Chinese migrants approved of the recruitment of newcomer compatriots into their associations while 70% of them held the opposite opinion (cited in Xi, 2002, p. 168).

Fourth, the dissertation contributes to an interdisciplinary understanding of Japanese news. News media studies in postwar Japan have developed under the heavy influence of American mass communication research. As Itō (1990) sums up the origins of Japanese mass communication studies:

> Soon after the Second World War, many American communication theories and scientific methods for communication research were introduced into Japan. In 1947, Iguchi introduced Lasswell's paradigm to Japan. This was the first occasion for Japanese scholars to be exposed to American communication studies. . . . In 1954, the Japanese translation of Schramm's *Mass Communication* (1949) further stimulated interest in American communication studies. . . . [M]any Japanese scholars trained in American universities joined Japanese universities in the late 1950s and early 1960s. They introduced to Japan most of the major theories and methods developed in the United States. (p. 430)

Against this historical backdrop Japanese media researchers have used "predominantly quantitative methods, for example in audience research and with regard to media content and media language" (Gatzen, 2001, n.p.). In other words, a major weakness in current research on Japanese news is the dearth of thorough qualitative analysis of media texts (Gatzen, 2001, n.p.). Whereas a growing number of Japanese mass communication scholars incorporate perspectives of political economy, cultural studies, and critical media studies into their research (e.g, Yoshimi, 2001), they are still inattentive to the discipline of rhetoric that has been integral part of the American tradition of communication studies. Their lack of interest in rhetoric is evident from Ito's reductive view of communication studies as mass communications studies in the above quote. Although rhetoric, media studies, and mass communications research stand as distinct subfields even in the United States (see, for example, Simonson, 2003), the interactions among these three fields are even more scarce in Japan where rhetoric as a discipline is a recent arrival to the academic scene and has not received much scholarly attention. The dissertation utilizes approaches employed in both cultural and media studies (Bourdieu, Hall, and Williams) and

rhetorical studies (Burke and Cloud). As such, it not only adds a rhetorical perspective to the interdisciplinary studies of Japanese news but also helps to stimulate media scholars' interest in rhetorical theory and criticism.

Last but not least, critical inquiry into the news coverage of Japan's foreign worker problem is a significant undertaking from the perspectives of communication and migration studies. Specifically, the dissertation advances an understanding of news production in three ways: first by assessing the active role of the media in amplifying the "official" truth (in Chapter 4), second by investigating the media strategies grassroots groups adopted to generate public support for the special residence permission campaign, and third by probing how journalists facilitated the expression of their dissenting voices under structural constraints (in Chapter 5).

The mass media play a crucial role in constituting the public knowledge of "illegal" foreign workers in any country. This is especially the case in Japan where ordinary citizens have little direct contact with undocumented migrants and rely almost exclusively on the media for their images (Komai, 1999/2001, p. 132-133). [12] Despite their enormous influences, inadequate attention has been paid to the role the media play in the social construction of Japan's foreign worker problem. Not only is there a dearth of literature on this subject, most previous studies identify the media as a tool of oppression and manipulation by those in power. Accordingly, they are mostly concerned with tracing how the media sustain and reinforce systems of domination. For instance, in his otherwise laudable dissertation on foreign workers in Japan, Shipper (2001) tacitly subscribes to a propaganda model of media discourse:

> It then appears that the Japanese National Police Agency use unsubstantiated and general figures, which are taken out of their social and demographic context, to spread xenophobic propaganda. . . . Japanese journalists simply report such unsubstantiated

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[12] A 1990 survey by the National Police Agency revealed that 89.2% of those surveyed had little to no contact with foreigners (cited in Hakoishi and Hatate, 1997, p. 335). Although the survey is a bit dated, I believe that the same holds true today.

information in their newspapers. . . . Hence these 'suspects' have already become 'criminals' in the minds of the readers even before trials. (p. 168)

Implicit in this quote is the somber idea of journalists and readers as uncritical purveyors and believers of the state's anti-immigration campaign.

However, Shipper overlooks two important features of the mass media. First, the media are not simply intermediaries between government and people (Curran, 2005, p. 121), but they are themselves actors with interests, values, and dispositions. Even when the media appear to loyally reproduce the "official" truth, they don't simply regurgitate government views but transform them to fit the interests of their readers or viewers. According to Stuart Hall et al. (1978):

> This process is neither totally free and unconstrained, nor is it a simple, direct reproduction. It is a transformation; and such transformations require active 'work' on the part of the media. Their over-all effect is nevertheless to help close the circle by which the definitions of the powerful become part of the taken-for-granted reality of the public by translating the unfamiliar into the familiar world. (p. 62)

From this vantage point, it is simple-minded to view the production of news as a mere reflection of the interests of political and economic elites. Second, the media are not a unitary organization but are constituted by different sectors that have different functions, structures, and relationships to politics (Curran, 2005, pp. 121-122). Although "the basic orientation that takes news-making as a reality-constructing activity governed by elites have proved enormously useful" (Schudson, 2000, p. 184), we should take care not to obscure the media's complex, ambiguous, and even contradictory relations to states, markets, and publics (Curran, 2005, p. 121; Hallin, 2000, p. 233). Unfortunately, most media research ignores how journalists operate under a set of constraints as if appraisals of their autonomy necessitate the downplaying of political and economic forces as determining factors in news production (Schudson, 2000, p. 184).

When we assess the autonomy of journalists and its implications for news and democracy, it is important to keep in mind that news production is a routine, mundane, and highly predictable practice (Golding and Murdock, 2000, p. 83; Schudson, 2000, p. 186). For the routinization of news making both constrains and facilitates serious journalism; it imposes limits on as well as offers opportunities for civil society. The downside is that the routines of news organizations are tilted towards supporting and sustaining the status quo because they are governed by organizational and occupational demands, consolidated through reporters' daily interaction with government officials, and codified by professional norms. For example, the nonstop news cycle, the norm of objective journalism, and competitive pressure and market forces within the news industry, among others, encourage a heavy reliance on official sources that can provide a steady and reliable supply of information (Cunningham, 2003/2004, p. 292).

At the same time, the routinization of news making leaves journalists with relative autonomy for making news decisions. They may lack power and resources to transform the structure of the news organization and the larger material circumstances in which the news media are situated; but there are many journalists who are aware of their internalized biases and willing to break free from the journalistic routines despite disturbing trends towards commercialization, ownership concentration, and homogenization (McChesney and Scott, 2004, pp. 2-3). As Curran (2000) observes, "part of the media can . . . represent critical public opinion and become an emancipatory force," although it takes, in the last instance, a combination of "[a]n energized civil society, well-developed networks of ideas and communication, professional oriented media staffs, and consumer pressure" (p. 134).

The dissertation explores how part of the media "represent critical public opinion and exercise emancipatory force." Of particular concern is how "professionally oriented media

staffs" and "an energized civil society" provide "well-developed networks of ideas and communication." For their interaction can give journalists access to alternative news sources and leverage to address neglected issues, ferret out hidden stories, and rejuvenate journalism from the bottom up. Grassroots organizations, for their part, can tap into the networks to advocate their dissenting views and mobilize public support. Since most grassroots groups lack credentials as "legitimate" information sources and media connections, they are severely restricted in their ability to reach wider publics. Faced with these obstacles, grassroots groups generally pursue two media strategies. One way is to "adopt melodramatic demonstrations that meet the other media standards of acceptable news—visible drama, conflict, and novelty" (Bagdikian, 1983/2004, p. 279). This type of media strategy, when enacted successfully, enhances the visibility of grassroots groups, but it may not help them to gain trust from the public and the news media alike. Besides, the media's coverage of marginal views *per se* makes little difference because "lots of news, including dissenting or adversarial information and opinion, gets into the newspaper" (Schudson, 2000, p. 185). As Schudson (2000) argues, a key question is "*where* that information appears and how it is inflected" (p. 185). Grassroots organizations often stand a better chance of attracting sustained media attention through a more indirect approach: To feed journalists raw "news" materials and serve as grassroots experts of some sort. The longer they serve as alternative news sources, the more likely they are to get their activities reported extensively and sympathetically.

In sum, while critical works on news content and production require attention to their political, economic, and legal determinants, a focus on these structural constraints presents only a partial picture of how news making works. The dissertation contributes to a better understanding

of the news media by examining how journalists and grassroots activists join forces to challenge the restrictive immigration policies in Japan.

1.4   CHAPTER ORGANIZATION

Chapter 2 provides an overview of Japan's foreign worker problem to set contexts for rhetorical criticism in subsequent chapters. To this end, it outlines Japan's official immigration policies, offers a historical account of its foreign worker problem, and supplies statistical data to show the recent trends and current status of labor migration.

Chapter 3 retraces the "beginning" of Japan's foreign worker problem with particular sensitivity to female migrant laborers. A distinctive feature of the migratory pattern in postwar Japan is that those who came to Japan for work initially consisted overwhelmingly of women (Douglas, 1993, p. 7). Beginning in the late 1970s, tens of thousands of women have annually entered Japan for work on entertainer or tourist visas (Douglas and Roberts, 2000, p. 3). In reality, most of them have been recruited to work in *fūzoku sangyō*, or "adult entertainment industry."[13] Despite the fact that migrant women made up the vast majority of *de facto* "foreign workers" until 1987, their growing presence "was not recognized in the context of international labor migration, but was treated rather as a problem of social mores, or the 'internationalization of sexual exploitation'" (Mori, 1997, pp. 70-71). Put differently, it was the upsurge of *male* migrant workers in the late 1980s that sparked a national debate over the acceptance of foreign workers (Shin, 2001, p. 276). My database search found that the term "foreign worker problem" itself had rarely been used in the media until 1987. Prior to that, "illegal" migrant women had

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[13] *New Proceed Japanese-English Dictionary* defines "*fūzoku*" as manners or customs (Hasegawa, Turney, and Hashimoto, 1995, p. 1258). But *fūzoku* as in *fūzoku gyō* (business) is a euphemism for sex or adult entertainment.

been commonly called *Japayuki-san* (Ms. Japan-bound) which was a pejorative term derived from *Karayuki-san*, or Japanese women who went abroad as prostitutes in the late 19th and early 20th centuries.

Chapter 3 demonstrates that the label of *Japayuki-san* induced the public, the media, and policy makers to frame the issue of female migration in terms of morality and policing at the neglect of its labor aspects (Mackie, 2000, p. 250). Consequently, a public discussion of the foreign worker problem was geared almost exclusively towards male manual and menial laborers. As Sellek (1996) holds, the predominant image of "illegal" foreign workers was that of "economically motivated males who take up unskilled, dirty, difficult, and dangerous jobs" (p. 160). Ironically, as "the fate of migrant labor became perhaps the most widely discussed social problem of the late 1980s" (Lie, 1992, p. 35), the public's interests in the presence of migrant women subsided. Nor did it become a subject of academic study or a serious policy concern (Yamanaka, 1993, p. 82).

The neglect of women migrant workers in no way means that they suffer less than their male counterparts. On the contrary, unregistered female migrants are so vulnerable to human rights violations and exploitation as to be viewed as "virtual prisoners" (Oka, 1994, p. 58). In view of this, Douglas (1993) said it all: "Whatever the reason, the degree to which the migration of women is ignored in the international migration literature is striking" (p. 95).

Scarce political, public, and scholarly attention to "illegal" migrant women raises intriguing questions regarding gender, race, and sex. As Yamanaka (1993) argues, "[t]he belated attention of policy makers to the problem [of Asian women] suggests that both racism and sexism play a role in determining policy priorities, and that women's work in the leisure industry is regarded not as proper employment but as immoral activity akin to crime" (p. 82). Chapter 3

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re-examines the "beginning" of Japan's "foreign worker problem" by attending to public discourse on "newcomer" migrants during the 1980s. In particular, it seeks to chart the process in which the focus of the discourse shifted from the *Japayuki-san* phenomenon to the foreign worker problem.

Chapters 4 and 5 focus more broadly on undocumented migrants rather than "illegal" foreign *workers*. Undocumented migrants are usually called "illegal aliens" in popular parlance. Strictly speaking, the problem of "illegal aliens" entails more diverse issues than the foreign worker problem. However, given that a substantial portion of "illegal" foreign workers now live with their family members (who may or may not work), the issue of "illegal aliens" is inextricably bound up with the foreign worker problem. As Kuwahara (1993) points out, the scope of the foreign worker problem has expanded to work-unrelated issues, including local community, housing, family, medical care, education, and crime (p. 133).

Chapter 4 illustrates that as the Japanese economy has plunged into a decade-long recession, "illegal aliens" have been increasingly portrayed as an unprecedented threat to public safety despite the fact that they accounted for only 0.4% of the total criminal suspects in 2002 (Nakashima, 2004b, pp. 11-12). To this end, it conducts a critical analysis of official reports and popular texts about foreign crimes with particular emphasis on the latter. Whereas many criticisms have been leveled against official crime reports (e.g. Friman 1996, 2001), the news coverage of foreign crime in Japan has rarely been a subject of rigorous study. Inquiry into official reports, though no doubt valuable in its own right, offers only an incomplete explanation of the growing national hysteria over an alleged foreign crime wave. For state officials are but one, albeit important, actor in shaping the public knowledge about "illegal aliens." In the final analysis, the association of unauthorized migrants with atrocious crimes is not simply a product

of state authorities' political maneuvering, but a result of "the combined effects of the activities of relatively autonomous fields (the general public, mass media, police and judiciary)" (Herbert, 1996, p. 163).

Building on Stuart Hall et al.'s model of crime reporting, Chapter 4 shows that the popular media play an active role in hyping up the threat of crimes by Chinese "illegals." For instance, they tend to characterize Chinese criminals as irrevocably cruel, naturally wicked, and qualitatively different from their Japanese counterparts. Equally problematic is the way "illegal" Chinese newcomers are linked with transnational crime syndicates, notably the Chinese Mafia, as if they entered Japan with the intention of committing crimes. Despite the media's frequent reference to "the Chinese Mafia," the term is nowhere used in official reports. What official reports state is that Chinese nationals are more likely to commit crimes in groups than the Japanese. Too often, this official account is translated in the popular media that "illegal" Chinese migrants are members of organized criminal rings. In this way, the popular media fuel the public anxiety over the danger of Chinese "illegals."

The period under study in this chapter spans January 1997 to February 2005. This time period was chosen because government officials and the media alike began to express grave concern about criminal activities involving Chinese "illegals" around 1997 (Friman, 2001, p. 299). As samples of popular texts on the theme of foreign crime, the chapter scrutinizes *bunkobon* (pocket-sized paperbacks) and *mook* (magazine-style books). *Bunkobon* is the most popular book format in Japan and available in most bookstores at reasonable prices (from $5 to $15). Almost all major publishing companies have a good collection of *bunkobon*. According to the website of the Book and the Computer (1999), "Japanese publishers have so far issued some 50 extensive 'pocket libraries,' with over 5,000 new titles appearing every year. More than 100

million *bunkobon* are sold annually, ranging from classical literature to contemporary bestsellers" (n.p.). In short, the fact that a publisher decides to reprint a book as a small, inexpensive paperback is a good indicator of its popularity. *Mook* is a coined Japanese term that is an amalgam of book and magazine. As the term suggests, *mook* falls somewhere between a book and a special issue of magazine. Many publishers put out *mook* titles on a regular basis at affordable prices (from $10 to $20). Each *mook* is dedicated to a single topic, and multiple authors contribute articles to it. Some *mook* even have issue and volume numbers. In addition to *mook* and *bunkobon*, the chapter looks into articles on a Chinese crime wave in popular magazines as they are major venues for self-proclaimed Chinese experts to put out sensational crime reports. Lastly, the chapter occasionally references national dailies and TV programs to supplement my analysis of these written texts.

In searching *bunkobon* and *mook* titles on foreign crime, I utilized multiple online catalogues and search engines of major libraries and bookstores—including the National Diet Library, the Tokyo Metropolitan Library, Kinokuniya Book-Web, and Amazon.co.jp—to access as many books on the topic as possible. In the absence of any bibliography on the subject, this sort of search was the only way to collect relevant titles. As far as magazine articles are concerned, I relied on *Nichigai: Magazine Plus* and *Web Ōya-bunko.* Regarding TV programs, I taped or watched dozens of shows featuring crimes by "illegal" Chinese migrants broadcast from July 2003 through February 2005.

Chapter 5 investigates how overstaying foreigners, citizens' groups, and academics collaborated during the special residence permission campaign during September 1999 and February 2000. Special residence permission is dispensation the Justice Minister gives to a small fraction of undocumented foreigners on humanitarian grounds. Unlike a general amnesty

program, special residence permission is granted only in the last stage of deportation. In other words, undocumented foreigners must first surrender to the Immigration Bureau before filing a petition for special residency. At present, appealing for special residence permission is the only recourse for undocumented migrants to get their status regularized.

One notable trend in recent years is that a considerable number of once-thought temporary foreign workers have become long-term residents despite their illegal status. However, the Japanese government has been keen on *regulating* "illegal aliens," but not on *regularizing* their status. Clinging to the decades-long legal framework, the government has failed to take adequate measures conducive to the rights and benefits of undocumented migrant workers and their families. Against this backdrop, the campaign for special residence permission could be understood as a challenge to the state's inaction.

On September 1, 1999, 21 visa overstayers—five families and two individuals from Bangladesh, Iran, and Myanmar—turned themselves in to the Tokyo Immigration Bureau to file petitions for special residence permission. Five lawyers and about 30 supporters accompanied them. This was the first collective petitioning for normalized status by visa overstayers neither married nor related to native residents. Owing to relentless campaigning efforts by diverse social actors at various levels, then Justice Minister Hideo Usui conceded special residency to 16 out of the 21 applicants, or 4 Iranian families, in early February. A Burmese family of three and two individuals were denied their petitions.

The granting of special resident permission to the 16 undocumented migrants was "landmark approval" (*JT,* January 29, 2000, p. 2) and thus provides a fascinating case for the study of social movements. For one thing, overstaying foreigners acted not simply as "marginals," but as "crafters" of the campaign, to borrow Touraine's (1984/88) words (p. 73).

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At least, they were represented as such throughout the campaign. As special residence permission had been rarely granted to those overstayers neither married nor related to native residents, APFS initially hesitated to resort to political action. In APFS's narrative, it was the overstaying foreigners that persuaded them to fight for special residency. For another, the campaign was effectively coordinated through national networks of advocacy groups and concerned individuals. Indeed, the campaign might well be viewed as a quintessential case of "new social movements" in that it was led by spontaneously organized, heterogeneously constituted, and widely-dispersed groups outside of existing political institutions (for the features of new social movements, see Habermas, 1981/1987).

The specific purpose of this chapter is two-fold. First, the chapter analyzes the rhetorical and media strategies the overstaying foreigners and their support groups deployed in negotiating with state officials, combating public indifference, and challenging the unsavory images of "illegal aliens." Close scrutiny of their discursive struggle is important because social activism owes a great deal to the strategic mobilization of symbolic resources for a common political goal. Equally significant in this respect is the involvement of journalists in the campaign. Chapter 5 illustrates that the special residence permission campaign was among rare movements in which journalists *within* the mainstream media developed a trusting relationship with foreign worker support groups and enabled them to generate public pressure on immigration authorities. Also of interest in this chapter is how scholars worked in close liaison with the visa overstayers and activists to support the campaign, while maintaining their critical and autonomous functions. In October 1999, 12 concerned migration scholars formed a group to endorse the special residence permission campaign. Until then, migration scholars in Japan had never been *collectively* involved in social movements (Ishii, Sadamatsu, and Ikeda, 2000, n.p.). Although I don't intend

to write a celebratory, triumphant piece commending the long awaited collective engagement by Japanese academics, I would argue that the scholarly group contributed to this momentous campaign chiefly by making public use of their expertise in an "activist mode," to borrow Bourdieu's (1998) phrase (p. 57).

A brief concluding chapter follows to summarize the major findings in this work and make several suggestions for future research.

1.5   CHAPTER SUMMARY

All in all, this dissertation is an attempt to write *about and for* "illegal" foreign workers, not as an activist but as a researcher. Soon before Bourdieu died, he (2001/2003) delivered an address to students at Humboldt University, calling for more political engagement on the researcher's part:

> Given the particular role of "ideas" in this scheme, researchers have a key part to play. They have to provide political action with new ends—the demotion of the dominant beliefs—and new means—technical weapons—based on research and a command of scientific knowledge, and symbolic weapons, capable of undermining common beliefs by putting research findings into an accessible form. (p. 36)

Bourdieu's passionate appeal reverberates throughout this work. In particular, it is intended to contribute to public discourse on undocumented foreign workers by illuminating the neglected history of migrant women (Chapter 3), critiquing the media hype over irregular Chinese migrants' crimes (Chapter 4), and analyzing the agency and representation of unregistered foreigners as social actors (Chapter 5). I believe that such counter narratives could promote a better understanding of undocumented migrants, supply the reader with resources for challenging their popular images, and contribute to a more vigorous public debate on the foreign

worker problem. Hopefully, this work will provide a starting point for exploring alternative rhetoric that better accounts for the lives of unregistered foreigners and helps to empower them.

2.0   JAPAN'S FOREIGN WORKER PROBLEM IN HISTORICAL AND CONTEMPORARY PERSPECTIVES

2.1   INTRODUCTION

This chapter provides an overview of Japan's foreign worker problem to set contexts for rhetorical criticism in subsequent chapters. To this end, it consists of three major sections. The chapter begins by reviewing Japan's official policies towards the employment of foreign nationals. It then offers a historical background to its foreign worker problem with primary emphasis on post-war Japan. The chapter concludes by providing basic data on the recent trends and current status of labor migration in Japan.

2.2   JAPAN'S OFFICIAL IMMIGRATION POLICIES

Japan has never officially accepted unskilled foreign workers despite the fact that they "have proved a valuable solution to the chronic labor shortage suffered by small-scale, labor-intensive industry" (Yamanaka, 1993, p. 86). According to the Immigration Control Act, foreign nationals, in order to obtain work visas, must possess specialized skills native workers are unable to master (Spencer, 1992, p. 762). Low-skilled or semi-skilled workers have been strictly barred from entry in postwar Japan on the grounds that their admission would 1) take away jobs from the elderly, 2) hinder improvements in labor productivity, and 3) generate unbearable social costs (*YS*, 2001, April 24, p. 23). The only exception is foreigners of Japanese descent (*Nikkeijin*). No

restriction on work is placed on *Nikkeijin* who hold long-term visa status. In reality, the vast

majority of *Nikkeijin* engage in unskilled or semi-skilled jobs as contract workers. In view of

this Tezuka (2004) considers *Nikkeijin* "Japan's first legally admitted foreign workers" (p. 123).

 The number of "illegal" male foreign workers began to increase at a rapid rate in the mid-

1980s as the so-called bubble economy engendered a chronic demand for a cheap, unskilled, and

flexible labor force legally and symbolically distinct from permanent residents, professional

foreign workers, and Japanese citizens. The vast majority of such "newcomers" initially came

from the Philippines, Iran, Bangladesh, and Pakistan until the Japanese government suspended

its bilateral visa-waiver accords with Bangladesh and Pakistan in January 1989 and with Iran in

April 1992 (Tanaka, 1995, p. 200). Unskilled foreign workers now hail mostly from other parts

of Asia and South America. They typically enter Japan on short-term visas and overstay after

their visas expire. Some of them enter Japan with forged passports; a few smuggle themselves

into Japan as stowaways with the aid of underground brokers. Illegal entrants[14] and stowaways

usually pay lucrative commission fees to private agents and labor brokers for assisting them to

enter and find jobs in Japan. "Illegal" foreign workers, unlike resident Korean and Chinese or

Nikkeijin, are not ethnically, legally, and socio-culturally deemed to be Japanese (for the

typology of foreigners in Japan, see Shipper, 2001, p. 89). Not surprisingly, they are susceptible

to various social injustices, including unpaid wages, unlawful dismissal, lack of compensation

for work-related injuries, housing discrimination, physical abuse, and forced prostitution.

"Illegal" foreign workers are also ineligible for national health insurance, unemployment

benefits, livelihood protection, and pension insurance accorded to all citizens and legal aliens in

Japan (Shipper, 2001, pp. 101-102).

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[14] Although official immigration documents separate illegal entry (via air route) from illegal landing (via sea route), the term "illegal entrants" encapsulate both categories in this work.

2.3   A HISTORY OF THE FOREIGN WORKER PROBLEM IN MODERN JAPAN

2.3.1 The Problem of Foreign Workers in Prewar Japan (1868-1945)

Contrary to popular beliefs, the foreign worker problem is not unprecedented in Japan. Indeed, Japan has a rich history of labor migration dating back to the Meiji Restoration of 1868. Initially, foreigners were allowed to reside only in designated foreign settlements in such major port towns as Yokohama, Kōbe, and Nagasaki. As Yamawaki (2000b) explains:

> Those who occupied the settlements were Westerners, mainly British and American, the Chinese. Many of the Western merchants came from China as agents of firms already trading in the Chinese ports of Canton, Hong Kong, Shanghai and elsewhere. Therefore, most of the Chinese were brought to Japan by those western merchants as compradors, cooks, servants, and longshoremen. The Chinese were not officially allowed to reside in the settlements, but their existence in them was overlooked by the Japanese authorities because they were employed by the Westerners. (p. 40)

As Yamawaki's sustained historical analysis illuminates, the acceptance of Chinese workers had been a major topic of policy debate since the late 19th century. He (2000b) points to a striking resemblance in newspaper reporting on the issue of foreign workers between pre-war and post-war periods:

> Common opinion among the mass media during this period [the 1880s and 1890s] was that Japan could not help but accept Westerners, but it should reject the Chinese. For example, an editorial entitled "The Joy and Anxiety of Mixed Residency," in *Jiji Shinpō* on 20 February 1884 argued that there was a serious problem with Chinese workers in the United States, and that Japan would have a more serious problem if it opened its borders since it was situated much closer to China than was the United States. (p. 41)

The abolition of the foreign settlements and the introduction of imperial ordinances in 1899 ushered in a new era of Japan's immigration policy. These political changes enabled Westerners to live and work freely in Japan, while confining Chinese workers to the former foreign settlements (Yamawaki, 2000b, p. 39). This indicates that ever since the government

began to recruit foreign workers, it has adopted a two-pronged approach, inviting Westerners as skilled professionals and utilizing Asians as low-skilled laborers. In consequence, Asians have been perceived, treated, and represented as second-class foreigners distinct from Westerners.[15] While Lie (2001) rightly points out that the "foreign workers" is a racialized and class-based label (p. 20), such a conception existed long before the term came into popular use. Indeed, Utsumi (1990) traces the beginning of Japan's foreign worker problem to the implementation of the imperial ordinances in 1899 (p. 114). Along similar lines, Weiner (1994) sums up the ordinances:

> The most important of these [laws and ordinances restricting the entry of foreign workers], Imperial Ordinances 352 and 421 introduced in July 1899, stipulated that aliens were prohibited from taking up employment outside the foreign concession areas as general laborers engaged in agriculture, fishing, mining, construction, engineering, manufacturing and transportation without the expressed approval of the competent prefectural authorities. . . . While these laws, as well as those which they supplemented, were applied to all foreigners irrespective of national origin, both appear to have been drawn up with the intention of restricting the employment of Chinese coolie labour in particular. (pp. 52-53)

The ordinances, however, had only limited effects in curbing the entry of Chinese immigrant workers. Yamawaki (2000b) documents that the admission of Chinese workers remained a serious social issue during the 1920s (p. 43). Similarly, Furuya (2004) estimates that thousands of Chinese nationals continued to work in Japan at that time (p. 30). They typically "worked in three professions which required the use of knives or razors, i.e., as barbers, cooks and tailors, and also kimono fabric merchants, coolies, longshoreman, laborers" (Komai, 1999/2001, p. 13). While most Chinese immigrants returned home after the Manchurian Incident of 1931 (Komai,

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[15] Ōno and Yoshida (2001) write that "Japan's policy for accepting foreign workers since the 1960s has persistently distinguished between those regarded as professionals or technicians, and the unskilled welcoming the former but shunning the latter" (n.p.). Although this observation is accurate in the context of postwar Japan, it should be noted that such a distinction is much older than they postulated.

2000, p. 13), Mori (1986) notes that about 10,000 Chinese still resided in Japan at the end of World War II in 1945 (p. 200).

Although some Koreans immigrated to Japan as early as the late 1890s, the vast majority of them came to Japan after its annexation of Korea in 1910. In particular, Japanese enterprises and brokers aggressively recruited Korean workers to alleviate labor shortages in the face of a booming economy during World War I. As imperial Japan got entangled in World War II, an enormous volume of Korean labor force became mobilized to take up manual and menial jobs in industrial, mining, and construction sectors. As a result, Korean immigrants, who numbered only 791 in 1910 (Herbert, 1996, p. 22), surpassed 10,000 in 1917, 129,000 in 1925, and about two million in 1945 (Utsumi, 1990, pp. 115-117). Over 720,000 Koreans were forced to move to Japan as manual and menial laborers from 1939 to 1945 alone (Zhuo, 1992, p. 15). According to Weiner (1994), they were "disproportionately represented within the day-labouring population" (p. 91). After Japan's defeat in 1945, more than 1.5 million Koreans returned to their homeland; roughly 500,000 others chose to stay on in Japan "in part because of the political uncertainty and high inflation in their homeland and because of the difficulties of repatriating the property they had accumulated" (Komai, 1993/1995, p. 234).

Since Chinese and Korean immigrants generally belonged to the lower strata of the society, they were subject to various levels of discrimination and even violence. The most striking instance of this public animosity was the massacre of thousands of Korean immigrants in the aftermath of the Great Kantō Earthquake in 1923. The army, the police, and vigilante groups were mobilized when scurrilous rumors spread of armed uprising and disturbances (such as poisoning wells or setting fires) by Korean immigrants and Japanese sympathizers (for details, see Weiner, 1994).

Seen in this historical context, the influx of foreign workers since the 1980s is but the latest phase of long-lasting labor migration. Too often, this historical perspective is overlooked in a contemporary debate over the foreign worker problem. As Yamawaki (2000b) astutely observes:

> The growth of the foreign worker population has become a major issue in Japan since the late 1980s. When the nationwide debate on the question was at its height in 1988 and 1989, it was assumed by many commentators, both for and against the influx of foreign workers to Japan, that it was a new and unprecedented phenomenon…. Any serious student of Japanese history, however, knows that prewar Japan faced a grave problem regarding Korean and Chinese immigrant workers. (p. 38)

In sum, Japan has a long history of utilizing foreign nationals as cheap laborers to sustain its economy. It is a popular misconception that Japan had not encountered any foreign worker problem until the 1980s. If anything, the thesis that the foreign worker problem is *unprecedented* is a *recurring* narrative. By saying this, I don't mean to claim that the ongoing foreign worker problem is little different from the previous waves of labor migration. What marks the current phase of labor migration is the massive *uncontrolled* inflows of "undesirable" foreign workers. This point is to be elaborated in the next section.

2.3.2   A History of the Foreign Worker Problem in Postwar Japan

The Immigration Control Act of 1952 set a fundamental legal framework for immigration policies in postwar Japan. As Komai (1999/2001) puts it, the law "ignored or placed little emphasis on human rights, while imposing a system of strict surveillance" (p. 15). Due to the restrictive immigration politics and the devastated economy, there had been no large-scale influx of foreign workers into Japan until the 1980s. On the contrary, "Japan was an exporter of labor until the mid-1970s when the last ship—taking workers to Brazil—departed" (Goodman, Peach, Takenaka, and White, 2003, p. 3). As 40% of the GNP was lost and over 6.6 million of civilians

and military personnel returned from the former colonies, the Japanese government officially promoted overseas emigration mainly to North and South America after Japan regained its independence in 1952. Postwar emigration reached its peak in the 1950s and began to decrease in 1962; the total number of emigrants had dropped from 110,000 in the 1950s to 79,000 in the 1960s (Mori, 1997, pp. 34-35; Tsuchida, 1998, p. 106).

Beginning in the mid-1950s, the Japanese economy embarked on a long period of expansion. Notably, Japan, unlike many other indurialized countries, did not rely on foreign labor force to achieve its rapid and sustained economic growth. As Douglas and Roberts (2000) explain, while European countries, particularly West Germany and France, were aggressively recruiting "guest workers" from abroad in the 1950s-1970s period, Japan was still able to utilize rural migrants and working-age women as a large pool of low-wage and flexible labor (p. 6). Besides, Japanese employers immensely benefited from disproportionately longer working hours at that time (Kajita, 1994; Kondō, 2002).[16] On top of that, Japanese firms opted to develop "labor-saving" technologies, to promote automation in manufacturing facilities, and to transfer labor-intensive production and assembly operations overseas in efforts to overcome domestic labor shortages.

While many Japanese policymakers proudly claim that Japan was the only industrial nation that achieved a remarkable economic growth without relying on foreign workers, it is little known that mounting pressure from industry led policy makers to deliberate on the importation of foreign labor force in the mid-1960s, especially after the ratification of the Treaty on Basic Relations with the Republic of Korea in 1965 (Utsumi and Matsui, 1988, p. 39). However, the Ministry of Labor took a firm stand against the acceptance of foreign workers,

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[16] Kondō (2002) documents that "[i]n the mid-1960s, Japanese workers clocked 2,660 at work; in 1982, the number of annual work hours declined to 2,100 hours, but this was still higher than 1,690 in then West Germany and 1,650 in France" (p. 416).

insisting that it was too early even in the wake of an increasingly acute labor shortage (*AS,* 1966, August 20, p. 1). This "closed-door" policy was officially decreed at a Cabinet meeting on March 14, 1967 in conjunction with the First Basic Plan on Employment Measures 1967-1971. The Cabinet's decree was renewed in 1973 and 1976, which cemented the official position against the introduction of foreign labor force (Herbert, 1996, p. 23). Partly because the decision was made behind closed doors, the issue did not draw extensive media attention; the debate over the acceptance of foreign workers had eventually subsided with the onset of an economic recession following the oil crisis in October 1973 (for details of the debate during this period, see Murashita, 1999, especially Chapter 2).[17]

Although the large-scale inflows of male foreign workers did not take place until the mid-1980s, this needs to be put into perspective. It is especially important to bear in mind that Japan's growing economic presence in Asia since the late 1960s provided a condition for the influx of male migrant workers in a later period.[18] As the government lifted its overseas investment restrictions, Japan's foreign direct investment surged from around 100 million yen to over one billion yen in 1972 (the year often referred to as the first year of foreign direct investment) (Athukorala and Manning, 2000, p. 37). Since then, Japan has exerted strong economic influence in the Asia Pacific region through direct investment, trade, and Official Development Assistance (ODA) as well as the large-scale relocation of production plants and the establishment of foreign branches. The huge economic presence of Japan in the region has

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[17] The issue of migrant workers, particularly trainees, was sporadically reported in the early 1970s. It is noteworthy that the term "foreign labor force" (*gaikokujin rōdōryoku*) was commonly used during this period. See, for example, Ochiai's *Ajiajin Rōdōryoku Yunyū* (*The Import of Asian Labor Force*) (1974); *Tokushū*: *Gaikokujin Rōdōryoku No Jidai Ga Kita?* (Special Reports: Is It Time for Accepting Foreign Labor Force?) in the December 29, 1970 issue of *Gekkan Ekonomisuto* (*Monthly Economist*); "*Gaikokujin Rōdōryoku Takamaru Dōnyū No Koe*" (Growing Demands for Introducing Foreign Labor Force), *Nihon Keizai Shimbun,* October 22, 1970, p. 11.

[18] At a theoretical level, see Sassen'*s Mobility of Labor and Capital* (1988) and *Globalization and its Discontents* (1998). Both works offer a compelling analysis of how foreign direct investment in third-world countries has provided a condition for international migration flows from the South to the North.

provided incentives for prospective migrant workers to choose Japan as a country of destination. Besides, the large-scale influx of foreign workers into Japan must be understood in the context of the international flows of migrant workers that had already existed in Asia (for a detailed analysis of the structural labor migration phenomena in East Asia, see Athukorala and Manning, 1999).

More specifically, the rapid increase of male foreign laborers in the mid-1980s was spawned by a number of interlocking factors at home and abroad. Principal among them were the appreciation of the Japanese yen following the 1985 Plaza Accords; acute domestic labor shortages; faltering economies in neighboring Asian countries and their official policies to promote overseas labor migration; the decline of oil prices and the ensuing recession in the Middle East (a major source of jobs for Asian migrants)[19]; the prolonged Iran-Iraq War; Japan's strong economic and cultural presence in the Asia Pacific region; and huge wage differentials between Japan and sending countries (see Table 2.1). It should also be noted that large reservoirs of hitherto under-utilized female and rural workers in Japan dried up by the early 1980s.

Table 2.1: Per-capita GNP of Asian Countries in 1987 (in US dollars)

Country	GNP (US Dollars)	Ratio (%)
Japan	15,770	100.00
Thailand	840	5.3
The Philippines	590	3.7
Indonesia	450	2.9
Pakistan	350	2.2.
Bangladesh	160	1.0

Source: World Bank Atlas, cited in *Kantō Bengoshikai Rengōkai* (Kantō Lawyers' Association), 1990, p. 112

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[19] According to United Nations Centre for Regional Development (1991), about 80% of Asian migrants went to the Middle East for work during the 1970s and 1980s (cited in Iyotani, 1996, p. 49).

To top it off, the structure of Japan's capitalist system necessitates small and medium-sized firms, which account for two-thirds of Japan's economic output (Papademetriou and Hamilton, 2000, p. 57), to hire cheap foreign laborers to stay in business. That is, unable to relocate their production and assembly bases abroad, small and medium-sized businesses are forced to take orders from large corporations on unfair terms that would never pay off if they hired native workers. In particular, smaller subcontractors that cannot afford to hire *Nikkeijin* have no choice but to employ clandestine workers for survival. By extension, even large corporations would run into severe difficulties carrying on with their normal operations absent unskilled foreign workers (for illustration of this point, see Cornelius, 1993, pp. 439-440).

The massive influx of unskilled foreign workers since the mid-1980s was often depicted as foreign pressure (*gaiatsu*) calling for "a third opening of the country" (*daisan no kaikoku*). The implication is that the inflow of "illegal" foreign workers is comparable in magnitude to the arrival of Commodore Perry-led "black ships" in 1853 and Japan's defeat in World War II in 1945. For example, Kanji Nishio (1990), a staunch opponent of the "open-door" policy, contends:

> Japan has been fundamentally and extensively shaken by the actions of foreigners twice in the course of its modern history: first by the arrival of the 'black ships,' the American fleet that forced the opening of the country in the mid-nineteenth century, and then by the dropping of atomic bombs on Hiroshima and Nagasaki in 1945. . . . The arrival of foreign workers in large numbers might be a third major shock from the outside. (p. 56)

Such a historical account is one-dimensional at best as it posits that "illegal" foreign workers are external forces disrupting otherwise tranquil Japan. What is missing is that Japan had kept exporting capital abroad for nearly 20 years before the advent of the foreign worker problem (Athukorala and Manning, 1999, pp. 6-7, pp. 36-37). Nevertheless, the metaphor of "open-door

vs. closed door" dictated the "foreign worker" debate. Accordingly, a major focus of the debate

was over whether unskilled foreign workers were boons to or drains on the national economy.

The rapid rise in unauthorized foreign workers prompted the government to make the

biggest amendments to the Immigration Control Act since it took effect in 1952. A revision to

the Immigration Control Act was passed in a regular Diet session in December 1989 and enacted

in June 1990. The government's ambivalent attitudes towards unskilled foreign workers were

reflected in the revised law. Reduced to essentials, the goal of the revision was to "facilitate the

immigration of professional and skilled personnel, while confirming its basic principle of not

accepting 'unskilled' foreign labor" (Kashiwazaki, 2002b, n.p.). Although numerous changes

were made, the following three changes deserve particular mention. To begin with, the revised

law has expanded the number of visa categories from 18 to 28 to match the actual flows and

stocks of foreign nationals in Japan. Among them, 16 categories are work-related (Noro, 2002,

p. 6). The new law has also streamlined the screening procedures for the entry of professional

and skilled foreign workers and their families. At the same time, the revised Immigration

Control Act has strengthened sanctions for brokers and employers who *knowingly* recruit or hire

unauthorized foreign workers. Under the new law, they could be sentenced to a maximum of

three-year imprisonment or two million yen (approximately $18,000) fines.[20] Also, "[i]n

contrast to standard international practice at the time, the 1990 law allows not only deportation

but also fines and imprisonment for apprehended unauthorized workers" (Papademetriou and

Hamilton, 2000, p. 38).

While the amended law toughened sanctions against the illegal employment of foreign

nationals, it also included three side-door policies to allow for the continued entry of *de-facto*

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[20] All figures in this work are converted at the rate of 110 yen to the dollar. Note that the figures are rounded for the
sake of readability.

unskilled foreign workers. First of all, the maximum working hours for foreign students with

work permits were extended from 20 hours a week to 28 hours a week. Secondly, the new

immigration law and the Justice Ministry's supplementary directives in August overhauled the

foreign trainee program. Notably, they exempted companies "from a 5 percent ceiling on the

proportion of trainees to regular workers" (SOPEMI, 1999, p. 167), which enabled small

businesses with less than 20 employees to accept up to three foreign trainees through

intermediate organizations. Until then, the acceptance of foreign trainees had been restricted to

large corporations with overseas operations. These policy changes greatly facilitated the entry of

foreign trainees. Although the trainee visa status itself was introduced into the immigration law

in 1981, the number of trainees had shown only a modest increase until 1988 (see Table 2.2 on

the next page). The government implemented additional measures to improve the foreign trainee

programs in the early 1990s. In September 1991, the Japan International Training Cooperation

Organization (JITCO) was set up under the joint jurisdiction of four ministries—the Labor

Ministry, the Justice Ministry, the Ministry of Foreign Affairs, and the Ministry of International

Trade and Industry; the Construction Ministry joined the body later (Shimada, 1994, p. 72). The

organization was designed primarily to assist small- and medium-sized companies in accepting

foreign trainees (Yamawaki, 1996, p. 23). [21]

According to the JITCO's website, "[t]raining means to learn the technology, skills, and

knowledge of industry, *and not to work* [italics added]" (n.p.). For this reason they receive only

petty amounts of "training allowances" which are even lower than the wages foreign students

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[21] The applicant must meet a set of conditions to be admitted as a trainee. According to Hanami (1998), "(1) they must be older than 18 years; (2) their aim must be to gain a skill, technique or knowledge which they are unable to get in their home country; (3) they must return to the home country ready to work at a job which requires the skill, technique or knowledge gained during their stay in Japan; (4) the skill, technique or knowledge gained through training must not be acquired by mere repetition of the same activities; and (5) training must be conducted under the leadership of regular employees with more than 5 years' experience" (pp. 228-229).

and clandestine workers gain (Mori, 1997, pp. 129). According to *Migration News*, trainees receive a monthly stipend of $661 to $744 on average, which is remarkably low given that domestic workers earn $2,000 to $3,000 for undertaking the same work ("Japan: Trainees and Illegal Migration"). Despite the Labor Ministry's stated goals to transfer skills and technology to developing countries, to redress trade imbalance, and to promote international cooperation, many foreign trainees are virtually hired to perform full-time menial jobs (Meissner, et al., 1993, p. 71). Of 597 companies surveyed during the 1989-1990 period, Komai (1992) found that 72% used trainees as *de facto* cheaper laborers (cited in Athukorala and Manning, 1999, p. 46).

The government further conceded industry's demands for foreign labor force by instituting the Technical-Intern Training Program (TITP) in April 1993. The program was intended to allow the trainees who demonstrated a certain level of techniques, skills, and knowledge to continue to work in the same company as interns. The maximum length of stay for technical and intern training is three years.   Once accepted as interns, trainees' visa status will be switched to that of designated activities, which will entitle them to the same legal protections as native workers except that they don't have the freedom to change their occupations. According to *Asahi Shimbun* on June 6, 2000, some 50,000 foreign nationals entered Japan on trainee visas in 1998; 45% of them were Chinese nationals (p. 15). Approximately 13,000 continued to stay in Japan as technical interns after the completion of the trainee program (*AS*, 2000, June 6, p. 15; see also Table 2.2 on the next page).

Table 2.2: Flows and Stocks of Trainees and Interns (1982-2003)

Y	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992
a	9,973	11,929	13,262	13,987	14,388	17,081	23,432	29,489	37,566	43,649	43,627
b	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.

Y	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
a	39,795	36,612	40,591	45,536	49,594	49,797	47,985	54,049	59,049	58,534	64,817
b	160	1,861	2,296	3,624	6,339	13,066	12,422	16,107	22,268	22,977	27,233

Notes: Y = year, a = newly entered trainees, b = technical internship program applicants
Sources: *Hōmu Daijin Kambō Shihō Hosei Chōsabu*,1983-2004; *Hōmushō Nyūkoku Kanri Kyoku*, 2003, p. 180;
JITCO, n.d.

The TITP, although a step forward from the trainee program, still leaves much to be desired. Kuwahara (1998) isolates the shortcomings of the intern program.

> This program will not effectively reduce the influx of illegal immigrants; it mitigates but cannot stop it. . . . Although it is officially characterized as a new means of training and skills transfer, many employers want to utilize it as a way to meet their labor shortage. . . . Many [small and medium-sized enterprises] cannot afford the time and resources required for training, and immigrants want to work for immediate wages rather than train for semi-skilled positions. Both employers and immigrants are asking for a more straightforward way to satisfy their needs. (p. 379)

Likewise, Kashiwazaki (2002a) suggests that although technical interns are "workers" in the legal sense, they are paid much less than Japanese workers due to a series of deductions unilaterally imposed by employers:

> JITCO statistics show that approximately half of the 16,100 prospective technical interns in 2000 were expected to receive a monthly wage of less than 120,000 yen (US$900), and those who could expect 150,000 yen or more accounted for only 3 percent. These figures are substantially lower than the average wages of Japanese workers, aged 20-29, in the manufacturing sector: approximately 240,000-280,000 yen for males and 190,000-210,000 for females, according to the 2002 Japan Statistical Yearbook. (n.p.)

Last but not least, the revised immigration law has created a new visa category of "long-term resident." In principle, a long-term visa is issued to those foreign nationals who prove to have close social or ancestral ties with Japanese society (*Hōmushō Nyūkoku Kanri Kyoku*, 1998,

p. 95).[22] The visa is good for up to three years and indefinitely renewable. Since a one-year, renewable visa is also issued to the dependants of long-term residents, it encourages *Nikkeijin* families to come to Japan for work.

Many pundits decry the creation of the long-term visa status as a stopgap measure to admit unskilled foreign workers in a controlled, predictable, and arguably "culturally 'safe'" fashion (Papademetrious and Hamilton, 2000, p. 37). In response to this charge, the ruling Liberal Democratic Party (LDP) maintains that "ethnic Japanese" are entitled to work freely in their ancestral "homeland."   For example, in conjunction with the amendment to the Immigration Control Act in 1990, the chair of the LDP's foreign worker problem special committee claimed: "Some are of opinion that [*Nikkeijin*] should be treated in the same way as other foreigners. But it is too painful to exclude *Nikkeijin* as they are an ethnic group related to us by blood" (cited in Niwa, 1998, p. 68). The government's real motive aside, the addition of the long-term resident visa category, coupled with the sluggish economy in South America, has resulted in a drastic increase in *Nikkeijin* and their families, mostly from Brazil and Peru. As Athukorala and Manning (1999) note, the number of *Nikkeijin* skyrocketed from 4,000 in the late 1980s to over 136,000 in 1992 (pp. 47). Tsuda (1999) also estimates that "about 18 percent of the entire Japanese-Brazilian population currently resides in Japan" (p. 713).

On a separate track, the 1980s witnessed a growing number of foreign students entering Japan. Most of them were pre-college students who attended non-accredited Japanese-language schools. Under the strong initiative of then Prime Minister Yasuhiro Nakasone, the government initiated the 100,000 Foreign Student Program for the 21st Century in 1983. As the name

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[22] Japan's Nationality Law operates on the principle of blood lineage (*jus sanguinis*,) not of birthplace (*jus soli*). Apparently, this principle provides a rationale for the special treatment of foreign nationals with Japanese ancestry. The Immigration Bureau's 1998 report on immigration control, for instance, rationalizes special measures taken for "foreigners who 'share blood with Japanese society'" (*Hōmushō Nyūkoku Kanri Kyoku,* 1998, p. 95).

suggests, the program was designed to bring in 100,000 foreign students at the turn of the century. As the Japanese economy gained global presence, Nakasone reportedly felt the need to "internationalize" Japan's educational system on a par with other G-7 countries by accepting 50,000 foreign students (as in the United Kingdom) by the early 1990s and 100,000 students (as in France) by 2000. To this end, the Justice Ministry simplified the administrative procedures for issuing pre-college student visas in October 1984. The streamlined immigration procedures contributed greatly to boosting the number of pre-college students from 2,556 in 1982 to 35,107 in 1988. Of them, over 28,000 were Chinese nationals. A large number of Chinese students came to Japan for study during this period because the Chinese government relaxed its visa restrictions on those studying abroad at their expense at the end of 1985 (Xi, 2002, p. 159). Concomitantly, the number of Japanese language schools soared around 1986 and amounted to 414 in 1990 (Tanaka, 1995, p. 1990). As of May 2003, 10, 9508 foreigners were admitted into Japan as students (Kitamura, 2004, p. 60).

Table 2.3: Number of foreign nationals who newly enter Japan on college or pre-college visas (1982-1992)

Year	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992
College	3,410	3,912	4,329	4,797	5,419	5,812	6,435	7,777	9,528	9,620	10,368
Precollege	2,556	3,448	4,140	8,942	12,637	13,915	35,107	18,183	20,851	20,654	27,367

Sources: *Hōmu Daijin Kambō Shihō Hosei Chōsabu,* 1983-1988, *Nyūkan Kyōkai,* 1989-1993; *Gurūpu Akakabu*, 1989, p. 29

Japanese language schools are often indicted as fronts for bringing in illegal unskilled laborers (Spencer, 1992, p. 764). A considerable number of pre-college foreign students are believed to enter Japan for the purpose of work partly because Japanese schools aggressively recruit students from overseas with the promise of employment (Komai, 1993/1995, p. 55). In

some cases, people linked with brokers in the entertainment business run Japanese language

schools and recruit female students to work as hostesses and dancers (*SS*, 1988, May 9, cited in

Komai, 1993/1995, pp. 55-56). In a similar vein, Sakai (1989) charges:

> [O]ften enough, school managers have little, if any, connection with or interest in
> language education, given their prime occupations as real estate agents or bar owners
> and their preoccupation with the importation of cheap labor through their language
> schools. By and large, many Japanese-language schools do not deserve to be called
> educational facilities. (p. 411)

All in all, while the Japanese government has steadfastly refused to allow the

employment of unskilled foreign workers to date, the revised immigration law and the attendant

policy changes have crystallized the three legal loopholes for the *de-facto* entry of unskilled

foreign workers: *Nikkeijin* workers, trainees, and students (Athukorala and Manning 1999, p.

51). Partly due to these loopholes, the 1990 immigration law proved largely ineffective in

stemming the tide of clandestine migration (Mori, 1997, p. 102). As a result, the number of

"illegal" foreign workers continued to rise until the mid-1990s.

2.4   RECENT TRENDS AND CURRENT STATUS OF LABOR MIGRATION IN JAPAN

As the Japanese economy slipped into a deep recession in the early 1990s, the anti-immigration

sentiment began to arise among the general public. Yet the prolonged economic stagnation has

had little impact on the inflow of undocumented foreign workers (Watanabe, 1998, p. 235).

While the number of foreign workers has been declining since the mid-1990s, Watanabe (1998)

attributes it to tighter immigration control measures rather than the ailing economy (p. 235).

The Japan Immigration Association places the number of registered foreigners at

approximately 1.85 million as of December 2002 (*Nyūkan Kyōkai,* 2003, p. 3). They account for

1.45% of the total population (p. 3). Koreans compose by far the largest ethnic group with a population of 632,405, followed by Chinese (381,225), Brazilians (265,962), and Filipinos (156,667). About 40% of the registered foreigners are permanent residents, the majority of whom are former colonial immigrants from Korea and Taiwan and their descendants (see Tables 2.4-2.5).

Table 2.4: Stocks of Foreign Population by Nationality as of December 31, 2002

Country	N/S Korea	China	Brazil	Philippines	Peru	USA	Thailand
Number	625.422	424,282	268,332	169,359	51,772	47,970	33,736
Percentage	33.80%	22.90%	14.50%	9.10%	2.80%	2.60%	1.80%

Country	Indonesia	Vietnam	UK	Others	Total
Number	21,671	21,050	18,508	169,656	1,851,758
Percentage	1.20%	12%	1.00%	9.10%	100%

Source: *Hōmushō Nyūkoku Kanri Kyoku,* 2003, p. 33

Table 2.5: Number of Permanent Residents, Long-term Residents, and Foreign Workers as of December 2002

	Permanent resident		Long-term resident	Foreign workers
Number		713.775	522,746	179,639
Breakdown	Special	489,900	a. 271,719	
	Others	223,875	b. 7,576	
			c. 243,451	

Notes: 1. a. = spouse or child of Japanese national, b. = spouse or child of permanent resident, c. = others (mostly *Nikkeijin*)
2. Foreign workers denote registered foreigners with work permits
3. The category of "others" composes mostly of accompanying family members, students, and trainees.

Source: *Nyūkan Kyōkai,* 2003, pp. 14-21

Japan's tight immigration policy is evident in light of the percentage of foreign workers in the total labor population. The Ministry of Health, Labor, and Welfare estimates that some

710,000 foreign workers, legal or illegal, reside in Japan as of 2002 (Suzuki, 2004, p. 42). They represent a meager 0.2 percent of the total work force in Japan, which is remarkably low compared with 6.0% in France, 8.8% in Germany, and 12.4% in the United States (see Table 2.6 on the next page). Of all the foreign workers in Japan, approximately 180,000 possess work visas. Conversely, over 530,000 foreign nationals are believed to stay in Japan as so-called "simple laborers," the type of workers the Japanese government has officially never admitted. Although the number of foreign workers is strikingly small relative to other industrialized countries, the government and the public are increasingly wary of a recent upsurge in "illegal" foreign workers (Komai, 1999/2001, p. 29).

Table 2.6: Percentage of Foreign and Foreign-born Labor Force in the Total Labor Population in Selected OECD Countries (listed in alphabetical order)

Country	Number (in thousands)	Percentage
Austria	345.6	10.5%
Australia*	2364.5	24.5%
Belgium (1999)	387.2	8.9%
Canada* (1996)	2839.1	19.2%
France	1577.6	6.0%
Germany	3546	8.8%
Italy	850.7	3.6%
Japan	154.7	0.2%
Korea	122.5	0.6%
Netherlands (1998)	235	3.4%
Switzerland	717.3	18.3%
United Kingdom	1229	4.4%
United States	17,400	12.4

Note: * denotes figures of foreign-born labor force   Source: SOPEMI, 2003, p. 298

The exact figures of "illegal" foreign workers are unknown, but according to OECD's report, "illegal" foreign workers are estimated to constitute one third of the total foreign workforce in Japan (i.e., 232,000 out of 710,000) (SOPEMI, 2003, p. 208; see also Table 2.7).

Table 2.7: Stocks of Foreign Workers in Japan (Excluding Permanent Residents) during 1997-2000 (in thousands)

	1997	1998	1999	2000
Total	660	670	670	710
Diplomat and official business	n.a.	n.a.	n.a.	n.a.
Foreign residents with work visas	107.3	119.0	125.7	154.7
Specialists in humanities or international Services	22.9	31.3	31.8	34.7
Entertainer	22.2	28.9	32.3	53.8
Engineer	12.9	15.2	15.7	16.5
Skilled Laborer	9.6	10.0	10.5	11.3
Instructor	7.8	7.9	8.1	8.4
Intra-company transferee	6.4	6.6	7.4	8.7
Professor	5.1	5.4	5.9	6.7
Investor and business manager	5.1	5.1	5.4	5.7
Religious activities	5.1	4.9	5.0	5.0
Researcher	2.5	2.8	2.9	2.9
Journalist	0.4	0.4	0.4	0.3
Artist	0.3	0.3	0.4	0.4
Medical services	0.1	0.1	0.1	0.1
Legal and accounting services	0.1	0.1	0.1	0.1
Trainees and working holiday makers	12.1	19.6	23.3	29.7
Estimates of *Nikkeijin* engaged in remunerative activities	32.5	38.0	47.0	59.4
Estimates of students engaged in part-time jobs	234.1	220.8	220.5	233.2
Estimates of Illegal workers	276.8	271.0	251.7	232.1

Note: Diplomats and government officials are not required to register and thus not reflected in the figures.

Source: SOPEMI, 2003, p. 207.

In the absence of precise data, the number of "illegal" foreign workers is usually extrapolated from data on foreigners apprehended for immigration law violations and estimates of visa overstayers (tabulated from a discrepancy between entry and departure records). The Immigration Bureau of the Justice Ministry estimated that 220,552 visa overstayers existed in Japan as of January 2003. Looking by nationality, Koreans topped the list at 49,874 (22.5%), followed by Filipinos (30,100, or 13.6%), Chinese (29,676, or 13.5%), and Thais (15,693, or 7.1%). While visa overstayers were predominantly women until the mid-1980s, male migrants have outnumbered their female counterparts since 1988. The majority of undocumented female migrants are believed to work in the entertainment industry as hostesses, waitresses, dancers, and prostitutes, whereas their male counterparts are filling a much wider band of occupations in construction, manufacturing, and service sectors (Douglas and Roberts, 2000, p. 7). As a result of the stricter law enforcement measures and, to a less extent, the prolonged economic depression, male migrants have been decreasing in recent years, whereas migrant women have been on a slow yet constant rise. As of 2003, a roughly equal number of male and female foreigners (52.2% and 47.8%, respectively) were considered to stay on after the expiry of their visas (see Table 2.8 on the next page).

Table 2.8: Stocks of Visa Overstayers by Sex and Nationality (1990-2003)

	1990	1991	1992	1993	1994	1995	1996	1997	1998
Total	106,497	159,828	278,892	298,646	293,800	286,704	284,500	282,986	276,810
Male	66,851	106,518	190,996	192,114	180,060	168,532	160,836	155,939	149,828
Female	39,646	53,310	87,896	106,532	113,740	118,172	123,664	127,047	126,982
Korea	13,876	25,848	35,687	39,455	43,369	47,544	51,580	52,387	52,123
Philippines	23,805	27,228	31,974	35,392	37,544	39,763	41,997	42,547	42,608
China	10,039	17,535	25,737	33,312	39,738	39,511	39,140	38,296	37,590
Thailand	11,523	19,093	44,354	55,383	49,992	44,794	41,280	39,513	37,046
Malaysia	7,550	14,413	38,529	30,840	20,313	14,511	11,525	10,390	10,141
Taiwan	4,775	5,241	6,729	7,457	7,871	7,974	8,502	9,409	9,430
Peru	242	487	2,783	9,038	12,918	15,301	13,836	12,942	11,606
Indonesia	315	582	1,955	2,969	3,198	3,205	3,481	3,758	4,692
Sri Lanka	1,668	2,281	3,217	3,763	3,395	2,980	2,783	2,751	3,071
Myanmar	1,234	2,061	4,704	6,019	6,391	6,189	5,885	5,900	5,829
Others	3,1470	45,059	83,223	75,018	69,071	64,932	64,491	65,093	62,674

	1999	2000	2001	2002	2003
Total	271,048	251,697	232,121	224,067	220,552
Male	145,225	134,082	123,825	118,122	115,114
Female	125,823	117,615	108,296	105,945	105,438
Korea	62,577	60,693	56,023	55,164	49,874
Philippines	40,420	36,379	31,666	29,649	30,100
China	34,800	32,896	30,975	27,582	29,676
Thailand	30,065	23,503	19,500	16,925	15,693
Malaysia	9,989	9,701	9,651	10,097	9,442
Taiwan	9,437	9,243	8,849	8,990	9,126
Peru	10,320	9,158	8,502	7,744	7,322
Indonesia	4,930	4,947	5,315	6,393	6,546
Sri Lanka	3,734	3,907	3,489	3,730	3,909
Myanmar	5,487	4,986	4,473	4,177	3,890
Others	59,289	56,284	53,678	53,616	54,974

Source: *Hōmushō Nyūkoku Kanri Kyoku*, 2003a, n.p.

According to the Ministry of Justice, 75.2% of those deported for violating immigration laws in 2002 were found working illegally (see Table 2.9).

Table 2.9: Number of Foreigners Deported on Charges of Immigration and Criminal Laws Violations (2000-2002)

	2000	2001	2002	2003
Total	51,459	40,764	41,935	45,910
Illegal entry	9,186	8,952	8,388	9,251
Illegal landing	748	826	789	777
Overstay	40,756	30,063	31,520	34,266
Illegal activities	476	594	859	1,119
Criminal code offenses	296	329	388	417
Illegal workers	44,190	33,508	32,368	34,325,

Sources: *Hōmushō Nyūkoku Kanri Kyoku*, 2003b, p. 54; *Nyūkan Kyōkai*, 2004, p. 69

Broken down by visa status, two thirds of the deportees in 1997 entered Japan on tourist visas, followed by students and trainees (14%) and entertainers (3%); 16% of them were believed to have entered the country unlawfully (Watanabe, 1998, p. 247).

2.5   CHAPTER SUMMARY

This chapter has provided an overview of Japan's foreign worker problem by placing it in a reasonably informed context of history and social circumstances. The reader might get the impression that insufficient attention was paid to the post-1990 period. But my historical account was deliberately left incomplete as its principal goal was to set contexts for rhetorical criticism in succeeding chapters. More historical narratives will follow as I undertake a rhetorical analysis of media portrayals of "illegal" foreign workers.

3.0   THE "BEGINNING" OF THE FOREIGN WORKER PROBLEM IN JAPAN: FORGOTTEN FEMALE MIGRANTS

3.1   INTRODUCTION

Chapter 3 investigates the gendered nature of the foreign worker problem in Japan by reconsidering how the "beginning" of the problem was narrated in the 1980s. Specifically, it puts forth three lines of arguments. First, I argue that although female migration for sex work preceded the influx of male migrant laborers, it was not perceived as a foreign worker problem. Instead, migrant women were commonly called *Japayuki-san*, and their inflow was cast as the *Japayuki-san* phenomenon (*Japayuki-san genshō*) or the *Japayuki-san* problem (*Japayuki-san mondai*) (Sellek, 2001, p. 158). This indicates that the term *gaikokujin rōdōsha* (foreign workers) is not only a racialized and class-based concept but also a gendered category. Second, the mass media resorted to the moralistic language in narrating the lives of irregular female migrants. The moralistic frame in turn circumscribed the terms of understanding female migration and induced the media to represent migrant women as trafficking victims at best, but rarely as workers whose labor rights ought to be protected. Lastly, while women's groups fought hard against the stereotypical images of female migrants as *Japayuki-san*, they left unchallenged the premise of the *Japayuki-san* discourse that posited migrant women as powerless and passive subjects. Women's groups' portrayal of migrant women as innocent victims certainly helped to highlight their sufferings, but at the price of constraining their agency. In other words, their

counter discourse was fraught with tensions between the goal of empowering migrant women and the strategy of stressing their victim status.

Japan's foreign worker problem is widely believed to have cropped up in the late 1980s as the number of newcomer male migrant workers soared. But if we follow Sellek's historical narrative, a sharp increase in male foreign workers constituted the second stage of labor migration in postwar Japan. In her account, the first wave of labor migration was marked by the inflow of Asian female sex workers from the late 1970s to the mid-1980s. As Table 3.1 shows, migrant women made up the majority of "illegal" foreign workers until 1987, although they were not labeled as such. In 1983, for example, 92.6% of foreigners apprehended for engaging in "unqualified activities" were female. Of them, Chinese, most of whom were Taiwanese, topped the list at 657, followed by Filipinos at 123, Koreans at 107, and Thais at 55 (Kawakita, 1983, p. 58). In 1985, over 90% of apprehended migrant women were found working in the sex industry (*Nyūkoku Kanri Kyoku*, 1987, p. 108). Their occupations comprised hostesses (83.1%), strippers (6.8%), and prostitutes (5.8%) (*Nyūkoku Kanri Kyoku*, 1987, p. 108).

Table 3.1: Number of Foreigners Apprehend for Immigration Law Violations (1981-1989)

Year	1981	1982	1983	1984	1985	1986	1987	1988	1989
Female	1,226	1,705	2,139	4,433	4,942	5,945	7,018	5,385	4,817
Male	208	184	200	350	687	2,186	4,289	8,929	11,791
Total	1,434	1,889	2,339	4,783	5,629	8,131	11,307	14,314	16,608

Source: Immigration Bureau of the Justice Ministry, cited in Sellek, 2001, p. 32

Even though most migrant women were exploited as cheap laborers in the sex industry in the 1980s, they were not regarded as foreign workers in the media and official documents (Sellek, 2001, p. 158). The Public Policy Research Committee (*Kōkyō Seisaku Chōsakai*)

(1991), for instance, defined foreign workers as "those who recently came to Japan from Asia or Central and South America and engage or intend to engage in unskilled jobs in restaurants, factories, or construction sites irrespective of their visa status" (p. 190). Absent from this definition were female sex workers who still accounted for a significant portion of the foreign labor population at that time. Consequently, a public discussion about the acceptance of foreign workers was geared almost exclusively towards male manual and menial laborers. Ironically, the emergence of the foreign worker problem drew public attention away from the presence of female migrants.

This chapter probes why foreign workers were associated predominantly with male manual and menial laborers in the 1980s despite the fact that the majority of migrant workers had been women until 1987. Specific guiding questions include: 1) How were female migrants depicted in the mass media in the 1980s? and 2) how did these depictions help to shape the public images of newcomer female migrants? In addressing these two questions, I explore how political and economic forces, gender, and sex factored in framing a certain pattern of labor migration as a foreign worker problem and others as peculiar issues in sex and entertainment businesses.

My contention is that female migrants received little recognition in the "foreign worker" debate because they were both materially and symbolically disadvantaged for being women, "illegal aliens," and sex workers. Migrant women workers occupied the lowest position within Japan's political, economic, and social structures in the 1980s. Their subordinate status is best encapsulated by the fact that job opportunities for migrant women were limited mostly to sex-affective types of jobs during this period. The vulnerable position of female migrant workers not only subjugated them to harsh exploitation and abuse but also placed severe constraints on their

rhetorical agency. A close examination of media portrayals of migrant women workers in the 1980s, therefore, elucidates the prominence of masculinity, the prosperity of the sex industry, and the prevalence of covert racism in contemporary Japan. As Leheny (1995) puts it, "Japan, like many other countries, has witnessed an interesting conflation of nationalism and sexuality in the past century. Power relationships are frequently embedded in sexuality, and the combination of sex markets with questions of citizenship and nationality has further highlighted these" (p. 376).

As samples of media texts, I investigate articles, commentary, and editorials on newcomer migrant women in national dailies and general-interest magazines in the 1980s as indexed by the following three databases: *Web Ōya-bunko*, *Nichigai: Magazine Plus*, and *Gaikokujin Rōdōsha Mondai Bunken Shūsei* (*Catalogue of Literature on the Foreign Worker Problem*).[23] Also subject to my analysis are books for general readers that bear on the topic of migrant women. For the purpose of comparison, I perused specialized texts—in particular, articles in labor magazines and scholarly journals—that addressed the issue of female migration. While I browsed through relevant written texts published throughout the 1980s, my analysis is primarily focused on the 1987-1989 period because these three years witnessed a drastic shift in the media's interest from the *Japayuki-san* phenomenon to the foreign worker problem.

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[23] Published by the National Diet Library of Japan and Nichigai Associates, *Magazine Plus* "covers 8,500 scholarly journals in various fields and general interest periodical titles, and provides bibliographical references to 4,850,000 articles from 1975 to the present" (California Digital Library, n.d., n.p.). According to the East Asian Library of Princeton University, *Web Ōya-bunko* is "a useful addition to Magazine plus" as it "includes over 1.7 million journal articles since 1988, collected from 370 magazines including many minor ones" (n.d.). *Gaikokujin Rōdōsha Mondai Bunken Shūsei* is a comprehensive bibliography on foreign worker problems at home and abroad compiled by the Japan Institute of Labour in March 1995. It has an independent section on female migrants under the title of "Asian migrant laborers (*'Japayuki-san,' 'Japayuki-kun'*)."

3.2   *KARAYUKI-SAN*, *JAPAYUKI-SAN*, AND FEMALE FOREIGN WORKERS

Although thousands of Asian women began to come to Japan for work in the late 1970s, they were not recognized as foreign workers. Indeed, the term *gaikokujin rōdōsha* (foreign workers) itself was rarely used in the media during this period. A keyword search on the *Asahi Shimbun* Headline Database found that the term came into popular use only in 1988 (see Table 3.2). Table 3.2 also indicates that "foreign worker problems" had been occasionally referenced in the newspaper but only as problems in other countries until 1986.

Table 3.2: Keyword Search for *Gaikokujin Rōdōsha* on the *Asahi Shimbun* Headline Database (1945-1988)

Year	Number of Articles	Countries Addressed in the Articles
1945-1965	0	n/a
1966	1	Japan
1967	1	Switzerland
1968-1972	0	n/a
1973	1	France
1974-1977	0	n/a
1978	1	Iran
1979-1982	0	n/a
1983	9	Nigeria, Ghana, & EC
1984	1	Switzerland
1985	3	Libya
1986	1	Iran & Iraq
1987	5	4 articles on Japan
1988	65	61 articles on Japan

Instead of "foreign workers," migrant women were commonly called *Japayuki-san,* or Ms. Japan-bound in the 1980s. *Japayuki-san* typically referred to unauthorized sex workers who hailed from other Asian countries. The term was coined in the early 1980s and became a buzz word around 1985 as the figures of apprehended migrant women skyrocketed (Kakiage, 1987, p.

32). *Japayuki-san* was neither an academic nor official term, but a popular expression widely used in the mass media during the 1980s.

The term *Japayuki-san* was etymologically derived from *Karayuki-san* (literally, Ms. Bound for China or Abroad), a label for Japanese women who migrated abroad as prostitutes in the late 19th and early 20th centuries. Non-fiction writer Tomoko Yamazaki (1972/1999) glosses *Karayuki-san* in her best seller *Sandakan Hachiban Shokan* (*Sandakan Brothel No. 8*):

> [T]he term *karayuki-san* is a contraction of *karahitoyuki* [a person going to Kara, i.e., China, or abroad] or *karankuniyuki* [going to China, or a country overseas]. It refers to overseas prostitutes who, from the final stages of the Tokugawa shogunate in the mid-nineteenth century through the Meiji period (1868-1911) and until the middle of the Taisho period (1912-1925) at the end of World War I, left their native country behind and traveled north to Siberia or continental China, or south to the various countries of Southeast Asia, or even to India and Africa, to sell their flesh to foreigners. These women came from all over Japan, but it is said that the great majority came from the Amakusa Islands and the Shimabara Peninsula.[24] (pp. 5-6)

Some scholars take issue with this equation of *Karayuki-san* with overseas prostitutes. For instance, by carefully tracing the historical changes in the usage of *Karayuki-san*, Mihalopoulos (1994) documents that "[t]he ways of presenting the *karayuki-san* are a very selective practice, dismissive of other competing explanations and descriptions of what the women signify" (p. 161). The historical usage of the term aside, it is clear that *Karayuki-san* was used as a synonym for overseas prostitutes in the 1980s. Labeled as *Japayuki-san*, female migrants were, therefore, inevitably associated with this image of prostitutes.

Karayuki-san were often forcibly recruited as part of Japan's imperial policy to cater to those stationed in its colonial territories in Southeast Asia. Many others willingly became overseas prostitutes in order to subsist or support their parents, siblings, and children. Yet some others were sold to pimps and racketeers and coerced into prostitution. According to Kajita

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[24] Yamazaki (1972/1999) details historical, economic, and geographical reasons for a mass exodus of *Karayuki-san* from these regions in the final chapter of *Sandakan Brothel No. 8*.

(2005), "*Karayuki-san,* together with other Japanese women who served as prostitutes elsewhere, including Siberia, Hawaii, Australia and some parts of India and Africa, were said to be the third-biggest foreign currency earner for Japan at the turn of the 20th century" (n.p.).

While *Karayuki-san* were sometimes featured in radio dramas during the 1960s (notably, radio dramas on NHK Radio 1 in 1960 and 1961), the term had not entered popular parlance until Yamazaki's *Sandakan Hachiban Shokan* became a national best seller in 1972. The book won the prestigious Soichi Oya Non-fiction Award and has been in print for over 30 years (Warren, 2000, n.p.). Following the best selling book, Yamazaki penned two more books on *Karayuki-san*: *Sandakan No Haka* and *Amayuki-san No Uta.* Together, they are called a *Karayuki-san* trilogy. In all the three works, the lives of *Karayuki-san* are dramatized as tragic tales of Japanese women who are oppressed under the dual yoke of class and gender in imperial Japan. A typical story of *Karayuki-san* as Yamazaki narrates it runs like this: "Poor families may sell daughters to a trafficker, who will buy the girl outright or provide a loan which the girl must pay trough prostitution. In some cases girls are simply kidnapped and placed in the industry" (Yamazaki, 1972/1999, ix).

Another influential writer in this field was Kazue Morisaki who put out *Karayuki-san* from *Asahi Shimbun Sha* in 1976. As with Yamazaki's works, her book was not so much an academic work as a heart-wrenching narrative on the lives of young *Karayuki-san*, particularly Okimi and her adopted daughter Aya with whom Morisaki was personally acquainted. The book was written in the first-person and interspersed with the author's commentary, which reflected the general tone of the book. For example, after recounting the pervasive practice of trafficking in young Japanese girls in the early 20th century, Morisaki (1976) confessed how hard it was to

dissociate herself from them: "It is painful to write this because I cannot help thinking of these young girls. Since I am close to Okimi-san and Aya-san, I feel like getting choked up" (p. 31).

To sum up, the lives of *Karayuki-san* were typically narrated as tragic stories involving sexual exploitation, the patriarchic family system, imperialism, young women, and poverty. Indeed, Yamazaki's and Morisaki's books became best-sellers because their almost soap-operatic narrative elicited public sympathy to the tragic fate of *Karayuki-san*. As Mihalopoulos (1994) explains:

> Yamazaki's and Morisaki's accounts [of *karayuki-san*] are persuasive precisely because they are semifictional rather than historical. They are able to draw the attention of their nonacademic/popular audiences to the plight of the *karayuki-san* and of the oppression of women in general, because the life of the *karayuki-san* was presented in such a way as to be of human rather than historical interest. Yamazaki and Morisaki are successful in addressing the silencing of women in history, not because their accounts are historically accurate, but because they claim to be "realistic" representations or unfettered "expressions" of the individuality of the women they base their narratives on. (p. 168)

Perhaps by virtue of their ethical and emotional appeals, the stories of *Karayuki-san* were frequently featured in films, TV dramas, and theater plays, including the film *Zegen* directed by Shohei Imamura in 1987 and *Seinenza*'s play *Karayuki-san* in 1990. As many of them were based on—at least inspired by—Yamazaki's and Morisaki's books, their depiction of *Karayuki-san* turned out to reach far wider audiences beyond the readers of the original books.

The obvious implication of the term *Japayuki-san* is that they are present-day *Karayuki-san*. That is, the term conjures up the image of poor Japanese women who had to sell their bodies to support their family members. Incidentally, the majority of prostitutes in Manila of the early 20th century were *Karayuki-san* from impoverished farm villages, which fueled the tendency to cast *Japayuki-san* as the obverse of *Karayuki-san* (for example, see Nishio, 1988, p. 7). The term sometimes extended to Asian brides of Japanese men, especially of farmers in rural

areas as some local governments promoted a form of arranged marriage for those who were unable to find Japanese brides (Sellek, 1996, p. 172; for a critique of this stereotypical image of Japanese grooms, see Suzuki, 2002). However defined, the term *Japayuki-san* suggested that just as poor Japanese women used to emigrate overseas for sex work, destitute Asians women were now heading for affluent Japan to work in the sex industry.

While it is not entirely futile to draw a parallel between female migrants in the 1980s and Japanese overseas prostitutes in the early 20th century, the analogy obscures the fact that the current influx of female migrants into Japan is a form of labor migration for filling job vacancies in its informal service sectors (Ballescas, 2003, p. 567). Unfortunately, the *Japayuki-san* discourse was not well suited to highlight the labor aspects of female migration. Instead, they focused mostly on the misery of poor young women who had to take sex-affective types of jobs for their family's survival. Consequently, the sexualized images of migrant women figured prominently in the mass media throughout the 1980s.

3.3 POLITICAL, ECONOMIC, AND SOCIO-CULTURAL FORCES BEHIND THE *JAPAYUKI-SAN* PHENOMENON

While economic reasons predominate in motivating labor migration across borders, a migratory process cannot be explained in economic terms alone. Rather, political, economic, historical, and cultural factors in both sending and receiving countries have combined to make Japan a magnet for prospective migrant women to the point that it is infamously called "the only country in the world for which the vast majority of women have been largely and illegally recruited for a single purpose: sexual services" (Douglas, 1993, p. 92).[25]

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[25] It should be noted, however, that a substantial number of Asian migrant women engage in sex work in other

From an economic standpoint, a huge wage gap between Japan and Southeast Asian countries encouraged would-be migrant women to choose Japan as a country of destination (see Table 2.1 on p. 41). The strong economic presence of Japanese companies in the Asia Pacific region has provided additional incentives. For example, Japan has been the largest national investor in Thailand since 1986; it also provides almost 70% of foreign aid to the country (Sellek, 1996, p. 168). The large-scale inflows of Thai women into Japan need to be understood in this light.

Culturally, as a growing number of Japanese corporations opened their branches and launched joint ventures in Southeast Asia, Japanese goods and media products came to suffuse shops, streets, and houses throughout the region. The ubiquitous Japanese goods and products in turn created the illusion of Japan as a dreamland. According to Yayori Matsui (1995b), a founder of the Asian Women's Association, "[c]onsumer culture and the cash economy . . . affect the minds of rural people [in Thailand]. They are motivated to earn money by any means and are easily cheated by agents who describe Japan as money making paradise" (p. 31). Along the same line, Yoshioka (1989) observes:

> Various aspects of Japan, not only numerous Japanese consumer goods, but also Japanese management practices in factories, Japanese department stores and their sales methods, Japanese fashion, Japanese TV programmes, Japanese actors/actresses, Japanese magazines, Japanese life-style, etc., have penetrated deeply into Thai society. (cited in Sellek, 1996, p. 169)

The image of Japan as a money making-paradise holds equally true for the Philippines (see, for example, *Newsweek*'s article "'Japayuki-san' go home" on January 19, 1987).

The flows of Asian migrant women since the late 1970s ought to be placed in proper historical perspective as well. While prostitution has been widely practiced in Southeast Asia (as

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industrialized countries as well (for example, see Thorbek and Pattanaik's edited volume *Transnational Prostitution*, 2002). To be more precise, a major difference between Japan and other countries is that employment opportunities for migrant women without skills are restricted mostly to sex-affective work in Japan.

anywhere else) throughout its history, the recent development of the sex industry in the region can be attributed chiefly to the huge presence of U.S. military bases and the massive rural-urban exodus (Itō, 1992, pp. 316-317). In particular, large numbers of women were deployed in "rest and recreation" services for the U.S. military in the Vietnam War era (Suzuki, 2000, p. 432). After the withdrawal of the U.S. forces from Vietnam, the sex industry in Southeast Asia did not shrink but rather flourished by cashing in on state-promoted international tourism and the growth of so-called package tour prostitution. As Sellek (1996) notes, Japanese male tourists were major customers in this burgeoning sex tourism (p. 170). According to Thanh-Dam (1983), "[i]n 1982 . . . more than one million Japanese tourists visited Thailand, the Philippines, South Korea, Taiwan, and Hong Kong on tours called 'trips for men only' which explicitly include visits to brothels" (p. 533).

Sellek (1996) holds that the growth of sex tourism in Asia developed highly institutionalized "networks comprising an enormous number of agents, scouts, impresarios and promoters, all of whom had dealings with tourists from Japan" (p. 170). The formation of the international social networks in sex business in turn facilitated the influx of female migrant workers into Japan. As Sellek (2001) analyzes:

> It is highly probable that the networks used for facilitating the inflow of foreign female workers intending to work in the entertainment industry in Japan were originally established when sex tourism was highly lucrative in the 1970s, and the existence of these networks was critical in fostering female migration centered on the entertainment industry in Japan. (p. 168)

Beginning in the mid-1970s, women's organizations launched vigorous protests against Japanese sex tours, first in South Korea and later in the Philippines and Taiwan (Piper, 2003, p. 738). They advocated a ban on the sex tours on the grounds that they were degrading and humiliating to Asian women (Suzuki, 2000, p. 432; Tsuda, 2002, p. 24). Such anti-sex tourism

campaigns eventually resulted in the Japanese government's intervention against the organized sex tours in the early 1980s (Suzuki, 2000, p. 432). This official counter-measure helped to curb sex tourism, but did little to uproot the international sex industry itself. Rather, "enterprising criminal groups seized the opportunity and started to bring Filipino women to Japan to work in the entertainment industry" (Tsuda, 2002, p. 24). Especially as fewer Japanese women were willing to enter the sex industry, swelling numbers of migrant women were recruited into the highly exploitative and abusive industry to fill vacancies (Komai, 1990, pp. 16-17). In view of this, the *Japayuki-san* phenomenon can be understood as the import of sexual services as international commodities (Itō, 1992, p. 319). Sellek (1996) concurs:

> It was the natural course of action to 'import' both legal and illegal female workers, since agents and others involved with the business on the Japanese side as well as the side of the sending country, not to mention the women themselves, were able to make far more profit owing to the availability and low 'purchasing costs' of such women and their much higher 'selling' price (value) in yen. (pp. 170-171)

It should also be noted that Japan has been culturally and historically tolerant of the sex industry. As Yoneda (1998) pointed out, licensed prostitution had been practiced until 1946 when the Occupation Forces ordered to abolish the system (cited in Group Sisterhood, 1998, p. 90). Japan's sex industry is still highly lucrative and omnipresent. Daily sport newspapers available at newsstands carry information and ads on nightclubs and brothels. It is not so unusual to see a businessman reading the so-called "adult entertainment" section on a train. Drawing on various studies, Ballescas (2003) estimates that Japan's sex industry rakes in $5-billion profits every year, "an amount equal to the entire defense budget of the nation" (p. 569). According to Azu (1997), the work available to migrant women in the sex business is not limited to prostitution, but encompasses a wide-range of sex-affective types of services, including risqué dancers and bar hostesses (p. 17, see also Suzuki, 2000, p. 434). Although not every job requires

direct sexual services, "the basic premise of the industry is," as Ballescas (1992) aptly puts it, "for the females to provide pleasures to the males" (p. 111).

Politics has played a significant role in shaping the current migratory pattern of female workers, too. Ballescas (2003), for instance, explains the flows of Filipino women into Japan from a political perspective:

> Filipino migration to Japan followed the Japanese reentry into the Philippines after the Second World War. The turning point in postwar Philippine-Japanese relations was facilitated by the dictatorial Marcos regime when the Philippines-Japan Treaty of Amity, Commerce, and Navigation was ratified in 1973. This treaty opened Philippine doors to massive Japanese trade and investments, making Japan a top-trading partner, foreign investor, and most generous donor of official development assistance to the Philippines. (p. 564)

She then concludes that "[m]igration could not have been possible without the open policy of the Philippines and Japanese government" (p. 565).

Lastly, there is a legal reason for fostering the employment of overseas women in Japan's sex industry. Although its immigration laws prohibit female migrants from engaging in any type of sex work, "the legal category of 'entertainers' provides a mask for a continuum of sexualized activities from singing and dancing, waitressing and hostessing, to prostitution" (Mackie, 1998, p. 605). Besides, Japan has no comprehensive anti-trafficking laws to stem the tide of human trafficking. Instead, as the Human Rights Watch charges, the government still relies on "outdated laws (such as antiprostitution legislation) and restrictive visa policies that have created 'extraordinary opportunities for profit' for those who facilitate illegal immigration into Japan" (cited in McNeil, 2004, n.p.). All in all, the large-scale entry of female migrants into Japan for sex work could be traced to these multiple, interlocking factors as well as the presence of the international networks of the sex industry.

3.4 TRACING THE "BEGINNING" OF THE FOREIGN WORKER PROBLEM

This section interrogates rhetorical dimensions entailed in narrating the "beginning" of the foreign worker problem. Its primary goal is to demonstrate that the mass media rarely portrayed the influx of female migrants as a foreign worker problem. Instead, their growing presence was by and large framed as a peculiar moral issue concerning *Japayuki-san*.

Edward Said (1975) suggests that any beginning is an act of differentiation (xiii). That is, beginning does not simply mean the start of an event or a story; rather it authorizes what follows from it and represents discontinuity from what precedes it (p. 34). If beginning is an act of differentiation, it is also a rhetorical act because rhetoric, especially the act of naming, operates to create unity and division. According to Kenneth Burke (1966), a name provides a "terministic screen" that directs our ways of seeing (and not seeing) things:

> Not only does the nature of our terms affect the nature of our observations, in the sense that the terms direct the *at*tention to one field rather than to another. Also *many of the "observations" are but implications of the particular terminology in terms of which the observations are made*. In brief, much that we take as observations about "reality" may be but the spinning out of possibilities implicit in our particular choice of terms. (p. 46)

In Burke's (1984) view, naming can never be a neutral interpretation; rather it is quintessentially a rhetorical act aimed at changing attitudes and inducing action (p. 4). Taking a cue from Burke, McKerrow conceives naming as a significant rhetorical act that both reflects and reinforces power relations in society. In the *Encyclopedia of Rhetoric* he (2001) spells out the interplay between naming and power:

> [I]n naming, one at least momentarily concretizes that which is so named, and thereby confers and confirms one's own relation to the object or person named. Power is a concomitant of naming as well, because it enacts one's relationship within (as well as potential resistance to) what the names conjure. As name changes, so does the power relation that inheres within the name employed. (p. 621)

What McKerrow suggests here is that as naming is implicated in power relations, it deserves close scrutiny in a critical rhetoric project. In a similar yet distinct line, Bourdieu (1991) holds that "[b]y structuring the perception which social agents have of the social world the act of naming helps to establish the structure of this world, and does so all the more significantly the more widely it is recognized, i.e. authorized" (p. 105).

Building on this premise, the remainder of this section seeks to show that the term *Japayuki-san* served as a terministic screen to guide the media and the public to frame the inflows of female migrants as moral—rather than labor—issues. As Suzuki (2000) observes, "[m]agazines, tabloids, and newspapers voluminously disseminated allegories of '*Japayuki*' as the 'immoral' Other, linking sex work with eroticized bodies and criminal syndicates operating in forced prostitution (Sharaku, 1983)" (p. 433). Put differently, partly because the *Japayuki-san* problem was discussed on a moral ground, the inflow of female migrants was not understood as the "beginning" of Japan's foreign worker problem.

3.4.1 1984-1985: The Birth of the *Japayuki-san* Phenomenon

The year 1979 later came to be known as "the First Year of *Japayuki-san*" (*Japayuki-san Gannen*). Due to the relaxation of overseas travel restrictions, a growing number of Taiwanese women began to enter Japan for work on tourist visas. As a result, the cases of immigration law violations for engaging in unqualified activities doubled from the previous year. The number of migrant women from Taiwan soon decreased after reaching its peak in 1982. Instead, Filipino and Thai women began to rise to prominence in apprehension statistics (Yamawaki, 1996, p. 12; see also Table 3.3 on the next page).

Table 3.3: Number of Apprehended Foreigners by Nationality (1981-1986)

	1981	1982	1983	1984	1985	1986
Total	1434 (208)	1889 (184)	2339 (200)	4783 (350)	5629 (687)	8131 (2186)
Thailand	223 (28)	412 (25)	557 (39)	1132 (54)	1073 (120)	990 (164)
S. Korea	37 (12)	132 (35)	114 (24)	61 (34)	76 (35)	119 (69)
Philippines	288 (14)	409 (13)	1041 (29)	2983 (96)	3927 (349)	6297 (1500)
China (Taiwan)	641 (107)	775 (84)	528 (85)	466 (136)	427 (126)	356 (161)
Others	245 (47)	161 (27)	99 (23)	141 (30)	126 (57)	369 (292)

Note: Figures in parentheses denote the number of apprehended male foreigners in the total.

Sources: *Hōmushō Nyūkoku Kanri Kyoku*, 1987, p. 106. The data for 1986 were taken from Sellek, 2001, pp. 32-33

The important point is that the term *Japayuki-san* did not enter popular parlance during this period. In general, Tetsuo Yamatani's 1985 documentary reportage *Japayuki-san* is credited with popularizing the term. Yamatani (1985) himself claims to have coined the term from *Karayuki-san* in 1983 (p. 285). His claim is questionable given that the term "*Japayuki-san*" was used as early as December 1981 (for example, see Mizoguchi, 1981). Whoever actually coined *Japayuki-san*, it is safe to say that the term had yet to come into popular use in the early 1980s. As a keyword search on *Nichigai: Magazine Plus* reveals, *Japayuki-san* became widely used in magazines only around 1986 (see Table 3.4 on the next page).

Table 3.4: Keyword Search for *Japayuki* on *Nichigai: Magazine Plus* (1981-2004)

Year	Number of Articles	Year	Number of Articles	Year	Number of Articles
1981	1	1991	4	2001	2
1982	0	1992	7	2002	1
1983	1	1993	8	2003	0
1984	7	1994	10	2004	0
1985	5	1995	1		
1986	33	1996	0		
1987	32	1997	1		
1988	37	1998	3		
1989	15	1999	0		
1990	1	2000	0	**Total**	**169**

Until the mid-1980s migrant women were not assigned any particular name. In the absence of a generic label, female migrants were described as young Asian women coming to Japan for "night jobs" (*yoru no shōbai*), "temporary migrant hostesses" (*dekasegi hosutesu*), and "Thai prostitutes," just to name a few (e.g. *Gekkan Jiyūminshu*, 1983, p. 168; Yoshioka, 1982, p. 45). Immigration authorities usually employed roundabout expressions such as foreign women engaged in unqualified activities (for example, see Kawakita, 1983, p. 56; Nagayama, 1984, p. 19).

Moreover, references to migrant women were mostly concentrated in official documents and political parties' magazines during the early 1980s. Both of them typically raised concerns about adverse effects the increase in female migrants could have on work ethics and public morals in Japan. A good illustration of this point is an article entitled "Tracking Down Illegal Stayers Hiding in the Sea of Neon Lights!" in the November 1983 issue of *Monthly Liberal Democrat* (*Gekkan Jiyūminshu*). Notably, female migrants tended to be portrayed as immoral

yet sexually titillating others in the article, typified by the reference to an unfounded rumor that local residents were troubled by Thai cabaret hostesses bathing half-naked on a riverbank.

As *Japayuki-san* became a popular expression in the mainstream media in the mid-1990s, it functioned to frame public discussions of female migration in certain ways. Specifically, the term induced the media to portray the influx of female migrants "as a peculiar phenomenon of the entertainment industry in Japan" (Sellek, 1996, p. 160). For example, *Shūkan Yomiuri* (*Weekly Yomiuri*) ran a three-part article on the lives of Filipino *Japayuki-san* from May through June 1984. Its suggestive title "*Japayuki-san* 'Banana White Paper'" encapsulated the general theme of the article. First, it contained sexual innuendo with "banana" being a metaphor for "penis." The title also implied that just as Japan imported bananas from Southeast Asia, it imported sex workers from the region as well. Part 2 of the article (dated May 27, 1984) explicitly stated: "'*Japayuki-san*' who are in the frontline of the sex industry has been sent to Japan one after another as if they were 'commodities' on a conveyer belt" (p. 148). As this quote illustrates, the article by and large depicted overseas sex workers as poor, naïve women being abused by their brokers. Besides, the overall tone of the article was racy and voyeuristic. In a follow-up piece in the June 3rd issue, Alice, an ex-Filipino hostess, was quoted to make a rather risqué comment: "Why do the Japanese [men] rush into sex so impatiently? Well, quick sex [with a guy] with a small penis is welcomed by me, though" (pp. 26-27). Elsewhere, Fuwa (1984) wrote that many *Japayuki-san* were "childlike" (*kodomo no yōna*), "cheerful" (*yōki*), and "incredibly jolly" (*sokonuke ni akarui*) despite the fact that they were forced into overseas sex work out of poverty (p. 365). Implicit in his portrayal was the image of female migrant women as "exotic others" who acted cheerfully even under highly exploitative conditions. To mention yet another example, *Shūkan Asahi* (*Weekly Asahi*) (1985, July-August) ran article series on the

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lives of Asian migrant workers under the title "Women who Hailed from Manila." As the title suggests, 6 out of the 7 articles were devoted to the lives of Filipino bar hostesses, strippers, and prostitutes. Interestingly, male Filipino migrants were called "foreign workers" (August 9, p. 63), whereas their female counterparts were not. Filipino women, most of whom reputedly worked in informal service sectors, were called "*Japayuki-san*," "hostesses," "prostitutes," and so on.

3.4.2 1986: *Japayuki-san* (Ms. *Japayuki*) and *Japayuki-kun* (Mr. *Japayuki*)

Female migrants continued to be labeled as *Japayuki-san* in 1986. Although the mass media began to take note of the rise in male migrant workers, they remained primarily interested in migrant women working in the sex industry. Worthy of particular mention is the article series Tochigi-based *Shimotsuke Shimbun* carried from February through March 1986. As the title "Waiting for Spring in a Foreign Country: the Circumstances of *Japayuki* in Tochigi" indicates, the series was mainly concerned with female migrants. Out of the 20 articles, the first 14 featured migrant women. Only five articles touched on male migrants; of the five, three articles addressed the problems concerning foreign *trainees*, not foreign *workers*. More important, the issue of male migrants was subsumed under the discourse of *Japayuki-san*. In the 19th article, for example, an immigration official was quoted as saying that the upsurge in male migrant workers was "a new kind of the *Japayuki* problem" (1986, March 19, p. 1). In addition, the image of *Japayuki-san* as poor Asian sex workers was prevalent throughout the article series. The first two articles, for instance, recounted the incident of Filipino dancer Christy severely beaten by a *Yakuza* gangster. When asked about her family background, she remarked: "My family consists of my mother and nine siblings. My father died of heart attack six years ago.

My mother is currently unemployed. I remit half of my 750-dollar salary to my family every month" (1986, February 22, p. 1). As the portrayal of Christy's life illustrates, the article series was generally sympathetic to migrant women. Part 9 of the series (dated March 5, 1986) printed an interview with an immigration official who felt "empty and angry" when he saw Japanese brokers pick up and drive away foreign women (p. 1). Near the end of the interview, the immigration official expressed "righteous indignation" towards the Japanese praying on foreign women and stressed the need to crack down on them (p. 1).

One notable trend in 1986 was that the media often used *Japayuki-san* as a general label for migrant workers irrespective of gender. For example, *Nihon Keizai Shimbun* on December 6, 1986 reported on the Justice Ministry's plan to introduce employer sanctions in an effort to curb the entry of "*Japayuki-san*" (p. 7). By "*Japayuki-san*," the report meant illegal foreign workers in general. *Nihon Keizai Shimbun* of January 6, 1988, by contrast, covered similar punitive measures under the heading "the Justice Ministry Will Also Set up an Investigative Committee within the Immigration Bureau; a Step to Relax the Restrictions on *Foreign Workers* [italics added]" (p. 30). Notice that the two articles used different terminology to refer to similar legislative efforts, which signaled that a discursive shift from *Japayuki-san* to foreign workers took place in these two years.

In this discursive transition period the popular media often referred to male migrant laborers as "male *Japayuki*" (*Otoko Japayuki*) or "Mr. *Japayuki*" (*Japayuki-kun*) despite the fact that few, if any, of them actually worked in the adult entertainment industry. Inyaku (1987), for instance, pointed out that it was becoming customary to dub migrant women *Japayuki-san* and migrant men *Japayuki-kun* (p. 60). Similarly, *Asahi Shimbun* of July 15, 1986 stated that male migrant workers from Southeast Asia were deemed as a male version of '*Japayuki-san*'" (p. 23).

In the article "*Japayuki* phenomenon," Usuki (1986b) also portrayed the growing presence of migrant male workers as "a 'male *Japayuki*' problem" (p. 94). These articles exemplify that the influx of migrant workers was still narrated under the discursive frame of *Japayuki* in 1986.[26] They also indicate that female migration attracted more media attention than its male counterpart at that time. In fact, Usuki's article dealt mostly with Asian migrant women and mentioned male migrant workers only in passing. Perhaps most tellingly, *Nihon Keizai Shimbun* selected "*Japayuki-san*" among the top words of the year 1986, but not "foreign workers" (December 15, 1986, p. 3). This talk-based article read:

> An indispensable subject of pictorial magazines is *Japayuki-san*. It is surprising to see Southeast Asian women in entertainment districts throughout Japan, no matter how rural the area is. The news that *Japayuki-san* was found to be infected with AIDS put a small local community into turmoil. The term *Otoko-Japayuki* has also appeared. (p. 3)

Equally important, the *Japayuki-san* phenomenon was rarely depicted as a foreign worker problem in the mass media. For example, Masao Hirai, staff writer for *Asahi Shimbun*, wrote on July 26, 1986:

> The term *Japayuki-san* who migrates from Southeast Asia for work conjures up the image of women who color nights in streets with glaring neon signs. In recent years, the number of Asian men who work in Japan on temporary tourist visas has been skyrocketing. . . At this rate, the presence of foreign workers might become a social problem as in some European countries such as West Germany. (p. 3)

Notice that Hirai distinguished the influx of female migrants from that of male migrants and regarded only the latter as a harbinger of Japan's foreign worker problem.

Probably because women still made up the vast majority of foreigners arrested for immigration law violations, the term "foreign worker" had yet to catch on in 1986. On

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[26] The gender-neutral term "illegally working foreigner" (*fuhō shūrō gaikokujin*) seems to have been preferred in official documents during this period. For example, read *The Actual Condition of Labor Brokers with Regards to Illegally Working Foreigners*, a report released by the Ministry of Justice on March 13, 1986 (cited in Utsumi and Matsui, 1988, p. 26).

November 23, 1986, the *Japan Times* ran an article on the growing cases of immigration law violations; yet nowhere was the term "foreign worker" used. Instead, the article used such roundabout expressions as "foreigners staying in Japan under circumstances other than those outlined by their visa status" (p. 2).

3.4.3 1987: A Year of Transition

Although the year 1987 witnessed growing media interests in the upsurge of male migrant workers, the issue of migration was still generally discussed under the rubric of the *Japayuki-san* phenomenon. *Nihon Keizai Shimbun* of March 9, 1987, for example reported on the National Police Agency's plan to solicit experts' insights into the "*male-Japayuki*" problem (p. 13). In a similar vein *Asahi Shimbun* of December 6, 1987 pointed to a steep rise in "*male Japayuki-san*" coming to Japan for simple labor (p. 3). In some cases "*Japayuki-san*" was still used interchangeably with unauthorized migrant workers in general (e.g. *YS*, 1987, May 3, p. 8).

While the vocabulary of *Japayuki-san* continued to dictate public discussions about cross-border migration around 1987, some media outlets, especially labor journals and progressive magazines, recognized the sexist/gender bias in the *Japayuki-san* narrative and sought to reformulate the issue of female migration as a foreign worker problem. The September 1986 issue of *Shin Chihei* (*New Horizon*) was probably one of the earliest print media that framed female migration as a foreign worker problem. In the first of a series of articles on Asian migrant workers, Kyoda (1986) of the Japan-Korea Solidarity Movement made a rigorous analysis of Japan's structural need for utilizing foreign workers. Notably, he viewed Asian migrant women as exploited, cheap laborers (p. 38). *Shin Chihei* continued to feature the issue of Asian migrant workers throughout 1987. In its September 1987 issue, attorney Yōko Hayashi

(1987b) argued that Japan's foreign worker problem was characterized by a preponderance of female sex workers: "I think that when we think about the foreign worker problem in Japan, we cannot avoid facing the fact that about 90% of the foreign workers are women and that about 90% of those [women] work in the sex industry" (p. 41). Around the same time, Kazuo Ōishi (1987) of the Philippines Study Group stressed the need for understanding the *Japayuki-san* problem from a labor perspective. Indeed, he was among few writers who maintained that the *Japayuki-san* phenomenon was essentially a foreign worker problem (p. 57). Ōishi's perceptive views, however, drew little public attention chiefly because his article was printed in the progressive journal *Impaction*.

On the whole, while the media began to pay serious attention to the upsurge of male migrant workers, a discursive shift from *Japayuki-san* to foreign workers was still underway in 1987. The use of the term "foreign worker problem" had been mostly confined to left-leaning journals until mid-1988 when the problem triggered a nationwide debate.

3.4.4   1988-1989: A Discursive Shift from *Japayuki-san* to *Foreign Workers*

1988 was a watershed year with regards to Japan's foreign worker problem. Statistically, apprehended male migrants for the first time outnumbered their female counterparts, which signaled a limit to the *Japayuki-san* discourse in capturing the reality of migratory flows (see Table 3.5). Of more importance, as large numbers of male foreigners came to Japan for simple labor, *gaikokujin rōdōsha mondai* (foreign worker problem) became a major topic of debate and commentary in political arenas and public spheres. It was also during this period that academics began to show interest in the issue of foreign workers as well (Nimura, 1992, p. 246). In short, the year 1988 was considered the "beginning" of Japan's foreign worker problem.

Table 3.5: Number of Apprehended Foreigners by Sex (1984-1989)

	1984	1985	1986	1987	1988	1989
Male	350	1,687	2,186	4,289	8,929	11,791
Percentage	7%	30%	27%	38%	62%	71%
Female	4,433	4,942	5,945	7,018	5,385	4,187
Percentage	93%	70%	73%	62%	38%	29%

Source: Immigration Bureau of the Justice Ministry, 1991, cited in Spencer, 1992, p. 757

This section first reviews policy responses to the emerging foreign worker problem and then explores how the media's interests shifted from the *Japayuki-san* phenomenon to the foreign worker problem in the late 1980s.

3.4.4.1 Policy Responses The rapid increase of male foreign workers elicited myriad responses and policy recommendations. The Labor Ministry set up the Study Group on Foreign Worker Problems (*Gaikokujin Rōdōsha Mondai Kenkyūkai*) in December 1987 (*YS*, 1987, December 13, p. 2). According to Hachiya (1990), this was the government's first policy initiative to tackle the issue of foreign workers (p. 35). Following the Labor Ministry's move, a number of similar research committees were launched within the Cabinet, political parties, ministries, employers' associations, and labor unions to weigh the pros and cons of accepting unskilled foreign workers. As Table 3.6 (on the next page) shows, most policy proposals on foreign workers were issued in 1988 or later. The dearth of policy proposals prior to 1988 indicates that the growing presence of *Japayuki-san* did not generate much policy discussion at government and business levels.

Table 3.6: Number of Policy Proposals by Business Organizations, Labor Unions, Government Agencies, and Local Governments as Indexed by the Employment Development Center

	1987	1988	1989	1990	1991	Total
Number	1	8	11	22	6	48

Source: *Koyō Kaihatsu Sentā* (Employment Development Center), 1991, pp. 145-147

Many organizations also conducted opinion surveys to grasp public opinions as well as the members' views on the employment of so-called simple laborers. Some of them even dispatched their staff to Western Europe to learn the situation of its foreign worker problem first-hand.

To give a brief summary of major ministerial responses, the Immigration Association established the Committee for Investigating the Problem Concerning the Entry of Foreign Workers in January 1988 (*AS*, 1988, January 22, p. 3); the committee issued a summary report in May (Shimada, 1994, p. 51). The Justice Ministry conducted an opinion survey inquiring about the employment of foreigners in October 1987; the survey results found that 64.5% of the respondents were opposed to the illegal employment of foreigners (Yamatoya, 1994, p. 4). Following the release of the survey, the Justice Ministry unveiled a draft of the revision to the Immigration Control Act in April 1988 (Matsumoto, 1989, p. 10; Yamatoya, 1994, p. 13). The Economic Planning Agency published the result of a similar questionnaire survey in March 1988 (Yamatoya, 1994, p. 11). Contrary to the Justice Ministry's opinion poll, the survey unveiled that about 74% of the respondents favored the conditional or unconditional acceptance of foreign workers. The conflicting results of the two surveys indicated that the employment of unskilled foreign workers was a sharply divisive issue during this period. In March 1988 the Labor Ministry's study group submitted a report entitled *Future Directions Regarding the Acceptance of Foreign Workers*. In a nutshell, the report called for wider acceptance of professionally

skilled foreigners, while restricting the entry of unskilled workers (*Rōdōsho Shokugyō Antei Kyoku*, 1988, pp. 35-40).

Around the same time, many business organizations articulated their views on the foreign worker problem. Those representing the interests of large corporations by and large took a cautious stand on the introduction of unskilled foreign workers. Alternatively, they advocated the overhaul of the trainee system or similar schemes (Komai, 1993/1995, p. 213). The Business Policy Forum Japan (*Kigyō Katsuryoku Kenkyūjo*) and the Kansai Employers' Association (*Kansai Keieisha Kyōkai*) announced their respective proposals in July 1988; both of them objected to the admission of unskilled migrant laborers (Komai, 1993/1995, p. 212). In May 1988, the Foreign Worker Problem Study Group of the Tokyo Chamber of Commerce and Industry (*Tokyo Shōkō Kaigisho*) dispatched its representatives to four European countries to learn the actual situations concerning foreign workers in Europe (*AS*, 1988, August 10, p. 26). The Tokyo Chamber of Commerce and Industry also conducted a survey in April 1988, which found that some 40% of the member companies would consider hiring unskilled foreign workers if legalized. Yet the organization remained cautious about the employment of unskilled foreign workers in its September report (Komai, 1993/1995, p. 212). The Japan Federation of Employers' Association (*Nikkeiren*), for its part, formed the Foreign Worker Problem Study Group as a sub-group of the Special Committee for Employment in June 1988. The study group's report (released in January 1989) upheld the continued closed-door immigration policy (Hachiya, 1991, pp. 142-143).

Trade unions were a bit more divided over the issue of foreign workers. The National Federation of Construction Workers' Unions (*Zenken Sōren*), which represented 385,000 construction workers, was reportedly the first trade union to address the issue in response to the

pervasive illegal employment of migrant laborers in the construction sector. According to Nimura (1992), *Zenken Sōren* took a firm stand against hiring unskilled foreign workers as early as 1986:

> In October 1986 and again in May 1987, *Zenkensōren* called on major construction companies and housing companies, 'not to make use of foreign labour as illegal workers'. This led to the first case of conflict between workers over the issue when in June 1987, an organization calling itself the *Karabaw* Group, which supports Filipino workers in Japan, complained that *Zenkensōren*'s campaign 'infringed the human rights of foreign workers'. (p. 255)

Most national trade unions including the General Council of Trade Unions of Japan (*Sōhyō*) and the Japanese Trade Union Confederation (*Rengō*) took a similar position on the grounds that the admission of simple laborers would impair the working conditions and wage levels of native workers (Weiner, 1998, pp. 16-17). In particular, *Rengō*, Japan's largest trade union, vociferously objected to the acceptance of unskilled foreign workers in its policy statements in March 1988 (Nimura, 1992, pp. 251-254). Although the position of trade unions was largely a passive one, a few trade unions such as Edogawa Union and Union Higoro expressed positive attitudes about the employment of foreign workers (Nimura, 1992, pp. 257-260). Notably, they were all small-scale unions comprised mostly of day laborers, part-timers, and employees of small businesses (Nimura, 1992, p. 260).

The upsurge in "illegal" male foreign workers spawned a heated debate among policy makers as well. Put simply, the national government opted to maintain the rigid immigration procedures, whereas some local governments called for more liberal immigration measures. The Planning and Investigation Office (*Kikaku Shingi Shitsu*) of the Tokyo Metropolitan Government represents the latter. Its June 1988 report *Towards the Formation of a City Open to the World* proposed a series of open immigration policies, including the orderly acceptance of non-skilled workers (p. 57). The Local Autonomy Research Center of Kanagawa Prefecture (*Kanagawa-ken*

Jichi Sōgō Kenkyū Sentā) made even more progressive policy suggestions in its March 1988 report *Local Governments in a Globalizing Age*. At the national level, the ruling LDP established several sub-committees in early 1988 to weigh up the pros and cons of accepting foreign workers (for a list of the committees, see Shimada, 1994, p. 51). The sub-committees' interim reports laid a foundation for the government's basic policy on foreign workers to be outlined in the Basic Plan for Employment Measures (*Koyō Taisaku Kihon Keikaku*) and the Economic Plan (*Keizai Keikaku*) in mid-1988. Both proposals basically stipulated that Japan should stay strict on the employment of foreign workers.

Importantly, the principal task of these study groups, committees, and advisory councils was to assess the advantages and disadvantages of accepting *male* foreign workers in the labor-intensive sectors. In other words, female migrants who still occupied nearly half of the foreign labor population were not their primary concerns. Although the study groups did not dismiss female migrant workers altogether, even a cursory glance at their reports revealed that the consideration of female migrants took a back seat to vigorous discussions about the acceptance of male manual and menial laborers. Unfortunately, the heated policy debate over the foreign worker problem did not help to raise awareness of female migrant workers in political arenas, business circles, and trade unions.

3.4.4.2 Media Responses As with policy makers, business organizations, and trade unions, the mainstream media began to take seriously the issue of foreign workers around 1988. Yamatoya's 1994 *Development of the Foreign Worker Problem in Japan* is a useful reference to document how the media's interest in the foreign worker problem grew in the late 1980s; for it draws on myriads of newspaper articles for charting the development of Japan's foreign worker problem from 1984 to 1992. It is telling that the volume spends only one page on the first three

years (1984-1986), five pages on 1987, and devotes the remaining 240 pages to the next five

years (see Table 3.7). This evidences that the mainstream media did not regard the upsurge of

female migrant workers as the "beginning" of the foreign worker problem in Japan.

Table 3.7: Amount of Space Devoted to Chronicling the Foreign Worker Problem in Yamatoya'
Development of the Foreign Worker Problem in Japan

Year	1984	1985	1986	1987	1988	1989	1990	1991	1992
Pages	1	1	1-2	2-6	6-46	46-122	122-164	164-207	207-246
Total	1	1	2	5	41	77	43	44	40

The media's obsession with the foreign worker problem even intensified in the next few

years to the point that "the influx of foreign workers . . . became perhaps the most discussed

social problem in the late 1980s and early 1990s" (Lie, 1994, p. 3). According to Lie (1992),

"[o]ver twenty books on the topic were published between 1989 and 1990, when countless

newspaper and journal articles as well as special programs on television appeared" (p. 39). In a

similar vein, the Kantō Lawyers' Association (1990) wrote: "It is no exaggeration that no week

goes by without coming across press reports on the foreign worker problem. Books on this topic

have been published one after another, and a special section [on this issue] has been set up in a

large book store" (p. 51). To corroborate this point, I performed title searches for *Japayuki-san*,

male *Japayuki* (*Otoko japayuki* and *Japayuki-kun*), foreign worker (*gaikokujin rōdōsha*) and

foreign worker problem (*gaikokujin rōdōsha mondai*) on multiple databases (see Table 3.8 on the

next two pages)

Table 3.8: Title Searches for *Japayuki-san*, Male-*Japayuki-san*, and Foreign Worker Problems

1. *Nikkei Telecon 21*
(***Nikkei Major Article* Database**)

Year	J	M	FWP	FW
1984	2	0	1	98
1985	0	0	1	50
1986	16	1	0	85
1987	33	1	10	128
1988	18	2	76	341
1989	8	0	93	548
1990	4	0	101	576
1991	2	0	63	525
1992	6	0	39	520
1993	2	0	28	297
1994	1	0	13	154
1995	0	0	7	92
1996	3	0	2	66
1997	1	0	1	61
1998	0	0	0	58
1999	0	0	2	61
2000	0	0	4	66
2001	0	0	4	87
2002	0	0	1	66
2003	0	0	3	46
2004	1	0	4	113
Total	**98**	**4**	**453**	**4038**

2. *Yomidasu Bunshokan*
(***Yomiuri Shimbun* Database**)

Year	J	M	FWP	FW
1984	n/a	n/a	n/a	n/a
1985	n/a	n/a	n/a	n/a
1986	22	2	0	3
1987	45	5	2	15
1988	59	10	38	109
1989	19	1	36	116
1990	3	0	68	153
1991	6	0	33	159
1992	5	0	32	188
1993	8	0	18	140
1994	3	0	5	77
1995	0	0	11	60
1996	4	0	1	32
1997	3	0	5	16
1998	1	0	2	36
1999	2	0	1	46
2000	0	0	2	57
2001	1	0	6	62
2002	1	0	3	43
2003	0	0	5	65
2004	2	0	7	67
Total	**184**	**18**	**275**	**1444**

3. *Mainichi Shimbun Kiji Jōhō*

Year	J	M	FWP	FW
1984	n/a	n/a	n/a	n/a
1985	n/a	n/a	n/a	n/a
1986	n/a	n/a	n/a	n/a
1987	27	0	2	13
1988	20	0	23	63
1989	0	0	22	74
1990	0	0	26	115
1991	3	0	38	184
1992	3	0	21	152
1993	2	0	12	107
1994	4	0	14	128
1995	4	0	11	77
1996	5	0	7	88
1997	2	0	6	80
1998	3	0	4	72
1999	2	0	1	54
2000	1	0	4	68
2001	0	0	4	66
2002	0	0	0	64
2003	0	0	3	81
2004	3	0	4	75
Total	**79**	**0**	**202**	**1595**

4. *Kikuzō* (*Asahi Shimbun* & *AERA* database)

Year	J	M	FWP	FW
1984	1	1	0	2
1985	7	0	0	16
1986	35	2	0	16
1987	39	2	1	22
1988	57	8	52	182
1989	29	2	59	312
1990	11	0	70	389
1991	9	0	57	429
1992	7	0	72	522
1993	2	0	46	307
1994	8	0	17	217
1995	5	0	21	150
1996	3	0	6	112
1997	4	0	6	124
1998	4	0	4	97
1999	2	0	7	101
2000	1	0	5	116
2001	0	0	6	119
2002	3	0	5	78
2003	1	0	3	101
2004	1	0	4	78
Total	**145**	**15**	**441**	**3490**

5. *Nichigai: Magazine Plus*

Year	J	M	FWP	FW
1975	0	0	1	1
1976	0	0	0	1
1977	0	0	0	4
1978	0	0	2	3
1979	0	0	0	1
1980	0	0	1	0
1981	1	0	0	9
1982	0	0	0	19
1983	1	0	3	14
1984	8	0	0	6
1985	6	0	8	8
1986	37	2	1	27
1987	32	1	2	28
1988	44	9	150	401
1989	16	0	118	442
1990	1	0	184	607
1991	6	0	75	441
1992	7	0	154	558
1993	8	0	87	336
1994	11	0	68	238
1995	1	0	20	83
1996	0	0	7	46
1997	1	0	8	61
1998	3	0	7	65
1999	0	0	7	49
2000	0	0	8	77
2001	0	0	8	63
2002	4	0	16	77
2003	0	0	20	62
2004	0	0	10	68
Total	**187**	**12**	**965**	**3795**

Notes:

1. J = *Japayuki*, M = Male *Japayuki*, FWP = Foreign Worker Problem, FW= Foreign Worker

2. Figures under J, M, FWP, and FW denote the numbers of articles.

3. All the searches were conducted on July 25, 2005. The key words used for the searches were 1) *Japayuki* (for *Japayuki-san*), 2) *Otoko-Japayuki*, *Japayuki-kun*, and *Danseiban Japayuki-kun* (for Male-*Japayuki*), 3) *gaikokujin rōdōsha mondai* (for foreign worker problem), and 4) *gaikokujin rōdōsha* (for foreign worker).

A few comments on the findings are in order. To begin with, the data show that the media coverage of the *Japayuki-san* phenomenon was concentrated around the 1986-1989 period. The term itself has been rarely used since then partly because it was denounced as a pejorative term. The keyword searches also unveil that the foreign worker problem has been far more frequently reported than the *Japayuki-san* phenomenon. This suggests that the media took the inflows of male migrant workers far more seriously than their female counterparts. More important, increased attention to the foreign worker problem corresponded with the declining coverage of *Japayuki-san*, which indicated that the media's interest in migrant women subsided in the wake of a nationwide debate over the foreign worker problem.

Public opinion surveys conducted by the Prime Minister's Office (*Sōrifu,* henceforth PMO) also reflected this discursive shift from the *Japayuki-san* phenomenon to the foreign worker problem. The PMO's first opinion survey on this subject matter was carried out in 1980 under the title *Public Opinion Survey Concerning the Entry and Stay of Foreigners*. As the title attests, the term "foreign worker" was nowhere used in this survey. Also worthy of mention is that the survey paid equal attention to female and male migrants coming to Japan for the purpose of work. For example, the sixth question in the survey asked the respondents (N = 2,388) the following question: "Many cases have been reported that foreigners who come to Japan under the guise of tourists earn money by working as hostesses, cooks, factory workers, and manual laborers in engineering work. What do you think about this?" (n.p.). Implicit in the question was the recognition of both female and male migrants as unauthorized workers.

The second survey was conducted in 1988 under the same title with 7,648 respondents. The fact that the PMO didn't undertake a survey on this matter for eight years signified that the government didn't give serious consideration to the upsurge of female migrant workers. The

term "foreign workers" was still nowhere used in the survey. Instead, the opinion survey sometimes employed the terms "*Japayuki-san*" and "*Japayuki-kun*" to refer to "the foreigners who enter Japan as tourists and earn money by working as hostesses, manual laborers in engineering work, and factory workers" (n.p.). At the same time, questions were included in the survey asking about how "illegally working foreigners" (*fuhō shūrō sha*) should be treated or whether or not "simple laborers" (*tanjun rōdōsha*) should be accepted (n.p.). If the word choice in the 1988 opinion survey was any indication, a discursive shift from the *Japayuki* phenomenon to the foreign worker problem were underway but had yet to be completed at that time.

The third survey was undertaken only two years later with 3,681 respondents. This time, the title was changed to *Public Opinion Survey Concerning the Foreign Worker Problem*, signaling that the term "foreign worker problem" had entered popular parlance by then. Not only was the term *Japayuki-san* no longer used in the 1990 survey, but many questions about foreign workers were also tacitly gendered as they asked the respondents primarily about the acceptance of "simple laborers" in construction and manufacturing sectors.

To recapitulate the main points, this section has shown that policy makers, business organizations, trade unions, scholars, and the mass media began to pay serious heed to the issue of foreign workers in the late 1980s when the number of male migrant workers grew exponentially. However, just because they got interested in the *issue* of foreign workers in the late 1980s, it does not follow that the foreign worker *problem* had not existed until then. Indeed, a significant number of Asian women had come to Japan as *de facto* foreign workers since the late 1970s. Yet the issue of migrant women was framed first and foremost as the *Japayuki-san* phenomenon, not as a form of labor migration. Ironically, the "beginning" of the foreign worker

problem rendered the issue of migrant women secondary at best and obsolete at worst, despite

the fact that a good number of migrant women still worked in Japan.[27]

3.5   *JAPAYUKI* AND *GAIKOKUJIN RŌDŌSHA* (FOREIGN WORKERS) AS TERMINISTIC SCREENS

As Yamanaka (1993) pointed out, female migrant workers hardly became subjects of rigorous

scholarly analysis or of serious policy discussion in the 1980s; rather, they were mostly objects

of mass media attention (p. 82). Worse, the popular media too often linked the theme of female

migration to sex business, exploitation by underground brokers, and poverty in developing

countries as if migrant women were newsworthy only as poor sex workers. As Yamanaka

(1993) observes:

> Journalistic documentaries tend to be sensational appeals to curiosity, and prompt both
> sympathy and revulsion toward these Asian women. The public perceives *Japa-yuki-
> san* less as persons and more as sex objects, and associate them with their male clients
> and underworld exploiters. (p. 83).

While the bulk of literature on the theme of female migration was published in the latter

half of the 1980s, most publications reduced them to human interest stories of poor sex workers

from Asian countries. By human interest stories, I mean stories that are dramatized to arouse the

pathos and indignation of the audience or the tedious moralizing of others (Bourdieu, 1996/1998,

pp. 51-52). Besides, human-interest stories usually present public and social events as private

and individual ones. As Edelman (1988) explains:

> Human interest stories are political events because they reinforce the view that
> individual action is crucial. . . . A focus upon the "private" lives of celebrities
> underlines their significance as public figures. Stories about the heroic actions of

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[27] The media's interest in *Japayuki-san* was briefly rekindled in 1992 and 1994 owing to the mysterious death of Filipino entertainer Maricris Sioson and the confession by Ruby Moreno, an award-winning Filipino actress, that she was *Japayuki-san*.

ordinary people and the disasters from which they suffer similarly erase structural conditions form notice, even while they divert attention from the rest of the political spectacle. (p. 99)

The titles of the books on migrant women published in the 1980s illustrate that the lives of female migrants were narrated primarily as human-interest stories. As Table 3.9 shows, the word "stories" was included in many book titles (see the next page). Plus, the use of "angels," "love," "raped," and "prostitutes" in some titles illuminates the way the issues of migrant women were framed during this period. Moreover, the inclusion of personal names such as Mary and Cecil in several book titles symbolizes that these writers were inclined to spotlight the personal lives of *Japayuki-san*.

Table 3.9: List of Books on Female Migrants in the 1980s (in chronological order)[28]

Title (English Translation)	Author	Publisher	Year
Contemporary Comfort Women: From Military Comfort Women to Japayuki-san	Keiko Usuki	Tokuma Shoten	1983
Japayuki-san: Asia is a Woman	Tetsuo Yamatani	Johō Sentā Shuppan Kyoku,	1985
Angels in Bangkok	Kan Takanaka	Sanichi Shobō	1985
Japayuki-san Stories	Shinji Ishii (ed.)	JICC Shuppan Kyoku	1986
The Lives of Cecil and Her Likes	Noriko Takazawa	Asahi Shimbun Sha	1987
Japayuki-san's Now: The Issues Surrounding Foreign Workers	Hiroshi Tanaka and Ayako Miyoshi (eds.)	Shimbun Dō	1988
Raped Asia: Thai Japayuki-san Stories	Ryōsuke Mizumachi	Brain Center	1988
Migrant Workers from Asia	Aiko Utsumi and Yayori Matsui	Akashi Shoten	1988
Prostitutes Stories in Manila	Natsuko Hama	Sanichi Shobō	1988
Brides from Asia	Kyōko Shukuya	Akashi Shoten	1988
Japan Seen through the Eyes of HELP	Shizuko Ōshima and Caroline Francis	Asahi Shimbun Sha	1988
The Men who Fell in Love with Filipinas	Megumi Hisada	Bungei Shunjū Sha	1989
Japayuki Mary	Jun Hirako	Fubai Sha	1990
Accusations by the "Lapin" Case: Fighting Filipinas	*ALS No Kai* (ed.)	Takushoku Shobō	1990

Note: In compiling the list, I consulted "Catalogue of Literature on the Foreign Worker Problem" in *Journal of Ōhara Institute for Social Research* (1989), Japan Institute of Labour (*Nihon Rōdō Kenkyū Kikō*)'s *Catalogue of Literature on the Foreign Worker Problem (vol. 1)* (1995), and Kazu's Club (http://www.asahi-net.or.jp/~rx7k-mtst/fili2.htm).

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[28] For the original titles, see the bibliography under the authors.

The books listed on Table 3.9 can be roughly divided into three types. The first type of book was a personal narrative essay based on an author's intimate relationship with *Japayuki-san* (e.g. Hisada; Takazawa). While female writers mostly penned books of this type, a few men, who were typically *Japayuki-san*'s (ex-)boyfriends or regular customers, wrote about their personal experiences too. One such example was Koichi Ōya's (1986) "Marian, My Angel from a Southern Country" in *Japayuki-san Stories*. The article was a diary-style documentary on his four-month dating of a Filipino stripper. Such female writers as Hisada and Takazawa featured several *Japayuki-san* and their families and Japanese boyfriends to recount their personal lives. Notably, they often portrayed *Japayuki-san* as upbeat and wily women who used Japanese men for their financial advancement. Takazawa (1987), for instance, wrote a chapter on Eileen, a 20-year old Filipina, dating two middle-aged Japanese men at the same time. According to Takazawa, she became attracted to one of them because he owned a luxurious Toyota car and bought her a stereo set and an audio-tape player (p. 180). But Eileen was not entirely selfish because she was dating rich Japanese men and asking them for financial help in order to support her parents and siblings who were "parasitic on her" (p. 171). As Takazawa put it, Eileen willingly worked in the sex business to build a house for her parents and to buy souvenirs for her relatives and friends back home (p. 195). Another Filipina nonchalantly told Takazawa about her *Japayuki-san* life despite the fact that she was constantly exploited and abused by her boss: "I like Japan. The customers were kind. When I told a customer the truth that I got paid only 60,000 yen [$ 545] once two months ago, he tipped me out of pity. Even *Yakuza*[29] members were nice if I was nice to them too" (p. 195).

Just as important, the authors in the first category tended to typecast *Japayuki-san*'s boyfriends and husbands as either rich middle-aged men or naïve, unattractive guys unable to

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[29] *Yakuza* refers to Japanese organized crime groups. They largely control the sex industry in Japan.

date Japanese women. Nonfiction writer Megumi Hisada's works on *Japayuki-san* are illustrative of this point. In addition to her 1989 *Men who Fell in Love with Filipinas*, she also published several magazine articles on *Japayuki-san*. In "*Japayuki-san* go home" she wrote mainly about Eleanor and her boyfriend Morita. Prior to Eleanor, Morita dated a money-greedy Filipina who spent all of his savings in one month. According to Hisada, they soon broke up after he found out that she had three sex friends. Although the fault was all hers, Morita still felt guilty when he heard her saying in tears "you are the kindest and I like you . . ." (p. 191).

The second type of book was more of a journalistic report based on official data and an author's interviews with brokers, agents, and *Japayuki-san* (e.g. Hinago; Yamatani). Since most books in this category were written by male writers, they internalized a male, even voyeuristic, gaze at the subject matter. For example, many books contained graphic descriptions of *Japyuki-san*'s sexual services along with their nude or racy pictures (e.g., Yamatani, 1985). Although many authors were sympathetic to *Japayuki-san*, they didn't take any moralistic stand on the issue. Instead, they were mainly concerned with picturing the *Japayuki-san* problem as a tragic story of poor Asian women.

The third type of books generally regarded female migration as a feminist or human rights issue, seeking to highlight the problems of human trafficking, sexual exploitation, and domestic abuse that beset migrant women workers (e.g., *ALS No Kai*; Tanaka and Miyoshi; Usuki; Utsumi and Matsui). Notably, all the books but Usuki's in this category were published by small, independent publishers, which indicated that major publishing companies found the first two types of books more marketable. Consequently, the sensationalized stories of *Japayuki-san* turned out to reach far wider audiences. Usuki's works supposedly made their way into the mainstream media because they overlapped with the first two types of books in many ways. For

example, Usuki (1986b) not only denounced wicked brokers and agents for abusing migrant women, but also wrote about a naïve Japanese man who went crazy about *Japayuki-san* (pp. 36-37). Besides, she sometimes pictured *Japayuki-san* as jocular, upbeat, and sexually attractive girls as many authors in the first two types of books did (for example, see Usuki, 1983, p. 183). Usuki (1986b) even surmised that *Japayuki-san* may be living a rather full-filling life:

> The lives of *Japayuki-san* in Japan are certainly miserable and full of humiliation. But I don't think that properly captures their real images. Even though these girls are much poorer than the Japanese, it does not mean that their hearts are poor. It seems to me that their hearts are much stronger, bigger, and fresher than those of the Japanese who look slack and lazy. (p. 36)

As these texts illustrate, the popular media by and large molded the experiences of migrant women into tragic stories of sex workers from poor Asian countries. That is, their readers, mostly businessmen, enjoyed *Japayuki-san* stories not because they identified with female migrants but because they saw them as "exotic others" (cf. Hughes, 1937/2004). This is epitomized by the description of *Japayuki-san* as Asian women "adding exotic colors" to Japan's sex industry in the May 20, 1984 issue of *Weekly Yomiuri* (*Shūkan Yomiuri*) (p. 22). Indeed, the *Japayuki-san* problem became a favorite media topic precisely because *young*, *female sex workers from overseas* were quintessential "exotic others" in the eyes of Japanese men. The representation of female migrants as exotic others may partly explain why the public's interest in the *Japayuki-san* phenomenon quickly subsided in the late 1980s. As Usuki (1986) lamented,

> [T]he vast majority of Japanese would not know, think about, and socialize with them [*Japayuki-san*]. Nor would they show interest in their countries and cultures as well as the peoples. They are only interested in them as commodities, namely "how much [they would cost]." (p. 93)

By contrast, the large-scale entry of male migrant workers attracted sustained media attention plausibly because the media and the public understood it as their own problem.

Why were the lives of female migrants narrated primarily as tragic stories of overseas sex workers in the 1980s? There are two possible explanations. For one thing, the term *Japayuki-san* functioned as a terministic screen to fixate the unreflective and stereotyped image of female migrants as young sex workers from poor Asian countries. As the term was reminiscent of *Karayuki-san,* the melodramatic stories of Japanese prostitutes in the early 20th century impinged on the ways the experiences of overseas female migrants were told. As a result, the stories of *Japayuki-san* came to bear a striking resemblance to those of *Karayuki-san*. For example, Takezawa's award-winning *Cecil Tachi No Ikikata* (*The Lives of Cecil and Her Likes*) (1985) was a recollection of her personal encounters with several Filipino nightclub dancers and hostesses.[30] The narrative based on her encounter with several *Japayuki-san* was akin to Morisaki's and Yamazaki's works on *Karayuki-san* in many ways. In a *Yomiuri Shimbun* interview Yamazaki (1987, November 2) herself pointed to similarities between *Japayuki-san* and *Karayuki-san* (p. 7). The introduction to *Japayuki-san Stories* (1986) even drew an explicit analogy between *Japayuki-san* and *Karayuki-san*:

> When our country was poor, it witnessed the miseries of Japanese women called *Karayuki-san* who sold their fleshes abroad, mainly in Southeast Asia. But as they remained silent, they were left in the dark in history. . . . Now that this country has become wealthy, women from poor Asian countries keep flowing into Japan. (p. 2)

Just as the image of *Japayuki-san* led the public to conceive of female migrants in particular ways, the term *gaikokujin rōdōsha* (foreign workers) also served as a terministic screen to create "a stereotypical image among the populace that illegal migrant workers in Japan are economically motivated males who take up unskilled, dirty, difficult, and dangerous jobs" (Sellek, 2001, p. 158). Accordingly, the "foreign worker" debate centered on the pros and cons of accepting male manual and menial laborers.

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[30] *Cecil-Tachi No Ikikata* was originally printed in *Asahi Journal* on November 20, 1985. *Asahi Shimbun Sha* published it in book form in 1987.

The gendered nature of Japan's foreign worker problem may be due to four reasons. First of all, it was generally assumed from the past migration patterns in Western Europe that foreign workers were predominantly men who were later joined by their spouses (Inaba, 2004, p. 89). Against this historical backdrop few people envisaged the rise in the entry of female migrants in the 1980s as a foreign worker problem. Male dominance in political leadership, senior management positions, and academia reinforced the gender bias embedded in the existing literature on labor migration (Tōno, 1989, p. 35; Yamanaka, 1993, p. 82)

Second, sex work is an illegitimate occupation for foreign women. While many sex-affective types of jobs, including hostessing and stripping, are legal in Japan, foreigners without permanent residency or spouse visas are forbidden from engaging in any sex work. As a labor ministry official candidly stated in 1990, the issue remained unresolved if female migrants engaging in sex work ought to be recognized as laborers (Hachiya, 1990, p. 44). Hence, problems concerning female migrants were considered to fall outside the jurisdiction of the Labor Ministry. By the same token, while *White Paper on Police* made frequent use of the term "male foreign workers," it nowhere employed the term "female foreign workers" (for example, see its 1993 edition). The NPA's avoidance of the latter term probably reflected the official view that migrant women in the sex business were not legitimate workers. To further complicate matters, foreigners who enter Japan on entertainer visas are legally classified not as laborers but as "sojourners" to whom the domestic labor laws do not apply (Ballescas, 1996, p. 100). As a ranking labor ministry official once testified in a Diet session, entertainers were distinguished from "regular workers" because their work, unlike normal labor, owed a great deal to the display of their artistic talent (Koyama, 1992, p. 332). This is to say that if entertainers fight to secure their labor rights, they will have to risk deportation. Because the overwhelming majority of

migrant women engaged in sex-affective services neither socially nor legally recognized as work, they were hardly treated as workers worthy of protection.

Third, Sellek (2001) cites Japan's cultural norm that "consider[s] a woman's primary role to be that of a housewife/mother and not that of a wage earner" (p. 38). Partly because this cultural norm persists, "NGOs and other not for profit community groups tend to support primarily concerns of male workers (e.g. injury at the workplaces and unpaid wages)" (Stevens and Lee, 2002, p. 100). Perhaps for similar reasons, labor unions have been inattentive to the exploitation of sex workers, native or not. As Ōishi (1987) charged, the Socialist Party, the Communist Party, and those involved in labor movements showed little interest in the *Japayuki-san* problem and left it mostly to Christian women's groups (p. 53). Sex workers, for their part, face almost insurmountable obstacles in organizing for their labor rights because of the clandestine nature of their occupations. To my knowledge, no sex workers' union has been established in Japan. While the first advocacy group for sex workers' rights *Sex Workers! Encourage, Empower, Trust and Love Yourselves* (SWEETLY) was founded in 1996, little has been known about the nature, size, and activities of the group.[31] In short, the marginal status of women within the labor market and the lack of unionization in the sex sector greatly discouraged migrant women workers from campaigning for their rights in the 1980s.

Lastly, since migrant women were actually more vulnerable to coercive migration than their male counterparts, they were seen more as trafficking victims than as autonomous actors in sympathetic accounts of female migration (Inaba, 2004, p. 90). Even though, the emphasis on their "victim" status does not necessarily preclude the recognition of migrant women as laborers, the issues of trafficking and sex work have long been neglected within the existing literature on labor migration (Piper, 2003, p. 724). It is instructive that "Basic Knowledge in Considering the

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[31] For a brief profile of SWEETLY, read an article by Momocca Momocco (1998), a co-founder of the group.

Foreign Worker Problem," a column in the 1993 edition of annual *Issues for Japan* (*Nihon No Ronten*)[32] made no mention of female migrant workers (pp. 238-239). Instead, female migration was usually cast as a problem affecting public morals and decency in official documents and popular texts alike (for example, see *Sōrifu*, 1986, p. 141). Partly because the rise in female migrants tended to be discussed from a moral standpoint, neither the government nor the industry paid much attention to them in the midst of a heated debate on foreign workers (Hachiya, 1990, p. 44).

In the absence of formal support, Christian women's groups were among the few organizations that vigorously spoke out for distressed migrant women (Shipper, 2001, p. 278). Notably, many of the groups had taken active part in anti-prostitution movements before they extended support to newcomer migrant women. Prominent in this respect was House in Emergency of Love and Peace (HELP), a Tokyo-based women's shelter founded in April 1986 by the Japan Women's Christian Temperance Union (WCTU). WCTU has been involved in anti-prostitution campaigns since its inception in 1886 (*YS*, 1986, December 17, p. 13; see also Pak, 1998, p. 206); it even had a history of providing shelters for *Karayuki-san* (International Labour Organization, 2004, p. 56). Hence the abolitionist viewpoint defined the terms of WCTU and many other Church-based groups' discourse on female migration. As Shipper (2002) explains:

> Japanese women assist foreign women for two reasons. First, many of these groups are Christian-influenced and thus hold Christian values on fidelity. They hope to sway other Japanese people's views on prostitution by pointing to various abuses that foreign women face due to their disadvantaged positions. Second, they are part of the women's movement in Japan that seeks sexual equality and the protection of women rights. (pp. 27-28)

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[32] *Nihon No Ronten* is published by *Bungei Shunjū Sha* and billed as a collection of articles on hot issues in contemporary Japan.

Specifically, women's groups situated the *Japayuki-san* phenomenon in the context of global human trafficking and attributed its root cause to the international sex tourism in the 1970s. In other words, by highlighting institutionalized violence and deep-rooted sexism inflicted on woman migrants, they sought to counter the media's inclination to privatize, personalize, and thereby trivialize the *Japayuki* phenomenon as human interest stories. For example, the September 18, 1987 issue of *Ekonomisuto* (*Economist*) printed an interview with Shizuko Ōshima, then director of HELP. In the interview she registered her objection to reducing the image of female migrants to *Japayuki-san* and treating them as criminals (pp. 48-49). Alternatively, she claimed that female migrants should be treated as victims of organized prostitution who were coerced to work like "slaves" (p. 49). Likewise, the January 1990 issue of *Sekai* (*The World*) carried an interview with Mizuho Matsuda of HELP. As she put it, Thai women were typically forced to sell their bodies until they paid back a three million yen ($27,000) debt; some worked under complete surveillance so that they would not escape (p. 80). Seen in this light, the reality of female migration, Matsuda continued, was but "human trafficking" (p. 81).

Rhetorically, women's groups presented emotionally intense stories and images of female migrants in an effort to elicit public sympathy and support. Their rhetorical strategies were encapsulated in the inaugural issue of *Voices from Japan*, the English-language newsletter published by Asia-Japan Women's Resource Center. In the article entitled "Trafficking in Asian Women and Prostitution in Japan" Matsui (1995b) detailed the suffering of migrant women working in the sex industry. The article started out with excerpts from letters two Thai sex workers wrote to their lawyers and support group members. They were both held in detention centers accused of murdering their bosses. A Thai woman confessed in a letter that she was sold

three times and forced to sleep with men even during menstruation to pay back a debt she wasn't

aware of (p. 29). After stressing her wretched conditions, the Thai woman went on to appeal to

the reader's sympathy: "I was intimidated, fearing that when I escaped, I would be traced and

killed, and my parents in Thailand killed as well" (p. 29). Matsui then offered a sympathetic

account of why the Thai women were driven to stab their boss to death. In her estimation the

Thai women "were always under surveillance," "had to endure violence, abuse, slander,

confinement and, above all, forced prostitution," and "had killed the boss in order to escape from

sexual slavery" (p. 30). After citing two more murder cases involving Thai women, Matsui

spoke of their slave-like working conditions in more general terms:

> Trafficking in Thai women is organized systematically. . . . They are treated not as
> human beings, but as mere commodities from which recruiters, brokers, bar owners
> and other related agents extort a huge profit. This is why the women are confined like
> slaves, and if they try to escape are severely punished by beating, being burned by
> cigarettes, rape, and psychological intimidation. Still, some successfully escape. . . .
> And those who fail to escape, take the tragic method: murder. (pp. 30-31)

By comparing Thai sex workers to slaves, Matsui pleaded the extenuating circumstances that

drove the two women into murdering their bosses. Whether or not this was a typical case of

migrant women in Japan during the 1980s, it was a typical story women's organizations told

about them.

Although female migrants received far less public attention than their male counterparts,

women's organizations were not alone in speaking out for them. Several human rights groups,

among others, advanced similar arguments out of concern for the rights of migrant women. For

example, the Kantō Lawyers' Association (1990) urged the government to take active measures

to protect the rights of female migrants, contending that most of them were duped into

prostitution:

> Those [Filipina and Thai] women from these [rural] areas (as with those from such

urban areas as Manila) are hardly informed of what they are really going to do in Japan. . . . The Philippines is a Catholic nation and Thailand is a Buddhist nation. Those who worked as prostitutes in Japan must conceal the fact. Because recruiters cook up stories and those who returned from Japan won't talk about their true experiences, migrant women are handed over to recruiters without knowing anything about Japan. (pp. 58-59)

Finding such an emotive story newsworthy, the mainstream media often echoed the plight of innocent, powerless female migrants as women's organizations and human rights groups narrated it. One such example is an article in the December 17, 1987 issue of *Shūkan Shinchō* (*Weekly Shinchō*) on the apprehensions of Thai *Japayuki-san* in Chōshi City. Despite the fact that the Thai women were law violators, they were generally depicted as pitiful, frail women (p. 28). This does not mean, however, that the media representations of migrant women always jibed with those by grassroots organizations. As shown earlier, migrant women were as likely, if not more, to be depicted as calculating, cheerful, and even cunning women who would willingly use their sexual charms to cheat naïve, gullible Japanese men. In this instance female migrants might be portrayed as those who struggled to improve their lives under highly exploitive working conditions. But they were in no way seen as capable of resisting the oppressive conditions themselves. Interestingly, the ostensibly contradictory images of migrant women as cunning, jocular sex workers and helpless, innocent victims shared one underlying assumption: In both cases they were not represented as active social agents who were able to speak up against their plight and claim their own rights. Besides, both strands of narratives had all the elements necessary for heart-wrenching human-interest stories: poverty, exploitive employers, debt-bondage, deception, and sex. The term *Japayuki* gained popularity plausibly because it captured all of these elements.

The struggle of women's groups to counter the stereotypical image of female migrants was definitely laudable, but their narrative was not without its problems. That is, while women's

groups did a good job of resisting the objectification of migrant women as commodities in sex businesses, they didn't do much to have them recognized as legitimate workers. For they moralistically maintained prostitution as an illegitimate occupation. Shizuko Ōshima (1988) of HELP, for instance, furiously rebuffed the view of overseas sex workers as willing participants in the sex trade:

> Not a few Japanese arrogantly state that "they [overseas sex workers] came to Japan, knowing that they would work as prostitutes." But if I recall the pain and agony of each and every woman I met in HELP, I can in no way subscribe to such a ridiculous discourse. I don't think that promoters and recruiters are the only villains. I think those Japanese who are around them and pretend not to see the plight [of overseas sex workers] are also accomplices. (in Miyoshi, 1988, p. 103)

Women's groups, as typified by this quote, seldom addressed the issue of migrant women in the context of global labor migration. Consequently, the voices of female migrants were selected to support their political cause, and their life experiences were reworked through the eyes and words of women's groups.

By saying this, I don't mean to blame women's groups for the misrepresentation of migrant women. There was little doubt that female migrants were actually more susceptible to trafficking than their male counterparts. Moreover, by acting as outspoken advocates and alternative sources of information, women's groups helped to raise public awareness that irregular female migrants were triply disadvantaged for being women, illegal aliens, and trafficking victims. HELP, above all, served as an invaluable primary source for many media outlets (for example, see *Yomiuri Shimbun*'s report on forced prostitution, unpaid wages, and human right infringements against foreign women on April 22, 1988). If it were not for women's groups, many more female migrants would have had to endure horrible exploitation and abuse in silence.

Still, it is important to illuminate the dilemma facing women's organizations in dealing with the *Japayuki-san* problem. According to Tōno (1989), some women's groups acknowledged that the legalization of simple laborers, including sex workers, would help to protect their human and labor rights at least in the short term. Nevertheless, they generally opted to place female migration in the context of international human trafficking because they considered the admission of simple laborers tantamount to condoning prostitution as a form of legitimate work (p. 36).

Their abolitionist views on prostitution led women's groups to picture migrant women as helpless victims rather than "foreign workers." In particular, they argued that since migrant women were weak and powerless, they must be rescued as victims. It is telling that women's shelters were often called *kakekomidera* (literally "temples to run into for refuge"). According to Tsuda (2002), the term was reminiscent of feudal times "when peasants took refuge in local temples in times of social and political crisis" (p. 24). Yokohama Women's Association (1997) defined the term more narrowly as "Buddhist temples which provided, in feudal times, refuge for distressed wives or victims of forced marriages and obtained divorces for them" (n.p.). Either way, the use of the term *kakekomidera* suggested that just like peasants or women in feudal times, female migrants were now subjugated to unscrupulous exploitation by money-greedy brokers and agents. Along this line, Matsui (1995a) underscored the vulnerability and submissiveness of Asian migrant women, claiming that "[t]hey are in no position to resist their employers' demands or to fight for their rights" (p. 311). In a similar vein, attorney Yōko Hayashi (1987a) maintained that no Asian woman she had spoken to engaged in prostitution of their own will (p. 37). As a matter of fact, "they were duped, threatened, and beaten [into prostitution]" (p. 37). In an effort to challenge the popular image of *Japayuki-san* as "those who

voluntarily came to Japan for working illegally and making quick money in a short time" (p. 37),

she emphasized the innocence of young migrant women who were forced into prostitution.

Hayashi opened the article by recounting the tragic story of Kitty, a 18-year old Filipina. The

story ran like this: Kitty came to Japan on a tourist visa, believing that she would work as a

waitress and get paid 100,000 yen ($900) a month. When her boss told her to perform sexual

services, Kitty resisted. Even when forced to go to a hotel with a customer, she cried and refused

to have sex. Infuriated by Kitty's behavior, her boss raped her. That was her first sex. Even

though Kitty had engaged in sex work for two months, she had never gotten paid. Luckily, Kitty

managed to escape from her slave-like workplace and asked K, a member of a local Christian

group, for help. K requested Hayashi to "rescue" Kitty and six other Filipinas (aged 15 through

18) who were "virtually held in confinement" (p. 34). Women's groups maintained that a girl

like Kitty was a typical female migrant in Japan. For example, Yūko Abe (1993) of *Mizula*, a

female migrant support group, argued that since most female sex workers, especially from

Thailand, were confined and monitored, only a few of them were able to escape and seek the

group's help (p. 37). By implication, the majority of migrant sex workers suffered even more

than Kitty.

The representation of sex workers as innocent victims, however, has a serious drawback.

As Dozema (1998) holds, it "shows an underlying rejection of prostitution as a profession—no

'normal' woman would choose the work [of prostitution] unless 'forced' by poverty" (p. 44). It

follows that unauthorized migrant women deserve legal protection as innocent victims of forced

prostitution, not as legitimate workers. In other words, the rhetoric of protection, though morally

appealing, does not help female migrants working in the sex industry to secure labor rights. As

Delmeitner (2001) puts it:

Although compelling depictions of victimhood may be able to counteract the negative constructions of the women, they also carry with them dangers as they construe women generally as helpless and in need of rescuing. Since many migrant women do not fit this image, they are unlikely to benefit from a framework that aids only the "typical" victim. Therefore, the depiction of trafficking victims as victims may not provide substantial assistance to most of the women. (pp. 258-259)

While women's groups insisted that most migrant sex workers were duped into the sex trade and treated as "commodities," several academic studies showed that the majority of them knew about the nature of work they would have to do in Japan (e.g. Watanabe, 2000). Similarly, Yoshioka (1988) pointed out that many migrant women could have made a living in their countries of origin; nevertheless they decided to come and work in Japan for higher wages (p. 14, p. 18). Although few disagreed that most migrant sex workers were not fully informed of the terms and conditions of work and the situations of debt-bondage, the homogenized image of unauthorized female migrants as trafficking victims did not fully capture the real situation of female migration in the 1980s.

All in all, whereas women's groups successfully highlighted the plight of female migrants by telling heart-wrenching stories, their counter discourse was neither empowering nor appealing to many women migrant workers. For it elevated migrant women to the status of deserving victims at the price of leaving out the voices of those who wanted to claim their labor rights. According to Watanabe (2000), "the main reason Thai women do not seek help at Catholic churches seems to be . . . that those churches, as well as women's organizations in the case of feminism, are not always sympathetic towards sex workers because of their views against prostitution" (p. 329). In similar fashion, Piper (2003) suggests that the activities of women's groups focus mostly on anti-prostitution campaigns and thus create some unease among the Filipino women (p. 740). Seen in this light, it was problematic for women's groups to generalize

the experiences of female migrants from a selective sample of prostitutes who absconded from their exploitive employers and brokers.

3.6   MEDIA REPRESENTATIONS OF FEMALE MIGRANTS SINCE THE 1990s

The *Japayuki-san* discourse in the 1980s foregrounded the sexuality and poverty of young migrant women. This discursive frame stayed long after the term *Japayuki-san* became obsolete. The December 5, 1995 issue of *Mainichi Shimbun,* for example, observed that Filipinos were still subject to harsh discrimination and prejudices in part because the stereotyped image of *Japayuki-san* resonated so strongly (n.d.). This indicates that once the *Japayuki-san* discourse set the parameters for the narrative construction of migrant women, the term *per se* mattered little.

The mass media began to refrain from using *Japayuki-san* around 1990 largely because the term was denounced as derogatory and offensive (see Table 3.8 on pp. 86-87). Lie (2001) ascribed their decision to the shifting gender composition of foreign workers and progressive intellectuals' public protests (p. 20). Equally important was ethnic groups' movements to extirpate the use of the term (see, for example, *YS,* 1988, May 3, p. 27). The disappearance of *Japayuki-san* from the media discourse, however, did not lead to the decline of female migration for sex work. Even though the number of apprehended female foreign workers momentarily decreased since it peaked in 1987, it took an upward turn again in 1990 (see Table 3.10 on the next page). Besides, the temporary decrease in unauthorized female migrant workers was largely a result of tightening immigration measures targeting the sex industry (for details on this point, see former Tokyo Immigration Bureau chief Hidenori Sakanaka's *Nyūkan Senki*).

Table 3.10: Number of Apprehended Foreign Workers by Sex (1990-2003)

	1987	**1988**	**1989**	**1990**	**1991**	**1992**	**1993**	**1994**	**1995**
Male	4,289	8,929	11,791	24,176	25,350	47,521	45,144	40,029	32,106
Female	7,018	5,385	4,817	5,708	7,558	14,640	19,197	19,323	17,328

	1996	**1997**	**1998**	**1999**	**2000**	**2001**	**2002**	**2003**	
Male	31,160	25,781	24,808	26,418	23,949	19,313	18,610	20,274	
Female	16,625	15,823	15,727	19,840	20,241	14,195	13,754	14,051	

Sources: Sellek, 2001, p. 33; *Hōmushō Nyūkoku Kanri Kyoku* (Immigration Bureau of the Justice Ministry), 2004, p. 75

Furthermore, while the case for doing away with the term *Japayuki-san* was well grounded, it did not help much to improve the public image of migrant women. Rather, the media's avoidance of the term was less an indication of their heightened sensitivity to female migrants than their lack of concern for their plight. As JNATIP and F-GENS (2005) noted, the problem of trafficking in migrant women was rarely reported throughout the 1990s unless they got involved in such shocking incidents as murders (pp. 9-11). When the media occasionally covered the issue of female migration, they continued to place it in the context of sex trade. Sometimes, undocumented foreign women were even blamed for corrupting "public morals." Perhaps most illustrative of this point was then Justice Minister Seiroku Kajiyama's political gaffe in September 1990. After observing a police operation in Tokyo's entertainment area, Kajiyama told reporters: "[T]he foreign women [accused of working as prostitutes] had lowered the tone of the surrounding area. 'It's like in America when neighbourhoods become mixed because blacks move in and whites are forced out'" (Sullivan, 1990, n.p.). Confronted with mounting criticisms from U.S. media, the Congress, and African American groups, Kajiyama retracted his statement a few days later and denied any racist intent. Yet his apologia was not directed at foreign sex workers who were singled out for destroying the environment just as "bad

money drives good money out" (Sanger, 1990, A7). Kajiyama's denigration of foreign sex workers as morally suspect itself went largely uncriticized in the media.

This pattern of news coverage remains largely unchanged to date. The October 21, 2003 issue of the Weekly Pictorial *Flash*, for example, reported that local foreigner pubs (*gaikokujin pabu*) in Tokyo's Ueno area were increasingly thriving on "Asian gals." After describing how Asian gals lured men into their places and underscoring the risks of being ripped off, the article ended with an alarming yet humorous note "Beware of the sexual charm [*iroka*] of Asian gals!" (p. 82). Likewise, the *Weekly Shinchō* of October 8, 2003 stated that "the purification of Kabukichō" had driven out "Columbian prostitutes" to Tokyo's suburban areas. The article argued that there was no use "purifying Kabukichō" because foreign prostitutes would simply move to other red-light districts and continue to solicit customers (p. 47). Similarly, the June 20, 2003 issue of *Yomiuri Shimbun* (Chūbu edition) printed an article on the local police's sweeping "campaign to purify the Sakae [entertainment] area." Attached to the article was a picture of skimpy-dressed "Philippine pub" hostesses being taken to a police station (p. 29; see also Figure 3.1 on the next page). These articles—especially the picture and the use of the word "purify"— evidence that female migrants are still represented as "immoral yet sexually titillating others" in the media. The mainstream media by and large still find little news value in covering the issue of female migration from other angles. In the absence of any countervailing framings of news, the terministic screen *Japayuki-san* continues to do its structuring work even after the term itself has receded from view.
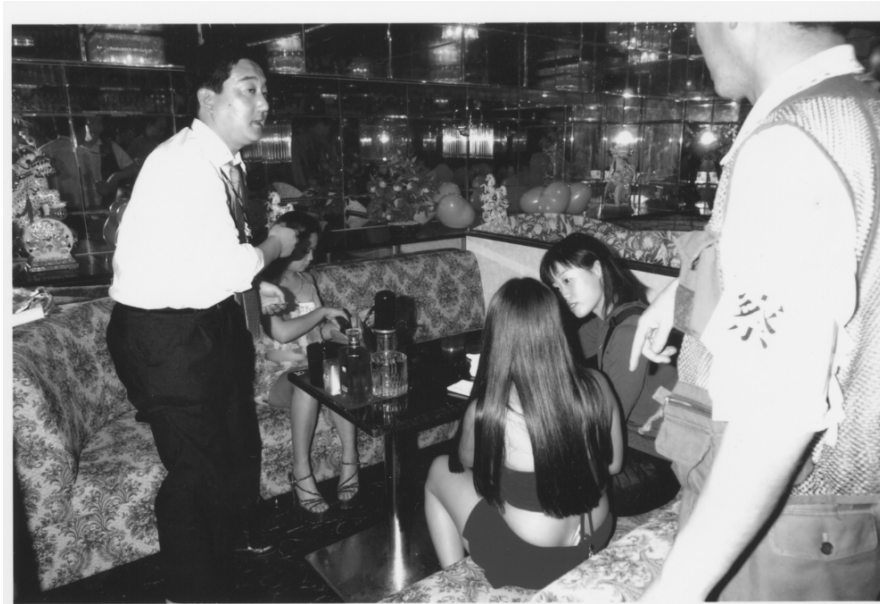
Figure 3.1: Filipino Hostesses Being Taken to a Police Station

Although women's organizations continue to combat the skewed images of migrant women, they basically put forward the same argument that migrant women must be protected as innocent victims. For instance, Kaori Mutō (2004), director of Women's House *Saa-Laa,* characterizes migrant sex workers as "'the socially weak' who deserve protection in Japanese society" (p. 44). Equally illustrative is the "End Violence Against Women" Project's *Domestic Violence and Human Trafficking*. As the title attests, the volume by and large depicts migrant women as victims of domestic violence and human trafficking. Out of the 15 articles, only two make explicit mention of the labor rights of migrant women, which hints that they are still not given due recognition in the discourse of foreign workers.

Recently, the rhetoric of protection is beginning to gain ground after the U.S. State Department issued a report in September 2004, censuring Japan as "the worst industrialized country in terms of measures to prevent the trafficking of women" (*JT,* 2004, April 5, n.p. For

the full text of the report, visit the U.S. State Department's website at http://www. state.gov/g/tip/rls/tiprpt/2004/). The State Department report, coupled with international pressure to ratify relevant UN conventions, spawned a series of policy initiatives for coping with human trafficking and providing care and protection for trafficking victims. Concomitant with these policy changes, unauthorized female foreign workers are now more likely to be represented as trafficking victims in the media. Carrying pictures of three apparently overseas sex workers, the February 2005 issue of progressive *Days Japan*, for instance, holds that these women should not be seen as "criminals," but as "victims [of human trafficking] who are feeling frightened in helpless circumstances" (p. 14). Similarly, soon after the release of the State Department's report, *Asahi Shimbun* runs a feature article suggesting that sex workers from abroad should be treated as "victims of sexual slavery," not as "illegal aliens" (Takenobu, 2004, p. 23). The current director of HELP, Keiko Ōtsu (2005) makes a similar point by referring to foreign women visiting the shelter as "victims" of "domestic violence," "human trafficking," and "sexual abuse and exploitation" (pp. 31-32).

Implicit in these portrayals, however, is a rather patronizing attitude towards migrant women. That is, they all posit that clandestine female workers must be rescued and protected as they are powerless to stand up against exploitation and abuse on their own. What's more, whether "illegal" female migrant workers are portrayed as helpless victims or voluntary sex workers, they are still associated almost exclusively with the sex industry. But this assumption does not accurately reflect the reality of undocumented migrant women because their occupations, life styles, and demographics have diversified over the years. As Figures 3.2-3 on the next page show, while over 80% of the apprehended women were found working as hostesses in 1985, the percentage dropped to about 35% in 2003.
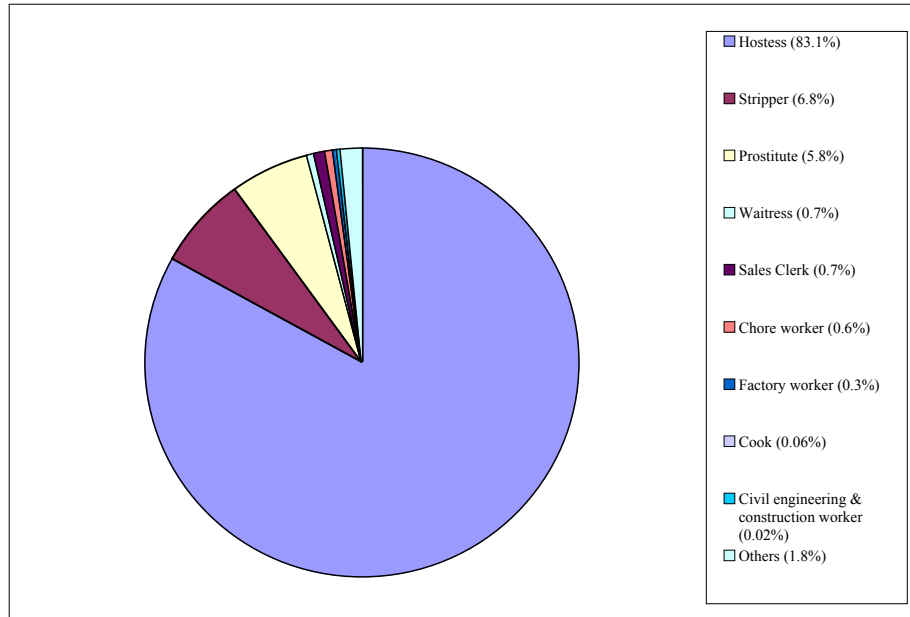
Source: *Hōmushō Nyūkoku Kanri Kyoku* (Immigration Bureau of the Justice Ministry), 1987, p. 108

Figure 3.2: Occupations of Foreign Women Apprehended for Immigration Law Violations in 1985 (N = 4,942)
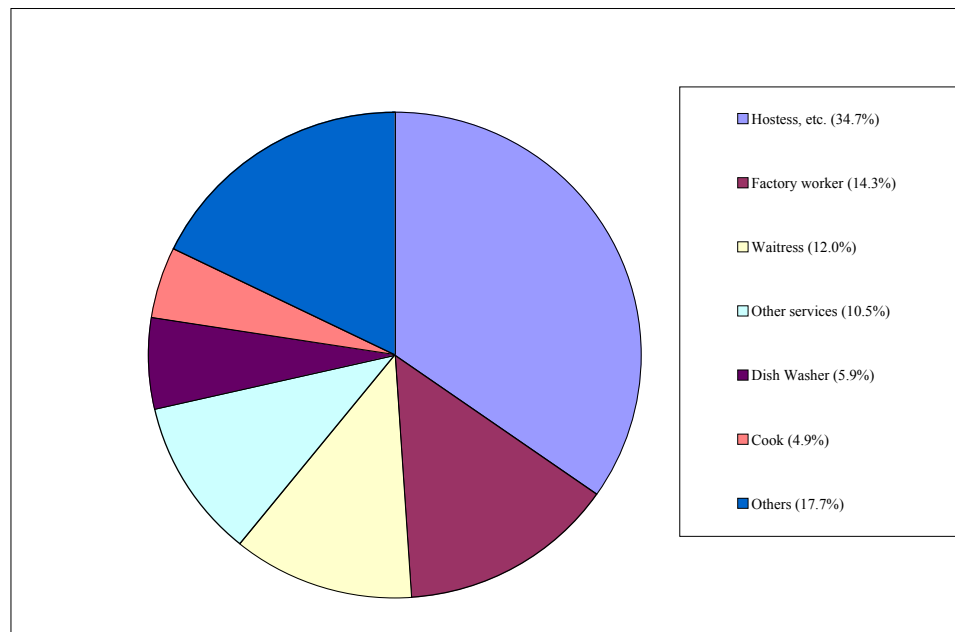
Source: *Nyūkoku Kanri Kyōkai* (Immigration Association), 2004, p. 79

Figure 3.3: Occupations of Foreign Women Apprehended for Immigration Law Violations in 2003 (N = 14,051)

This trend is even more conspicuous for non-Filipino female migrants. According to Wakabayashi (1997), more than 60% of apprehended Peruvian women were found working in factories; hostesses made up only 5% of Malaysian women (p. 102). The vast majority of apprehended women from Myanmar, Indonesia, and Sri Lanka took on jobs in factories and restaurants (Wakabayashi, 1997, p. 102).

The overrepresentation of sex workers in the media coverage of female migrants is partly due to the fact that the figures of irregular foreigners are tabulated from apprehension statistics. Police and immigration raids tend to target bars and brothels in red-light districts in large cities, notably Tokyo's Kabukichō (Wakabayashi, 1997, pp. 102-103). Thus apprehension statistics turn out to inflate the estimated figures of foreign sex workers. Still, given that more than half of apprehended female migrants are unrelated to the sex industry, the dominant media image of undocumented foreign women as sex workers is deeply problematic. Suzuki (2003a)'s following observation regarding the representations of Filipinas holds equally good for migrant women from other countries:

> Filipinas have not yet achieved the status of women, but representationally remain as goods and (indentured) servants. The representations imply that the women are incapable of self-determination—unless they are described as hyperactive opportunities who sell their sexuality and take advantage of naïve men in order to satisfy their monetary, material and legal-immigration needs. (p. 16)

Though many migrant women are no doubt trafficked into Japan for sex work,[33] this is only part of the whole story. A 17-month field study conducted by Japan Network Against Trafficking in Persons (JNATIP) and Ochanomizu University's Frontiers of Gender Studies (F-GENS) (2005) revealed that the majority of Filipinas and Thais who escaped to NGO shelters

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[33] International Labour Office (ILO) (2004) observes that "[a]lthough it is impossible to estimate the number of Philippine nationals who have been trafficked to Japan over the last six years, the numbers appear to have remained fairly steady" (p. 20). Japan's National Police Agency placed the number of trafficking victims at 83 in 2003 (cited in JNATIP and F-GENS, 2005, p. 10). But this official figure is way too low, given that many trafficking women were deported for violations of the immigration laws and many others did not seek help for fear of reprisals.

were recruited not by "international crime syndicates" but through informal networks (p. 87).

Since they were mostly recruited by colleagues, friends, neighbors, and relatives, they hardly

saw themselves as victims of trafficking crimes despite the fact that they were forced to work

under extreme duress (JNATIP and F-GENS, 2005, p. 24, p. 87). Just as important, migrant

women will continue to come to Japan for work as long as a huge wage gap exists between Japan

and developing countries. In fact, the number of Filipina entertainers has been increasing at a

steady rate despite the enforcement of stricter immigration control measures in recent years (see

Figure 3.4). This is understandable, considering that Filipina women, even when "exploited,"

are able to earn three times the wages they could in their home country (Hata, 2005, p. 8).
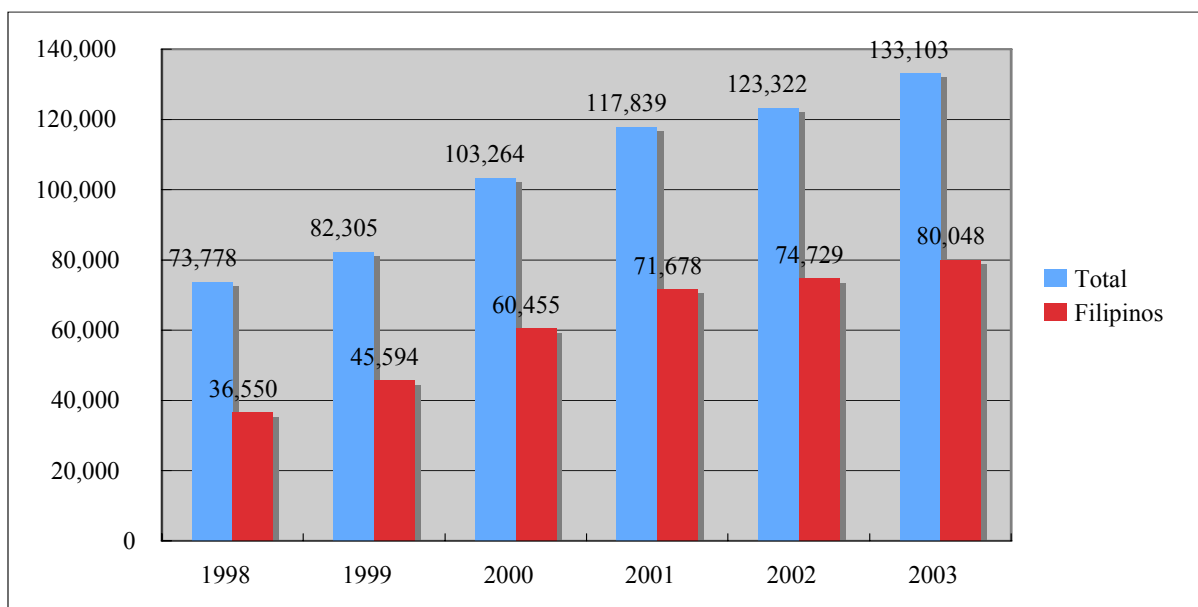
Sources: *Hōmushō Nyūkoku Kanri Kyoku* (Immigration Bureau of the Justice Ministry), 2003b, p. 176; 2004, p. 169

Figure 3.4: Number of Foreigners Newly Entering Japan on Entertainer Visas

Ultimately, the empowerment of female women requires an attack on the construction of

their images through an identity marked by powerlessness. Especially when most trafficking

victims complain about labor-related violations, it is critically important to treat them as victims of *both sexual and labor* exploitation (International Labour Organization, 2004, p. 16).

3.7 CHAPTER SUMMARY

This chapter has traced the "beginning" of Japan's foreign worker problem to demonstrate that the wave of female migration since the late 1970s was understood as a peculiar issue of *Japayuki-san,* not as a foreign worker problem. All in all, the neglect of female migrants in the "foreign worker" debate could be attributed to a number of interlocking factors, including the past migratory patterns in Western Europe, Japan's economic structure, ubiquitous gender bias, the state's inaction, public indifference, and thriving sex businesses. Admittedly, many of them are non-linguistic factors. For example, the massive influx of male migrant workers was perceived as the "beginning" of Japan's foreign worker problem in part because they were absorbed into integral part of Japan's mainstream economy. Put differently, the concentration of overseas women workers in the informal service sectors partly explained why female migration was not give due recognition in the "foreign worker" debate. In consequence, the circumstances of female migrant workers have been little known (Sellek, 2001, p, 158), and their labor rights have been hardly protected (Machimura, 1998, p. 191; Yamagishi, 2004, p. 42).

But this does not mean that language mattered little in marginalizing the status of migrant women in the 1980s. On the contrary, it was responsible for drawing public attention away from female migrants in the wake of the foreign worker problem. Specifically, the terms *Japayuki-san* and *gaikokujin rōdōsha* functioned as terministic screens to induce the general public to see the migratory waves of female and male workers in different ways. Partly because different sets of vocabulary were employed to account for the female and male migration patterns, they were

addressed as separate issues and grabbed attention from different writers in different genres and professions.

Even though *Japayuki-san* has now become an obsolete term, the association of migrant women with sex work still dictates the media portrayals of migrant women and thus weighs heavily on the public's minds. Unfortunately, the media have long treated female migrants as if they had no news values except as sex workers. As Suzuki (2000) lucidly shows, "[t]he continuing domination of . . . a pervasive 'prostitute' image of Filipinas symbolically places *all* Filipinas in the time-space confinement of 'the sex industry' in the night, and outside of the home" (p. 433).

The chapter has also illustrated that the images of migrant women have been oversimplified and polarized from one extreme of being docile, submissive, and innocent to the other extreme of being cheerful, calculating, and cunning. Either way, they are not seen as active social agents capable of speaking up against structural violence inflicted upon them. While women's organizations made serious attempts to contest the stereotyped images and give voices to migrant women, they by and large framed the issue of female migration as a trafficking problem rather than a labor issue. Accordingly, the voices of migrant women were selected and filtered through the groups' interpretive framework. Their counter discourse, though morally appealing, was necessarily reductive as it spotlighted the victim status of female migrants.

In the last analysis, female migrants deserve more recognition in the context of the foreign worker problem. Since many problems faced by migrant women workers are gender-specific, research on labor migration has much to gain by examining the ways gender affects public attitudes and social policies about foreign workers. At the discursive level, it is imperative to enrich public discourse so that the sexualized image of migrant women ceases to

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be the dominant form of representation. Admittedly, this is easier said than done, and a full discussion of alternative rhetoric is beyond the scope of this chapter. But one possibility is to portray female migrants as both trafficking victims *and* legitimate laborers. Inaba (2004) underscores this possibility by citing the programme of action adopted at the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance in Durban, South Africa. Recognizing the labor rights of even trafficked persons, Article 105 of the programme:

> Urges States to give special attention, when devising and implementing legislation and policies designed to enhance the protection of workers' rights, to the serious situation of lack of protection, and in some cases exploitation, as in the case of trafficked persons and smuggled migrants, which makes them more vulnerable to ill-treatment such as confinement in the case of domestic workers and also being employed in dangerous and poorly paid jobs. (p. 40)

Equally important, we should listen more closely to the voices of migrant women and their families living and working in Japan as many of them feel dissatisfied with being represented as "pitiful victims of poverty and passive pawns of male power" (Suzuki, 2003b, p. 406; see also Hata, 2005, p. 8). Recently, various attempts have been made from academics and Filipino groups to counter the "passive victim" stereotype of migrant women (for example, see the Filipina Circle for Advancement and Progress, n.d.; Fujieda, 2001; Suzuki, 2003a, 2003b; Watanabe, 2000). To cite one example, Fujieda (2001) found through her field research that many Filipina migrant women were in reality "reflexive actors" who negotiated the meanings of migration and struggled for better living and working conditions:

> The subject japayuki was articulated in a national movement against IST [International sex traffic] [in the Philippines], particularly in relation to Japan. Filipino women bound for Japan as entertainers partook in the flow to Japan, not in subjection but rather in resistance, to the discourse of japayuki. From the marginal position, they actively rejected the identity of japayuki, and struggled to construct alternative meanings of their own experiences of labor migration to Japan. (p. 114)

Continued efforts like this should be made in public arenas and academia alike to diversify the images of migrant women.

4.0   CRIMINALIZING "ILLEGAL ALIENS": THE MEDIA HYPE OF ORGANIZED AND VICIOUS CRIMES BY "ILLEGAL" CHINESE MIGRANTS

> Imperial Ordinance No. 352 is concerned primarily with the maintenance of discipline over Chinese workers since they are not only likely to vitiate public morality, but are also apt to enter into conflict with Japanese workers through competition; thereby causing disorder in industry and society, and ultimately disturbing public peace and order.
>
> > Ordinance No. 782 issued by the Ministry of Internal Affairs in July 1899 (cited in Weiner, 1994, p. 53).

> There is fear—and not without cause—that it -will not be long before . . . the entire nature of Japanese society itself will be altered by the spread of this type of [vicious] crime that is indicative of the ethnic DNA [of the Chinese].
>
> > Tokyo Governor Shintarō Ishihara in *Sankei Shimbun* on May 8, 2001[34]

4.1   INTRODUCTION

Through his fieldwork in the early 1990s Wayne Cornelius (1993) observes that "in Japan, local police know the whereabouts of virtually all foreigners within their jurisdictions; but unless a specific complaint is made against a foreigner, or he [*sic*] is caught in the act of committing some sort of crime, he [*sic*] is left alone" (p. 446). His observation, though probably true at the time of his writing, no longer holds good. For as the Japanese economy has plunged into a decade-long recession, the foreign worker problem has been increasingly framed as a security issue (Friman, 2001, p. 294). Indeed, the relentless round-ups of "illegal aliens" in recent years attest to Cornelius's (1993) own thesis that "it makes a tremendous difference whether a major wave of Third World immigration is being experienced in the context of economic expansion or

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[34] The English translation was taken from the ISSHO website (http://www.issho.org).

recession" (pp. 442-443). During the so-called bubble economy "illegal" foreign workers were tacitly admitted into Japan as "economic units" that would sustain its economic growth. It is therefore hardly surprising that as the Japanese economy slumped down, they came to be seen as mere illegal aliens who don't deserve continued living in Japan.

The two opening quotations, when placed in tandem, illustrate that the threat of foreigners, especially Chinese immigrants, is not a recent construct, but a recurring narrative in modern Japan. For instance, the recent news coverage of foreigners' crimes (*gaikokujin hanzai*) bears a striking resemblance to that in the 1950s. Under the headline "Foreigners' Crimes are Left Unchecked," *Asahi Shimbun* of December 27, 1958, alarmed the reader that foreign criminals had turned Japan's large cities into "Devil's Town Shanghai" (*Mato Shanhai*) (p. 11). It then presented the data that Chinese nationals made up the majority of "the most vicious, largest-scale brokers" masterminding drug-related offenses (p. 11). Also highlighted in the article was a swelling number of "organized crimes" (*soshiki hanzai*) by foreigners. In a similar vein, *Asahi Shimbun* on March 28, 1958 pointed to a steep rise in "transnational organized crimes" (*soshiki teki na kokusai hanzai*) perpetrated by criminal groups of diverse nationals (p. 5). The article also cited the low clearance rates for foreigners' crimes and stated that since "bad foreigners" who ought to be deported were living a comfortable life in Japan, some called Japan "a paradise for foreign criminals" (*gaijin hanzai no tengoku*) (p. 5).

These press reports, when compared with the following headlines of more recent articles, unveil the remarkably persistent patterns of reporting on foreign crime:

> The background of crimes by the Chinese. Devil's Town Kabukichō—a report on the underground society. (*AERA*, 2003, September 1, p. 26)

> "Japan is a paradise for pickpockets." 420 offenses with earnings of 9.7 million yen [$88,000], three apprehended Koreans confessed. (*AS*, 1990, November 22, p. 31)[35]

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[35] While I came across this article in Herbert's book (1996), I retrieved it and translated the heading by myself.

Like the press coverage in the 1950s, these articles expressed concern about the threat of

"organized crime" by Asians in "international cities" (*kokusai toshi*). They also pointed to the

low clearance rates for foreigners' crimes and suggested that control authorities let bad foreign

criminals run free. Although any easy comparison of media texts at different times could be

misleading, the juxtaposition of the articles indicates that foreign crimes have long been

represented as grave threats to Japan's public safety.

This chapter seeks to identify general patterns in the recent media coverage of crimes by

"illegal aliens." To this end, I investigate relevant official documents and popular texts

published from January 1997 through February 2005. As samples of "illegal aliens," I chose

"illegal" Chinese newcomers, as they figure prominently in crime reporting. As Shipper (2001)

points out:

> From articles in Japanese newspapers, the Chinese appear to be the number one
> violator of major crimes such as rape, violent acts, and murders. For example of the 64
> articles on rapes committed by foreigners, 26 (41%) were on the Chinese, 160 of 417
> (38%) on violent acts, and 841 out of 1,794 (47%) on murders. (p. 163)

Similarly, Zha (2003) notes that [i]n the Japanese media, migrant laborers from China have

become synonymous with a sudden increase in crime rates" (p. 1).

The time period was chosen because crimes by Chinese "illegals" became the subject of

intense media coverage and serious policy discussion around 1997. Although some people

registered their concern about a foreign crime wave as early as the mid-1980s, they were mostly

worried about crimes by "illegal" Pakistanis, Iranians, and Filipinos (see, for example, *YS*, 1987,

October 30, p. 31; *YS*, 1991, November 14, p 3). At least, Chinese criminals were not construed

as particularly violent and vicious at that time (for example, see Yamatani, 1992). The

government and the media began to heed crimes by Chinese "illegals" in the mid-1990s

(Aikawa, 1995, p. 210; Friman, 2001, p. 294); they became particularly wary of a Chinese crime

spree around 1997 when an upsurge in smuggling cases of Chinese was reported. According to Friman (2001), Tateshi Higuchi, then chief of the National Police Agency (NPA)'s Investigation Bureau, declared in early 1997 that Japanese society was completely unprepared for Chinese criminals and smugglers (p. 299). It was also around this time that the major publishing companies started putting out books on crimes by "illegal" Chinese migrants

For analysis of official crime reports, I refer mainly to the NPA's annual *White Paper on Police* (*Keisatsu Hakusho*). Two annual crime reports are published in Japan: The Justice Ministry's *White Paper on Crime* (*Hanzai Hakusho*) and the NPA's *White Paper on Police*. According to Finch (2000), *White Paper on Police* was first published in 1974 to provide "the general population with an insight into police activities, and . . . to help formulate future policies" (p. 238). Thus it "is useful in understanding the phenomenon of reported crime in Japan" (Finch, 2000, p. 239). Besides, *White Paper on Police* has great influence on crime reporting in the media. When the latest white paper comes out in the fall, it usually leads "to a wave of media stories on the crime challenges facing Japan" (Friman, 2004, n.p.).

By popular texts, I mean general-interest magazine articles, *bunkobon*, and *mook* featuring crimes by "illegal aliens." Foreign crime has been a favorite topic in many general-interest magazines ranging from *Weekly Bunshun*, *Yomiuri Weekly*, *Sunday Mainichi*, and *AERA* to more sensational ones such as *Weekly Post, Weekly Gendai*, and *SAPIO*. This is to say that overblown media reports on foreign crime are not restricted to tabloids and rightist magazines, but can be found in many general-interest magazines as well. Particular *bunkobon* and *mook* titles are to be specified in a later section. For now, it suffices to say that most *bunkobon* and *mook* authors regularly contribute articles on foreign crime to general interest magazines.

To supplement my analysis of popular texts, the chapter occasionally references major Japanese and English newspapers and TV programs on foreign crime. Admittedly, my research on these two types of media texts is not exhaustive. Especially, I watched relevant TV shows in a rather ad-hoc way while living in Tokyo from July 2003 through February 2005. But time and again, I came across and, in many cases, taped TV shows featuring foreign crime. I believe that the reference to TV programs and newspaper articles provides additional insights into my analysis of written texts and shows persistent, stereotyped images in popular media.

In examining official documents and popular texts, I am particularly interested in the latter, or to be more exact, the interplay between the two. Although scholarship on an alleged foreign crime wave tends to focus its analysis on official documents, the mass media are more critical in shaping public perceptions of the phenomenon as they "know best how to 'get things across to the public,'" to use Hall, et al.'s (1978) words (p. 62). In fact, a survey conducted by the Public Safety Research Foundation discloses that the respondents' fears of crimes are influenced principally by news reports (cited in Hamai, 2004, p. 25). As Koichi Hamai (2003), a professor at Ryūkoku University and a former Justice Ministry official, states, even prison officials' perception of public safety is shaped by news rather than their daily first-hand experiences with inmates (in Tajima, Hamai, Shirafuji, and Endo, p. 15). If the growing xenophobic sentiment among the general public "probably reflected rampant media reports in recent years of crimes allegedly committed by foreigners" (Matsubara, 2004, n.p.), media portrayals of foreign crimes deserve close scrutiny.

My argument is that the print and broadcast media do more than just relaying the NPA's accounts of foreigners' crimes to their readers and viewers. Rather, they perform a more distinct function of extending, illustrating, and amplifying official crime reports. More specifically, the

media both *draw on and transform* official accounts to construct the *illusio* that "illegal" Chinese migrants are posing an "unprecedented" threat to public safety and social order in Japan.

My textual analysis in this chapter is situated within Stuart Hall, et al.'s model of crime reporting in *Policing the Crisis*. I find their model highly useful in unraveling the process in which the media draw on and transform official crime reports to play up the threat of a foreign crime wave in Japan. Also, Hall, et al. introduce many heuristic concepts such as primary and secondary definers that help to explain general trends in the media representation of foreign crime in Japan.

The chapter consists of three main parts. It first sets forth a framework for analyzing reports on a foreign crime wave in Japan. The chapter then reviews the current immigration control measures and crime statistics involving "illegal aliens." The remainder of the chapter scrutinizes how "illegal" Chinese migrants' crimes are portrayed in official crime reports and the popular media.

4.2   ANALYZING CRIME REPORTS—STUART HALL, ET AL.'S *POLICING THE CRISIS*

Public anxieties over crime are not simply generated by official bodies *via* the mass media. As Hall, et al. (1978) lucidly show in *Policing the Crisis*, there exists "an exceedingly limited circle of mutual reciprocities and re-enforcements" among policy makers, control agencies, the judiciary, the media, and the public (p. 76). The national hysteria over Japan's foreign crime wave, for instance, serves to deflect public attention from the government's failures to protect the rights of irregular migrant workers and their families. Law enforcement agencies are able to cite an alleged foreign crime spree as a rationale for demanding more budgetary outlays and staff

resources. Since crime stories pay lucratively for news organizations, they are tempted to play up the threats of "illegal aliens" to enhance their readership or boost ratings. Lastly, the general public can rest assured that declining public safety would return to normal once "bad foreigners" were driven out. Their interests and motives certainly overlap, but do not always coincide. Even if the media appear to report in concert with the state, they are not deliberately complicit in propagating a foreign crime wave. In some cases, the aims of the media even collide with those of the state. As Hall, et al. (1978) illustrate, "the competitive drive to be 'first with the news' may not be immediately in the interest or to the advantage of the state. The media often want to find out things which the primary definers would rather keep quiet" (p. 65).

Nevertheless, the media are strongly predisposed to cover crime stories in the government's favor. As Hall, et al. (1978) concisely put it, "the *prevailing tendency* in the media is towards the reproduction, *amidst all their contradictions*, of the definitions of the powerful, of the dominant ideology" (pp. 65-66). They argue that the incessant pressures of news production and the professional demands of impartiality and objectivity lead the media to draw on state authorities as regular and reliable sources. The end result is that state authorities become "the primary definers of topics," able to set the terms and contexts for faming social events. The media, on the other hand, usually play a secondary role in covering the events in basic line with the primary interpretation. Hall, et al. (1978) spells out the relationship between the media and the state in news making:

> The media . . . do not simply 'create' the news; nor do they simply transmit the ideology of the 'ruling class' in a conspirational fashion. Indeed . . . the media are frequently not the 'primary definers' of news events at all; but their structured relationship to power has the effect of making them play a crucial but secondary role in *reproducing* the definitions of those who have privileged access, as of right, to the media as 'accredited sources'. From this point of view, in the moment of news production, the media stand in a position of structured subordination to the primary definers. (p. 59)

The media's structural dependence on official sources holds particularly true for crime news because state authorities "form a near-monopoly as sources of crime news in the media" (Hall, et al., 1978, p. 68). Specifically, media crime reporting is normally based on three sources: 1) police statements about investigations of a particular case, 2) official crime statistics with an interpretation of what the raw figures mean, and 3) a court case (Hall, et al., 1978, p. 69). Although criminals, victims of crimes, and citizens' groups are all potential sources of information, only the police "claim a *professional* expertise in the 'war against crime,' based on daily, *personal* experience" (Hall, et al., 1978, p. 68). This "double expertise," they continue, "seems to give police spokesmen especially authoritative credence" (p. 68). As a result, journalists become almost exclusively dependent on law enforcement agencies for crime reporting. Hall, et al. (1978) write:

> What is most striking about crime news is that it very rarely involves a first-hand account of the crime itself, unlike the 'eye-witness' report from the battlefront of the war correspondent. Crime stories are almost wholly produced from the definitions and perspectives of the institutional primary definers. (p. 68)

Although the media are inclined to reproduce official viewpoints, this does not mean that they are passive and submissive puppets of the state. It simply means that they have only *relative* autonomy. The media do have a lot of leeway in selecting and interpreting news events, and their selection and interpretation are usually driven by journalists' sense of news values and target audiences, the structure of news organizations, and available space and airtime (Hall, et al., 1978, pp. 52-55).

More importantly, the media don't passively reproduce official accounts, but play a more active role in transforming them "*within certain distinct ideological limits*" (Hall, et al., 1978, p. 61). There are two major variations in this active work of transformation. For one thing, the media translate official viewpoints into a public idiom to "inves[t] them with popular force and

resonance, naturalizing them within the horizon of understandings of the various publics" (Hall, et al., 1978, p. 61). For example, the media employ "newsworthy rhetoric," "popular imagery," and "everyday language" to tailor news events to their target audiences (Hall, et al., 1978, pp. 61-62). They also "tend to *play up* the extraordinary, dramatic, tragic, etc. elements in a story in order to enhance its newsworthiness" (Hall, et al., 1978, pp. 53-54). Hall, et al. (1978) suggest that each news organization has its own "version of the rhetoric, imagery and underlying common stock of knowledge which it assumes its audience shares and which thus forms the basis of the reciprocity of producer/reader" (p. 61). But these different languages of different news organizations usually fall within dominant interpretative paradigms (Hall, et al., 1978, p. 61).

It is critically important to make a distinction between (simple) reproduction and translation because the latter enables the media to perform a unique function of agenda setting.[36] Hall, et al. (1978) argue:

> [T]he publicising of an issue in the media can give it more 'objective' status as a *real* (valid) issue of public concern than would have been the case had it remained as merely a report made by experts and specialists. Concentrated media attention confers the status of high public concern on issues which are highlighted; these generally become understood by everyone as the 'pressing issues of the day'. This is part of the media's *agenda-setting* function. (p. 62)

This agenda-setting function, they continue, also has a "reality-confirming effect" (p. 62). That is, by translating official accounts in a public idiom, the media serve to transform them into "part of the taken-for-granted-reality of the public" (p. 62).

Not only do the media use a public idiom, but they sometimes "tak[e] the public voice" through editorials (Hall, et al., 1978, p. 63). According to Hall, et al., the function of editorial is not limited to the expression of a journalist's opinion about topics of major concern. Oftentimes,

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[36] Though Hall, et al. did not credit any source for the concept of agenda setting, they most likely borrowed it from McCombs and Shaw's 1972 article in *Public Opinion Quarterly*.

the media use editorials to speak for the public and thereby mobilize public opinion (Hall, et al., 1978, p. 63). This is another, more active work of transformation on the part of the media because they "actively and openly shape and structure public opinion" by claiming to express the public's views (Hall, et al., 1978, p. 63). Although the media often summon up (perceived) public opinion to bring pressure on the state, this "*campaigning* role" should not be taken too far (Hall, et al., 1978, p. 63). For as long as the media frame news events within dominant interpretive frameworks, their opinions expressed in editorials tend to favor state authorities. As Hall, et al. (1978) maintain, "these representations of public opinion are . . . often enlisted *by the controllers* as 'impartial evidence' of what the public, in fact, believes and wants" (p. 63).

To summarize the main points, although the media are predisposed to echo official viewpoints, the practices of news production are relatively autonomous. Besides, the media neither simply nor directly reproduce official accounts, but play a more active role in transforming them to enhance their newsworthiness. Yet since state authorities act as the primary definers of news topics, the range of their creative work are severely constrained within dominant interpretive frameworks. The media's autonomy is especially limited in crime reporting because the state virtually "monopolizes" legitimate sources of information. Worse, the public's voices expressed in editorials are often invoked by law enforcement agencies as rationales to justify more draconian control measures.

4.3   INTENSIFYING CONTROL MEASURES

In an effort to curb illegal labor migration, the Japanese government has recently stepped up its control measures. To begin with, the government strengthened punitive measures against immigrant smugglers and those who assisted them in 1998 (Tsuda and Cornelius, 2004, p. 461).

In April 1999, an amendment to the Immigration Control Act was passed in a regular Diet session, making illegal stay a separate offense (*fuhō zairyū zai*, literally "illegal stay offense") from illegal entry. Although illegal stay was an immigration offense prior to that, the statute of limitations ran out in 3 years. The revision has -allowed immigration officials to apprehend "illegal aliens" regardless of their length of stay. In February 2000, the government introduced new penalties against visa overstayers (fines of up to 300,000 yen [$2,700] and three-year punishment) (Tsuda and Cornelius, 2004, p. 461). Around the same time, the NPA created the Committee on Internationalization to tackle foreigners' crimes (*Keisatsuchō*, 2000, p. 252).

Although Tsuda and Cornelius (2004) suggest that these measures are largely cosmetic, a host of evidence indicates that the government has set their heart on reducing the number of unauthorized foreigners. In his Diet speech—the Japanese equivalent of the U.S. president's State of the Union address—on January 31, 2003, Prime Minister Junichiro Koizumi pledged to restore Japan's public safety in part by beefing up control measures against "illegal aliens." What follows is an excerpt from his Diet address:

> We aim to regain Japan's status as "the safest country in the world" by improving the worsening situation in which a large number of heinous incidents occur and a number of people are having concern about the deterioration of public safety. Measures against organized crimes committed by foreigners living illegally in Japan and hi-tech crimes will be strengthened. (cited in *JT*, 2003, February 1, n.p.)

The newly appointed Public Safety Chair, Kiyoko Ono appeared on NHK, Japan's largest public broadcasting network,[37] in October 2003 and remarked that "foreign crime and youth crime were among her policy priorities" (*JT*, 2003, October 7, n.p.). That same month, Justice Minister Daizō Nozawa also stated in a news conference that "[s]olving the problem of illegal residents is a pending task for regaining public safety in Japan" because "[a]n increasing number of visaless

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[37] Indeed, NHK is the world's second largest public broadcasting network behind the BBC (Pharr, 1996, p. 5). According to Pharr (1996), public surveys indicate that NHK is the most trusted broadcasting organization in Japan (p. 5).

foreigners engage in serious crimes, and it is pointed out that the problem is closely linked to organized crime by foreigners" (Matsubara, 2003, October 18, n.p.).   In December, the government unveiled five priority measures to "turn [Japan] back into the safest country in the world" (*JT*, 2003, December 14, n.p.). Included in the measures was an effort to halve by 2005 the number of unauthorized foreigners from the current estimate of 250,000. Under the headline "Crime Crackdown Includes Plan to Cut Illegal Foreign Residents," the *Japan Times* of December 14 reports:

> Among other measures, the action plan calls for a revision of the immigration law so that foreigners who have illegally obtained resident status, such as through bogus marriages, can be deported immediately. Given the increased prominence of crime involving Chinese nationals, Japan will also aim for the early signing of a consular pact with China stipulating an obligation to notify each other when people are arrested by investigative authorities. (n.p.)

To facilitate the roundups of unauthorized foreigners, the Ministry of Justice announced that it was drawing up guidelines for tracking down "suspicious foreigners" to be distributed to immigration officials at airports and other ports of entry (*MDN*, 2004, January 1, n.p.). The guidelines elicited sharp criticism primarily because they specified "people of which nationality, birthplace and age should be viewed with suspicion" (*MDN*, 2004, January 1, n.p.). Around the same time, the Immigration Bureau of the Justice Ministry created a "snitch" website designed to solicit information about the names, addresses, and workplaces of "suspicious foreigners." Dismissing calls for the removal of the site from citizens' groups, the Immigration Bureau launched the program on February 16 with a few modifications. According to an immigration official, about 780 tip-offs had been submitted from February 16 to March 11 (*Kyōdō News*, March 18, 2004, n.p.).

Local authorities have followed suit with similar regulations. According to Khan (2003), "[i]n the month from September 19 to October 17 [2003], immigration forces and the Tokyo

police caught 1,643 illegal foreign workers, the largest number recorded so far for a single month" (n.p.). On October 17, 2003, the Immigration Bureau, the Tokyo Metropolitan Police Department, and the Tokyo Metropolitan Government issued a joint statement proclaiming to cut the number of "illegal aliens" in Tokyo in half within the next five years. Whether this is feasible or not, the announcement has proven to be more than a symbolic gesture. According to APFS, the number of apprehensions doubled after the joint statement was issued. Six foreign members of APFS were apprehended in February 2005 alone (APFS, 2005, n.p.).

As part of the PR campaign, Governor Ishihara and Justice Minister Nozawa "inspected" Tokyo's Kabukichō entertainment district in December 2003. The two political figures accompanied scores of immigration officials and journalists (see Figure 4.1 on the next page). As a result, their visit to the alleged "hotbed of foreigners' crimes" (*gaijin hanzai no onshō*) made news headlines the following day. After the inspection, Ishihara expressed grave concerns about organized crimes by Chinese migrants. Referring to a murder case by three former Chinese students in Fukuoka City, he told the reporters: "While foreigners are not the only factor behind the deterioration in Tokyo's security, they have introduced new kinds of crimes (to Japan)" (Matsubara, 2003, December 31, p. 3).

Figure 4.1: Tokyo Governor Shintarō Ishihara (left) and Justice Minister Daizō Nozawa (right)
Strolling around Tokyo's Kabukichō Area

Concomitant with the implementation of these stringent security measures, a handful of influential politicians have urged law enforcement agencies to step up vigilance on foreigners. Although there is nothing new with conservative politicians making anti-immigrant public statements,[38] they have become far more outspoken in the wake of a foreign crime wave in recent years. For example, Takami Etō, a leading member of the ruling Liberal Democratic Party asserted during a local party convention in Fukui Prefecture:

> Just look at the Kabukichō district in Shinjuku [Tokyo]. It's a lawless zone ruled by *sangokujin* [peoples from third countries]. . . . Nowadays illegal immigrants from South Korea, China, and other countries are roaming the streets, robbing people. . . . Tens of thousands of refugees will flood this country if a war breaks out in the Korean

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[38] One notable example is a blatant anti-Korean slur made by former Prime Minister Yoshiro Mori in 1992. Following on the heels of "racial riots" in Los Angeles in June 1992, he hinted at the possibility of similar upheaval (in his word, "military campaign") by Korean migrant workers in Yokohama's Kotobuki area (*Ajiajin Rōdōsha Mondai Kondankai*, 1992, iii). He reasoned: "[W]e have about 1500 workers from South Korea within the jurisdiction of the Kotobuki police station in Yokohama. They aren't inexperienced in shooting a gun since they participated in the Vietnam War. It is feared that if about 1000 [of them] banded together under one leader, they could launch a tremendous military campaign" (*Ajiajin Rōdōsha Mondai Kondankai*, 1992, iii).

> Peninsula. They will team up with the 1 million foreign robbers and murderers illegally staying here and start riots. (cited in *MDN*, July 13, 2003, n.p.)

Even more incendiary was Governor Ishihara's address at a Ground Self Defense Forces (GSDF) garrison in Tokyo's Nerima Ward on April 9, 2000. During a ceremony marking its 49th anniversary, he urged GSDF members to be on alert for possible insurgency by overstayers, should a major natural disaster hit Tokyo:

> Atrocious crimes have been committed again and again by '*sangokujin*' (people from Taiwan or Korea or their descendants) and other foreigners. We can expect them to riot in the event of a disastrous earthquake. . . . Police have their limits. I hope you will not only fight against disasters but also maintain public security on such occasions. (*JT*, April 11, 2000, n.p.)

Ishihara insinuated that rioting by illegal foreigners could be so immense that even the police might not be capable of quelling it alone. Not surprisingly, his instigating remarks created a ruckus especially because the scurrilous rumor of rioting resulted in the massacre of thousands of Korean immigrants in the aftermath of the Great Kantō Earthquake of 1923. Faced with growing criticisms from both at home and abroad, Ishihara expressed his regret for offending resident Koreans and Chinese with his unfortunate word choice, but he did not retract the statement itself. In fact, he chastised media outlets for quoting his address out of context, insisting that by *sangokujin* he meant "illegal aliens." Within a week following the Ishihara's address, the Tokyo Metropolitan Government received over 7,000 calls; about 70% of them reportedly favored the governor's address, while 26% were critical (Todd and Murakami, 2000, n.p.). Ishihara's anti-foreigner speech and the attendant favorable public reaction further emboldened conservative politicians and journalists to speak and write self-righteously on the danger of "illegal aliens" in right-wing journals such as *Shokun* and *Seiron* (Morris-Suzuki, 2001, n.p.). To mention one example, Kanagawa Governor Shigefumi Matsuzawa identified "all" Chinese students in Japan as "sneaky thieves" during a Lower House election rally on November 2, 2003 (*AS*, 2003,

November 3, p. 38*)*. When reached for comment later that night, he clarified his intent by saying that by "all" he didn't literally mean "all," but "some" (*JT*, 2003, November 4, n.p.).

When taken in isolation, each anti-immigrant slur might well be dismissed as slip of the tongue by jingoistic political figures. Yet the spate of gaffes, when read together, illuminate persistent political motives for imputing the soaring crime rates to "illegal aliens." Outlandish as their xenophobic remarks may be, they have successfully played on and fueled the national hysteria over a foreign crime spree.

4.4 TAKING A CRITICAL LOOK AT OFFICIAL CRIME STATISTICS

4.4.1 Statistics on Foreign Visitors' Crimes

Although there is little doubt that crimes by foreign nationals are increasing, they must be understood in proper contexts. Among others, it is necessary to keep in mind the following three points: 1) crimes by Japanese nationals are also rising; 2) the number of foreigners visiting and living in Japan is increasing; and 3) the majority of crimes committed by foreign nationals are immigration law violations. With that said, this section looks into official crime statistics involving "illegal aliens."

Foreign visitors (*rainichi gaikokujin*) is a category used in official crime reports. It encompasses all foreign-born nationals coming to Japan on temporary visas, including tourists, long-term residents, and visa overstayers. Conversely, they exclude permanent residents and American military personnel as well as unidentified foreigners (such as illegal entrants).[39] Oddly, foreign nationals with permanent residency fall into the category of "Japanese."

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[39] According to Komai (1999/2001), American military personnel and their families "under the Status of Forces

Although deterioration in public safety is often attributed to foreign visitors, especially "illegal aliens," close scrutiny of actual crime data reveals a more nuanced picture of foreign crime. To take recent crime statistics for example, the 2003 *White Paper on Police* recorded 34,746 cases of arrest or prosecution involving foreign visitors in 2002, up 25.2% from the previous year (p. 2; *JT*, 2003, September 27, n.p.). The figures were, however, grossly inflated since they included immigration law violations, the type of offense applicable only to foreign nationals.[40] Alleged cases of penal code offenses (*keihōhan*) by foreign visitors totaled 24,258 in 2002, involving 7,690 individuals (*JT*, 2003, September 27, n.p.). Foreign visitors made up 2.2% of all the criminal suspects (*Gaikokujin Sabetsu Wotchi Nettowāku*, 2004, p. 11). The figure was not remarkably high, considering that registered foreigners alone make up nearly 1.5% of the total population. Although *Police White Paper* (2003) noted that the number of foreign visitors apprehended for criminal offenses had risen by 11% in the past decade, the total number of foreigners newly entering Japan had increased at an even sharper rate (p. 2; see also Tables 4.1-2).

Table 4.1: Number of Foreigners Newly Entering Japan (in thousands)

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Total	3504	3856	3926	3747	3831	3732	4245	4670	4557	4901	5272	5286	5772
% *	n/a	10.0%	1.8%	- 4.6%	2.2%	-2.6%	13.7%	10.0%	-2.4%	7.6%	7.6%	0.3%	9.2%

* denotes an increase over the previous year

Sources: *Keisatsuchō*, 1995, p. 285, 2003, p. 2

Agreement which accompanies the U.S.-Japan Security Treaty, are exempted from alien registration, and thus are not subject to immigration control" (p. 126).

[40] Immigration law violations are classed under Special Law offenses that comprise offenses concerning elections, traffic laws, preservation of public order, finance and economy, illicit drugs, public morals, and alien registration and immigration, among others (Finch, 2000, p. 240)

Table 4.2: Foreign Visitors Arrested for Criminal Offenses (1990-2002)

	90	**91**	**92**	**93**	**94**	**95**	**96**	**97**	**98**	**99**	**00**	**01**	**02**
Total	2978	4813	5961	7276	6989	6527	6026	5435	5382	5963	6329	7168	7690
Percent	n/a	61.6	23.8	22.0	-0.4	-6.7	-7.7	-10.0	-0.1	10.70	4.40	13.26	7.28
Felonious offense	111	126	185	246	230	201	212	213	251	347	318	403	353
Violent offense	157	174	213	277	246	255	279	313	305	338	568	578	628
Larceny	1656	2493	2944	3995	3937	3900	3399	3155	3098	3404	3803	4135	4395
White-collar offense	139	94	443	260	218	302	497	305	319	264	277	267	339
Others	915	1926	2176	2498	2358	1869	1639	1449	1409	1610	1363	1785	1975

Note: The figures exclude traffic offenses.

Sources: National Police Agency, 2000, p. 90; *Keisatsuchō*, 2002b, p. 27, 2003a, p. 3, 2003b, p. 37

Of all the foreign visitors apprehended for criminal offenses, 17%, or 1,403, were found to be "illegal aliens"; they accounted for 0.4% of the total criminal suspects in 2002 (Nakashima, 2004b, pp. 11-12; see also Table 4.3).

Table 4.3: Number of Individuals and "Illegal Aliens" Apprehended for Criminal Offenses (1993-2003)

	1993	**1994**	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**	**2001**	**2002**
a. Total	297.7	307.9	293.2	295.5	313.5	324.2	315.3	309.6	325.2	347.5
b. Illegal aliens	1015	1215	1315	1632	1317	1302	1529	1603	1379	1403
Percentage*	0.34	0.39	0.45	0.55	0.42	0.4	0.48	0.52	0.42	0.4

Notes: The figures for "a" are in thousands.
* denotes the percentage of 'illegal aliens" in the total criminal suspects.

Source: Nakashima, 2004b, p. 11.

In 2003, 84% of the crimes committed by penal code offenders in the foreign visitor population were larcenies (*Gaikokujin Sabetsu Wotchi Nettowāku,* 2004, p. 13). The high incidence of larcenies indicates that foreign visitors resorted to crime predominantly for financial

reasons. Felonious crimes—which comprised homicide, robbery, arson, and rape—involved 477

foreign visitors in 2003 (*Keisatsuchō*, 2004b, p. 2). The homicide cases by foreign visitors had

even dropped from 69 cases in 1998 to 34 in 2002 (Nakashima, 2004b, p. 14).

Felonious crimes occupied a meager 1.2% of the total criminal offenses by the foreign

visitor population in 2003 (*Keisatsuchō*, 2004b, pp. 2-3). Among the foreign visitors arrested for

felonious crimes, 175 were "illegal aliens," including 16 persons charged with homicide.

"Illegal aliens" constituted 2.1% of all the individuals charged with felonious crimes (see Table

4.4). Most of them (145 out of 175) were arrested on robbery charge. It is clear from Table 4.4

that felonious offenses by "illegal aliens" remained fairly stable over the past decade.

Table 4.4: Number of Japanese Nationals, Foreign Visitors, and Illegal Aliens Arrested on Charge of Felonious Crimes (1993-2003)

Year	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Japanese	4,944	5,296	5,108	5,247	6,420	6,698	6,870	7,170	7,087	7,373	7,885
%	95.3%	95.8%	96.2%	96.1%	96.8%	96.4%	95.2%	95.8%	94.6%	95.4%	94.3%
Foreign visitors	246	230	201	212	213	251	347	318	403	353	477
%	4.7%	4.2%	3.8%	3.9%	3.2%	3.6%	4.8%	4.2%	5.4%	4.6%	5.7%
Illegal aliens	130	133	106	142	131	137	186	159	180	141	175
%	2.5%	2.4%	2.0%	2.6%	2.0%	2.0%	2.6%	2.1%	2.4%	1.8%	2.1%

Sources: *Gaikokujin Sabetsu Wotchi Nettowāku,* 2003, p. 14; *Keisatsuchō*, 2004b, p. 8; Nakashima, 2004b, p. 12

It is apparent that an increasing number of foreign visitors have committed felonious crimes in

recent years. But so have Japanese nationals (see Figure 4.2 on the next page). Unfortunately,

the upsurge in felonious crimes by foreign visitors alone has been highlighted in official

documents.

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Foreign visitors	246	230	201	212	213	251	347	318	403	353	477
Japanese	4944	5296	5108	5247	6420	6698	6870	7170	7087	7373	7885
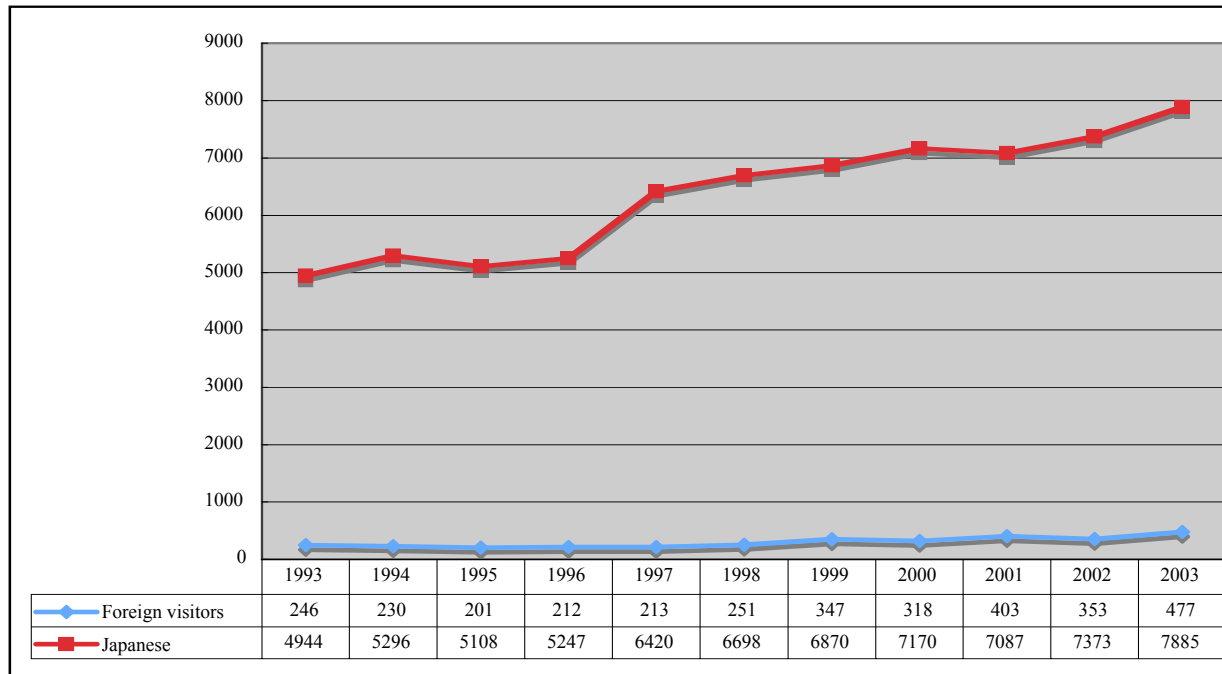
Source: *Gaikokujin Sabetsu Wotchi Nettowāku*, 2004, p. 14

Figure 4.2: Number of Foreign Visitors and the Japanese Apprehended for Felonious Crimes

4.4.2   Statistics on Crimes by Chinese nationals

Of the total foreign visitors apprehended for penal code offenses in the first half of 2004, the Chinese occupied 50.9%, followed by Brazilians at 12.0%, Koreans at 7.1%, Vietnamese at 5.9%, Peruvians at 4.1%, and Filipinos at 4.0% (*Keisatsuchō*, 2004b, p. 33). Chinese nationals committed 77 felonious crimes (47.8%); 42 cases of felonious crimes involved Brazilians (26.1%) (*Keisatsuchō*, 2004b, p. 33). 76 Chinese nationals (46.6%) and 49 Brazilians (30.1%) were arrested for robbery in this period (*Keisatsuchō*, 2004b, p. 33).

It is incontrovertible that the Chinese make up about half of the crimes by the foreign visitor population. Also, as Table 4.5 shows, the number of Chinese criminal offenders has almost doubled in the past decade. But these crime figures for the Chinese must be understood

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in relation to those for other nationals. It is especially important to bear in mind that crimes by

Brazilians—97% of whom are *Nikkeijin* and their families—have increased by more than

fourfold during the same period (Papademetriou and Hamilton, 2000, p. 41).

Table 4.5: Number of Foreign Visitors Apprehended for Criminal Law Offenses by Nationality (1993-2003)

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
China	2,668	2,942	2,725	2,504	2,320	2,281	2,721	3,038	3,232	3,503	4,444
S/N Korea	987	775	752	732	522	548	593	603	581	473	496
Brazil	223	301	318	304	347	536	658	682	958	952	1,005
Peru	470	470	386	310	264	255	263	261	326	327	364
Vietnam	200	198	252	274	329	340	347	377	469	583	549
Iran	544	294	167	150	103	72	66	64	68	69	47
Philippines	366	396	301	326	315	269	237	241	243	294	329

Sources: *Keisatsuchō*, 1998a, p. 261; 2000a, p.241; 2001a, p. 218; 2003b, p. 39; 2004a, p. 11

Particularly notable in this regard is Masahide Maeda's study of official crime statistics. From

the official crime data in 2001 he tabulated the number of criminal suspects per 1,000 registered

foreigners by nationality. The study found that Vietnamese by far topped the list, followed by

Iranians and Brazilians (see Table 4.6).

Table 4.6: Number of Criminal Suspects per 1,000 Registered Nationals in 2001

Vietnamese	28.64	Filipinos	1.3
Iranians	12.83	Thais	0.92
Brazilians	11.71	Malaysians	0.82
Russians	3.33	Koreans	0.45
Chinese	2.46	Americans	0.15

Source: Maeda, 2003, p. 64

Despite the fact that most Vietnamese and Brazilians in Japan are legal long-term residents, the rates of criminal offences by these nationals are disproportionately high. What can be inferred from Tables 4.5-6 is that crimes by foreign visitors are spurred not so much by their legal status as by their living and working conditions. At least it is grossly unfair to impute the soaring crime rates by foreigners to "illegal aliens" alone.

4.4.3   Observation

To recapitulate the main points, "illegal aliens" commit only a small number of felonious crimes. Nevertheless, the public's fear lingers that "illegal aliens" are endangering Japan's public safety. A recent poll conducted by the Cabinet Office (*Naikakufu*) (2004b), for example, discloses that the general public perceives the rise in the number of "illegal aliens" as the biggest cause of deteriorating public safety and social order in Japan (p. 12). While people's fear of crime is usually disproportionate to the actual risks they are subject to (Fairclough, 1995, p. 153), a gap between the reality of illegal aliens' crimes and the public perception thereof is stunning.

There are both quantitative and qualitative approaches for explaining this gap. Sociology Professor Ryōgo Mabuchi of Nara University (2003) takes the first approach. He surveyed the frequency of *Asahi Shimbun* reports on apprehensions of the Japanese and foreign nationals, respectively, during the first six months of 1998. His survey found that the arrests of foreign visitors were nearly 5 times more likely to be reported than those of Japanese nationals (see Table 4.7 on the next page for the survey results).

Table 4.7: Frequency of Press Reports on the Arrests of Suspects by Nationality

		Japanese	Foreign Visitors	Chinese	Korean	Brazilians	Filipinos	Americans	Thais
1	Media reports	4,826	390	168	88	8	20	6	4
2	Actual arrests	324,263	5,382	2,401	548	536	269	89	84
3	1 divided by 2	1.49%	7.25%	7.00%	16.06%	1.49%	7.43%	6.74%	4.76%
4	Ratio	1	4.87	4.7	10.79	1	5	4.53	3.2

Source: Mabuchi, 2003, n.p.

Table 4.7 also indicates that the apprehensions of foreigners were over-reported with the only exception of Brazilians. Although Brazilians constituted the third largest group for actual arrests, they were not frequently covered in the newspaper. Instead, *Asahi Shimbun* shed more light on Filipinos whose arrest cases were much smaller than Brazilians'. This tendency remains the same to date. As Sekiguchi (2002) suggests, even when the mass media take up the issue of Brazilians' crimes, they tend to be depicted more favorably in the media relative to other nationals (p. 201). Granted that the absolute number of *Nikkeijin*'s crimes is still relatively small. But it is conceivable that their crimes are played down because their legal status and ethnic origin run counter to the prevailing belief that "illegal aliens" from "third countries" are responsible for decline in public safety.

Disproportionate media attention to foreigners' crimes can also be observed in *Nihon Television* (NTV)'s two-hour prime-time police show aired on September 16, 2003 (comparable to Fox's *COPS* except that the former is broadcast on an irregular basis). Although foreign visitors' crimes made up only 2.1% of all the reported crimes, the show devoted more than 25% of the airtime to foreign crime (*JT*, 2003, October 7, n.p.). According to the *Japan Times* on October 7, 2003, "Rightwing Tokyo Gov. Shintarō Ishihara came on after every foreign-specific

segment to remark on, inter alia, the cruelty of Chinese crooks and the need for more police"

(n.p.). The overrepresentation of foreign crime in the show is evidenced in *Asahi Shimbun*'s TV

listing (*terebi ran*) as well. A short description of the show read: "We've filmed it! A little kid

bleeding from being punched by a foreign theft gang" (*AS*, 2003, September 16, p. 20).

Insightful and perceptive as Manabe's quantitative study is, this chapter conducts a

textual analysis to explain a gap between the reality of illegal aliens' crimes and the media

coverage thereof. This qualitative approach is useful because the threat of foreigners' crimes is

framed not only as a quantitative increase, but also as a trend toward greater deviousness and

atrocity (see, for example, Herbert, 1996, especially Chapter 7). In other words, "illegal aliens"

are believed to pose unprecedented threats to Japanese society not only because their crimes are

allegedly on a steep rise, but also because they are perceived as committing far more violent,

vicious, and organized crimes than the Japanese. For instance, journalist Takashi Orikawa

(2004) argues:

> Crimes by Chinese have not only rapidly increased in the past few years, but their
> quality has also drastically changed. Such felonious crimes as murders and robberies
> have been on the rise, and lock-picking crimes have now become common. Not only
> their compatriots but also innocent, ordinary Japanese have become victims of their
> crimes. (p. 10)

Even when crimes by foreigners decrease, control authorities and the media often alarm the

public to an increase in their serious offenses (for example, see *JT*, 2001, September 14, n.p.).

For instance, by drawing on a ranking police official, journalist Tateo Tamura (1998) takes a

drop in reported cases of foreign visitors' crimes as proof that their criminal activities have

become more insidious, organized, and armed (p. 38).

Having summarized the recent crime statistics concerning "illegal aliens," the next two

sections explore how "illegal" Chinese migrants are portrayed as grave threats to Japan's public

safety and social order in official crime reports and popular media texts. I first argue that official

accounts are partly to blame for the unduly inflated risks of crimes by Chinese "illegals." Then I

demonstrate that the mass media both rely on and transform official accounts to amplify the

danger of "illegal" Chinese migrants.

4.5   OFFICIAL ACCOUNTS OF CRIMES BY "ILLEGAL ALIENS"

Since the NPA began to use the term "foreign visitors" in 1980, its *White Paper* has constantly

noted a growing trend of their criminal activities. Still, the NPA held a rather optimistic view on

Japan's public safety throughout the 1980s. For example, the 1987 edition of *White Paper on

Police*, though recognizing an increase in foreign visitors' crimes, maintained that Japan enjoyed

a higher level of public safety than the UK, France, West Germany, and the U.S. partly due to its

"linguistic and cultural homogeneity" (p. 6).[41]   This epitomizes the workings of cultural

nationalism in official accounts of public safety. Seen in this light, it came as little surprise that

control agencies would later interpret the influx of "illegal" foreign workers as an ominous threat

to public safety.

The upsurge of male foreign workers in the late 1980s prodded the NPA into featuring

foreign visitors' crimes in a special report for the first time in 1990.[42]   The special report "Rapid

Increase of Foreign Workers and the Police's Response" offered an elaborate analysis of rapidly

increasing crimes by foreign visitors. Notably, it pointed to a noticeable increase in such

felonious crimes as murders by foreign visitors (p. 36). Along similar lines, the 1992 edition of

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[41] Identified as other factors were 1) high levels of education and morality, 2) low unemployment rates and a small
gap between the rich and the poor, 3) strict regulations against firearms and drugs, and 4) the people's deep trust in
and cooperative attitudes toward the police.
[42] As Hebert (1996) notes, the *White Paper on Police* "always focuses on one issue in a 'special report'" (p. 196).

White Paper on Police highlighted cross-border crimes in the special report "the Transformation of Crime in a Borderless Age." A substantial portion of the report was devoted to foreign visitors' crimes. The 1993 edition for the first time addressed the problem of "felonious crimes by illegal aliens" in a separate section (p. 111). The 1994 edition argued that "the presence of a large number of illegal aliens is a serious problem in terms of public security" (p. 97). The 1995 *White Paper on Police* began to take particular note of the criminal activities of Chinese nationals, especially the smuggling cases engineered by the Snakehead, a Chinese smuggling network (p. 288, p. 291).

The current official discourse of a foreign crime wave became prominent around 1999. Although the general tone of argument on foreign visitors' crimes became more alarmed year by year, it was not until 1997 that *White Paper on Police* offered a detailed account of foreign criminal groups (*gaikokujin hanzai soshiki*). The terms "transnational crime" (*kokusai hanzai*), "transnational criminal organization" (*kokusai hanzai soshiki*), and "transnational organized crime" (*kokusai hanzai soshiki*) were foregrounded for the first time in the 1999 *White Paper on Police*. It also began to make explicit mention of the criminal propensity of "illegal aliens." The remainder of this section, therefore, takes a close look at *Police White Paper* since 1999 to identify recurrent themes, common arguments, and popular idioms the NPA employ in characterizing foreign visitors' crimes. Particular emphasis is placed on the 1999 and 2003 editions as they carry special reports on a foreign crime wave.

In a nutshell, *White Paper on Police* since 1999 suggests that foreign visitors' crimes have become more organized (*soshikika*), sophisticated (*kōmyōka*), atrocious (*kyōakuka*), vicious (*akushitsu*), and armed (*busōka*). Also stressed are the allegations that their crimes tend to be carefully planned (*keikakuteki*) and perpetrated in a heavy-handed (*teara*) manner. The 2003

edition of the *White Paper* documents this "changing nature of foreign visitors' crimes" with statistics, actual cases, and testimonies from foreign suspects and investigators. According to the 2003 edition, criminal offenses by foreign visitors recorded "the largest ever" (*kako saita*) in 2002 (p. 2). Of the crimes committed by foreign visitors, felonious offenses, especially robberies, soared exponentially in the last five years (p. 3).

According to the 2003 *White Paper*, foreign visitors are more likely to commit break-in robberies than the Japanese (p. 4; see Figure 4.3).

The Japanese   Foreign visitors
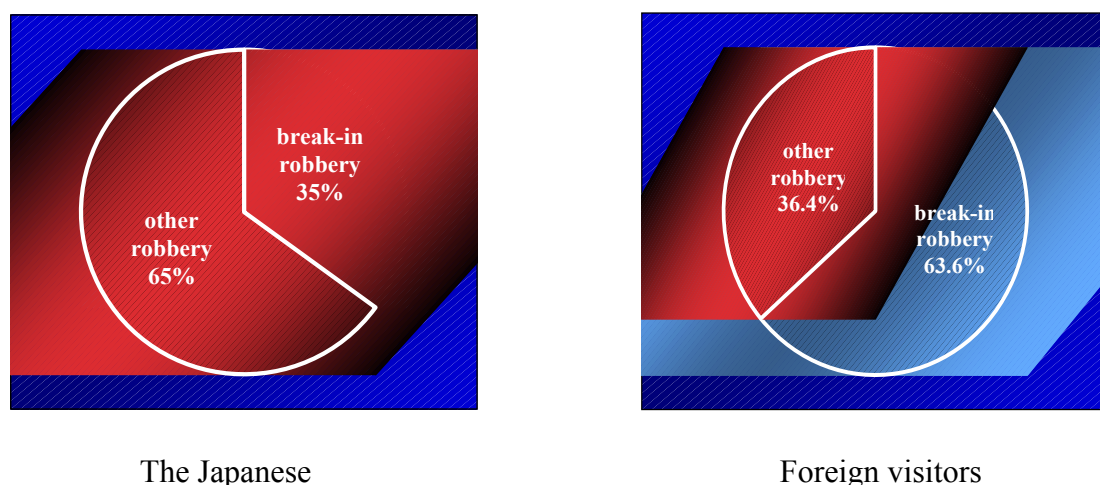
Source: *Keisatsuchō,* 2003a, p. 4

Figure 4.3: Percentages of Break-in Robberies and Other Types of Robberies by the Japanese and Foreign Visitors

In the NPA's (2004a) view, the high incidence of break-in robbery is a matter of serious concern for ordinary people because that could put their lives in great danger (p. 189). More worryingly, foreign visitors' break-in robberies are characterized by "their heavy-handed mode of operation [*tearai teguchi*]" (*2003 White Paper*, p. 4). By way of illustration, the English translation of the 2000 *White Paper* describes a typical case of break-in robbery by foreign visitors as follows:

"Perpetrators in general turned to more ferocious acts than before as they trussed victims with adhesive tapes or handcuffed them, and used handguns and knives" (p. 90). *White Paper on Police* (2003) goes further to suggest that foreign visitors' break-in robberies could easily escalate into brutal attacks on or murders of victims (p. 78). Also cited is the high occurrence of organized robberies with picking devices (p. 5).

Among others, "illegal aliens" are singled out as a menace to public order on the grounds that they commit nearly half of the felonious crimes by the foreign visitor population. The 2004 edition of *White Paper* points out that while "illegal aliens" made up only 17.4% (1,520) of the foreign visitors apprehended for criminal law offenses in 2003, they committed 42.1% of the white-collar crimes (209 out of 497), 36.7% of the felonious crimes (175 out of 477), and half of the break-in robberies (p. 189). Along the same line, *White Paper on Police* in 1999 stresses the criminal propensity of "illegal aliens" by stating that many illegal aliens who initially came to Japan for work now engage in criminal activities because they can make quick, easy money that way (p. 17). The growing presence of "illegal aliens" therefore portends that Japan is becoming "a hotbed of crimes" (p. 17).

Perhaps the most salient and contentious feature of the recent white papers on police is their emphasis on the dangers of organized crimes by "transnational criminal organizations." The 2003 edition, for instance, devotes the first 31 pages of the special report ("Combating Organized Crime") to "transnational organized crimes" by foreign criminal groups. Yet a few notes on terminology are in order. By "transnational crime," "transnational organized crime," and "transnational criminal organization," *White Paper on Police* (2003) means, respectively, "crime by foreigners, crimes committed overseas by the Japanese, or crime related to foreign countries," "crime that is organized across borders," and "a group of individuals that commits a

transnational crime" (p. 2). If we follow the definitions, however, any crime committed by foreigners in an organized manner will count as transnational organized crime, and any foreigner who commits crimes in a group will be classified as a member of transnational criminal organization. But as Finckenauer (2001) concisely put it, "[t]rue organized crime is much more than just crime committed by organized groups" (p. 168). It is marked, for example, by "the structure and continuity of criminal networks engaging in crime" (p. 168). Given that the 2003 *White Paper on Police* acknowledges that foreign criminal groups are typically amorphous, opportunistic groups (p. 13), "transnational criminal organization" is obviously a misnomer. For the term may well conjure up the image of cross-border criminal syndicates engaging in illicit activities of firearms trafficking, drug peddling, money laundering, prostitution, and even terrorism. In more general terms, Finckenauer (2001) spells out the problem with the promiscuous label of organized crime:

> [F]rom a research perspective (simply trying to describe, understand, and explain the phenomenon of interest), if organized crime is so loosely or ambiguously defined as to encompass particularly any crimes committed by, say, three or more persons, then it is a meaningless concept. Without a clear and focused definition of what the phenomenon is, description, explanation, and understanding are impossible. It then follows that mapping trends and measuring the impact of countermeasures will also be impossible. (pp. 169-170)

Nevertheless, *White Paper on Police* uses the extremely vague and elastic definitions to document a noticeable increase in organized crimes by foreign visitors. The 2003 edition, for instance, showed that foreign visitors were 3.3 times more likely to commit crimes in groups than Japanese nationals in 2002 (p. 6). Specifically, 61.5% of robberies, 68.6% of thefts, and 49.9% of white-collar crimes by the foreign visitor population were reportedly committed in groups (p. 7); some groups were found to perpetrate offenses in a highly organized and premeditated manner (p. 8). But a closer look at the actual crime data reveals that almost 70% of

the crimes committed by "foreign groups" involved three persons or less (p. 8). Of course, two or three persons could pre-meditate and organize a brutal crime; but that is not the same as organized crime. Finckenauer (2001) argues:

> The committing of a single crime can sometimes involve considerable planning and implementation of the resulting plan by a number of individuals fulfilling very specially defined roles and carrying out specific functions relative to that crime. Such would be an example of a crime that is organized. The sense of *organized crime*, however, goes beyond this. (p. 169)

In short, by invoking the terms "transnational organized crime" and "transnational criminal organization," *White Paper on Police* exaggerates the threat of organized crime by foreign visitors.

Specifically, the NPA's *White Paper* divides "transnational criminal organization" into two types: foreign-based criminal syndicates and foreign criminal groups formed in Japan. The former include the Snakehead, Korean pickpocket groups, Hong Kong Triads, Taiwanese criminal syndicates, and Russian criminal organizations; Chinese criminal groups, Iranian drug trafficking groups, and Columbian theft groups represent the latter. Of particular concern are growing links among foreign criminal groups, foreign-based criminal syndicates, and Japanese gangs. The 2003 edition of *White Paper* illustrates that "[d]uring robberies, the Japanese do such work as casing and selecting the target and driving the getaway car, while it will be the Chinese who actually force their way into a home and steal the valuables" (p. 77, cited in Foreign Press Center, 2003, n.p.). To corroborate this point further, the 2003 *White Paper* conducts a questionnaire survey for about 1,000 police officers who "work on the frontlines of crimes by foreign visitors" (pp. 12-14). Over 90% of the police officers are under the impression that foreign visitors' crimes have been more organized than before. When asked to name a country, 85.1% of the respondents answer "China" (p. 12). Moreover, 61.9% of those surveyed speculate

that foreign criminal groups are tied to foreign-based criminal syndicates (p. 13). 66.0% of them

also suspect that some Japanese nationals aid and abet foreign criminal groups (p. 12). In the

NPA's account, these survey results evidence that "transnational criminal organizations are

penetrating deeply into Japanese society and perpetrating crimes along with Japanese fellows"

(p. 12).

Chinese criminal groups are a particular focus of the special report in the 2003 *White

Paper*. According to the special report, more Chinese are coming to Japan to make money

legally or illegally as the rumors spread among "bad Chinese" (*furyō chūgokujin*) that it is easy

to commit crimes in Japan and that criminals will receive only light punishment there (p. 17).

Particularly alarming are the high rates of organized crimes by Chinese groups. From the above

survey results, *White Paper* (2003) surmises that there may exist a larger number of Chinese

criminal groups in Japan than the statistics capture. The special report also suggests that many

Chinese criminal groups are forging closer ties with Japanese gangs, which sometimes results in

conflicts between them (pp. 75-88). Worse, even minor skirmishes could easily escalate into

explosive, bloody fights as some Chinese criminal groups are not afraid of *Yakuza* gangs. The

2003 *White Paper* recounts a scuffle between a *Yakuza* gang and a Chinese criminal group:

> When a member of a yakuza syndicate was injured through the actions of a Chinese
> group, the leadership of the Japanese group met with the Chinese group to demand
> compensation for his medical bills. The Chinese group, however, responded by
> opening fire in the coffee shop where the meeting was being held, killing one person
> and seriously wounding another. (cited in Foreign Press Center, 2003, n.p.)

Incidents like this are cited in *White Paper on Police* to illustrate the intractably violent nature of

Chinese criminal groups.

The 2003 *White Paper* carries "the voices of Chinese suspects" as well. When asked why they decided to target Japan as a venue for making money, Chinese suspects answer the following:

a. You can make a fortune in a short period. The one with money is a success whether you earned it by committing a crime or not.

b. I wanted to go to the United States, but you could be shot by the police there. Plus, the punishment [in the U.S.] is more severe.

c. The Japanese police will never beat [suspects]. Even if you are arrested without luck, the worst thing you will get is deportation if you keep denying the charge. I'm afraid of being arrested, but I don't fear the police themselves.

d. The punishment in Japan is light. The most you will get for theft is a few-year prison term. I can bear it.

e. Prisons in Japan are clean. [Prisoners] can watch TV. It is said that [prison life in Japan] is more comfortable than life in China. (p. 17)

Their confessions, however, don't represent the majority of Chinese inmates' feelings and even reflect a racist bias on the part of the editors and the investigators (Hamai, 2004, p. 29). From his experience as a prison official, Professor Hamai (2004) observed that most Chinese inmates he met were confused and frightened in jail abroad. Their defiant attitudes recorded in the 2003 *White Paper on Police* even contradict findings in the Justice Ministry's *White Paper on Crime*, another major official source of information on crime trends in Japan. The 2001 *White Paper on Crime,* for example, disclosed that 90.9%, or 1,123, of F (foreigner)-class inmates regretted their crimes; 65.3% were found to have difficulties adjusting to prison life (*Hōmushō Hōmu Sōgō Kenkyūjo*, 2001, pp. 307-308). However, these majority opinions rarely made their way into the popular media. Instead, the media far more often printed the voices of foreign suspects in the 2003 *White Paper on Police* (for example, see *NS,* 2003, September 26, p. 18; *NS,* 2003, September 30, p. 18). To my knowledge, *Kyōdō Tsushin* reporter Hiroaki Nakajima was the

only journalist who questioned the credibility of the confessions (for details, see his essay in the October 10, 2003 issue of the progressive *Shūkan Kinyōbi* [*Weekly Friday*], p. 21).

Furthermore, *White Paper on Police* expresses serious concern that foreign criminals have been shifting their target to the Japanese. According to the 2003 edition, about 70% of foreign visitors' felonious crimes involved Japanese victims in 2002 (p. 5). The NPA also maintains that as foreign crimes are spreading all over the country, they are a national problem (*zenkokuteki na mondai*) (*Keisatsuchō*, 1999a, pp. 12-13). By implication, no one is immune to the threats posed by foreign criminals.

Last but not least, the 2003 *White Paper on Police* releases the results of a questionnaire survey for about 600 external interpreters. The survey was designed to solicit input from interpreters working in criminal investigations involving foreign visitors. They were first asked if they were ever threatened by foreign suspects. 1.3% answered "yes" and 3.0% responded that they *felt* threatened by their remarks (p. 15). Also, in response to the question "why did foreigners who came to Japan for the purpose of work or sightseeing end up engaging in criminal activities?," 30.8% answered "because they can earn more money by committing crimes than working diligently," followed by "they were lured by their compatriots to join criminal groups" (28.7%) and "they were lured by the Japanese gangs such as *Bōryokudan* [*Yakuza*]" (10.9%) (p. 16). The underlying assumption of all the answers is that foreign visitors are susceptible to the lure of easy money. Missing are the economic and living conditions that drive them to commit crimes. In reality, the vast majority of foreign visitors resort to crime "as a result of financial difficulties relating to every day living or in order to gain redress for damages which they have suffered" (Sellek, 2001, p. 214).

The neglect of economic reasons in *White Paper* suggests that the police show different attitudes towards crimes committed by the Japanese and foreign visitors. Admittedly, foreign visitors' crimes are on the rise. But so are crimes by Japanese nationals. In general, official crime reports are more sympathetic to the latter. To mention one example, Matsubara (2003, November 29) of the *Japan Times* writes: "Among crimes perpetrated by adults, there was a dramatic increase in the number of burglaries. The [police white] paper says these crimes were often motivated by financial hardship or debts, reflecting the protracted economic downturn" (n.p.). Unfortunately, such a sympathetic account is rarely extended to foreign visitors.

4.6 MEDIA PORTRAYALS OF CRIMES BY "ILLEGAL" CHINESE MIGRANTS

> Such [felonious] crimes as murders and robberies resulting in injuries have been committed mostly amongst foreigners so far. The time may come when Japanese people become victims of such felonious crimes and the incidents get widely reported. When that happens, I hope that the mass media, among others, will stay calm.
>
> (Ryūzō Saki, 1991, p.209)

Unfortunately, sensational media coverage of foreign crime has become a reality. As McCurray (2004) puts it, "[r]eports of heinous acts committed by foreigners from the Asian mainland, who take advantage of Japan's 'good-nature', have become a staple of the Japanese press, the broadsheets included" (n.p.). When figures, crime cases, suspects' confessions, and survey results in official documents are filtered through law enforcement agencies' interpretive framework, the media are responsible for questioning the framework and counterbalancing the official accounts with others so that the reader could get a better picture of the crime situation in Japan. Yet the media fail, miserably, to act as a check on the official discourse and largely accept the idea of "illegal aliens" as serious security threats. Instead of problematizing a racist bias embedded in the portrayals of foreign criminals in the white papers on police, they

frequently present frightening images and lurid stories to reinforce the irredeemably vicious nature of foreign criminals. For example, the July 7, 1996 issue of *Weekly Asahi* quotes a former senior *Yakuza* gangster as saying:

> It is dangerous to get involved with Chinese groups. Even if a conflict arises between Japanese *Yakuza* gangs, you can talk it out. But they [the Chinese] are reckless. They say with a smile: "The life of the Japanese is expensive, but that of the Chinese is cheap." They are the kind of dudes who don't mind committing a murder if they get paid 500 thousands yen [$4,500] or so. (p. 38)

This article epitomizes the media's tendency to amplify the danger of a Chinese crime wave along official lines. To begin with, it implies that even *Yakuza*, Japan's most feared organized crime gangs, pale in comparison to the reckless behavior of Chinese criminals. Also, the article obfuscates the line between professional criminals and other Chinese. This equivocation might lead the reader to view all Chinese migrants as susceptible to criminal behavior. Lastly, it highlights the personal or ethnic traits of Chinese criminals at the neglect of material circumstances that drive them to crime. As Curran (2000) argues, the personalization of the crime issue has political implications because whether crime is portrayed as arising from social conditions or individual evils impacts on public attitudes toward law and order (p. 139).

Uncritical crime reporting is due to several structural factors. First of all, young, inexperienced journalists are usually assigned to be police-beat reporters with little training (Borderland of the Media, 2004, n.p.). Not surprisingly, they are inclined to accept official accounts and write crime reports accordingly. Second, the infamous press club system (*kisha kurabu seido*) in Japan fosters collusive relationship between journalists and the police and denies independent, critical journalists first-hand access to crime data. Bryan Shih (2001) explains how the press club system operates to shun investigative journalists unaffiliated with major news institutions:

In Japan, many press conferences aren't open to just anybody who wants to attend: Instead, every official agency has a press club, and only reporters who are members of each press club can attend press conferences held by each agency. Generally, only journalists from one of 20 or so major domestic media outlets are admitted to most of Japan's press clubs. If you're foreign or work for a magazine that falls outside the mainstream, you can find yourself cut off from official sources because they often won't talk to non-club reporters. (n.p.)

Since journalists are unable to even confirm the names of suspects if shut out of the press club, they shy away from writing critical crime reports lest they "offend" the police (Jimbo, 1995, p. 110; Tsukada, 2001, p. 173). Worse still, the "elitist" press club system fosters "a kind of bureaucratized 'pack journalism,'" which further exacerbates the news media's overreliance on official sources (Schudson, 2000, p. 188). As Schudson (2000) points out:

'Reporters' clubs' are organizations of reporters assigned to a particular ministry, and most basic news comes from reporters in these clubs. Since most clubs are connected to government agencies, news takes on an official cast. The daily association of reporters at the clubs contributes to a uniformity in the news pages; reporters are driven by what is described as a 'phobia' about not writing what all the other reporters write. (p. 188)

Besides, control authorities would often leak information to trusted journalists outside of routine press conferences. It is extremely difficult to build a trusting relationship with the police if a journalist does not belong to the press club. As Hall, et al. (1978) put it in more general terms, "both the formal and informal social relations of news-making from which the journalist derive his [*sic*] 'crime' material are dependent on a notion of 'trust', e.g. between the police and the crime correspondent" (p. 68). If a journalist lacks or breaches this trust, he or she will be barred from access to privileged information (Hall, et al., 1978, p. 68). Third, police-beat journalists are too busy to reflect on their daily reporting as they typically wake up at 6:30 in the morning and work until 1 a.m. at night (Borderland of the Media, 2004, n.p.). Lastly, reporters on the police beat are usually transferred in a few years, which makes it difficult for them to write an in-depth, critical report on foreign crime (Tsukada, 2001, p. 173).

Although journalists are predisposed to cover crime stories in favor of law enforcement agencies, official crime reports are not to blame entirely for the growing public antipathy towards foreign visitors, especially "illegal aliens." For the media not only fail to keep a critical check on the misleading public presentation of official crime data, but they also play an active role in exacerbating the national hysteria over a foreign crime wave. Ever since the NPA began to release data on foreign visitors' crimes, the popular media have fueled, rather than quelled, the public anxiety over them. For example, the November 1987 issue of the monthly *Sentaku* warned the reader of the "explosive increase" in crimes by foreign visitors (p. 116). Although *White Paper on Police* still affirmed Japan's high level of public safety during this period, the article contended that "an upsurge in illegal foreign workers and the infiltration of criminal groups [were] shaking [the] very foundation of [Japan's high] public safety" (p. 117). More recently, following on the heels of the Great Hanshin-Awaji Earthquake in January 1995, scurrilous rumors erupted of looting by foreigners. Despite the local police's persistent denial of organized crime by foreigners (*AS*, 1995, January 26, p. 33), *Weekly Shinchō* (*Shūkan Shinchō*) (1995, February 2) stated that the rumors were not totally unfounded (p. 55). The article even gave credit to those vigilance groups insisting that Southeast Asians and peoples from the Middle East with dark complexion were looting stores and vandalizing vending machines (p. 54). To mention yet another example, a deadly fire and explosion in Kabukichō's Meisei 56 building in September 2001 resulted in 44 deaths. According to the police, an arson attack was the most likely cause of this catastrophic fire (*MDN*, 2002, December 12, n.p.). Although the cause of the fire has yet to be confirmed, the media made frequent mention of the rumor that Chinese groups set a fire to the building. Freelance journalist Atsushi Mizoguchi (2001), for example, cited several individuals who claimed to have seen or know someone who saw "an apparently Chinese

illegal entrant" running away from the scene (p. 102). The rumor was also taken up in the November 15, 2002 issue of *Weekly Asahi* wherein a senior Yakuza member and a Chinese broker attested to the credibility of the rumor.

Building on the premise that the popular media both draw on and transform official crime reports, this section fashions a critical analysis of how they covered crimes by Chinese "illegals" from January 1997 to February 2005. Subject to my analysis are general-interest magazine articles and *bunkobon* and *mook* titles on a Chinese crime wave. I also look into two hardcover books on this topic at least part of which were originally printed as article series in general-interest magazines (for the book titles, see Table 4.8 on the next page). To add to my analysis of these written texts, I occasionally reference newspaper articles and TV programs pertaining to crimes by Chinese "illegals." The reference is intended to illustrate that the general tone of foreign crime reporting is not radically different across the media.

Table 4.8: *Bunkobon* and *Mook* Titles on Crimes by the Chinese (in alphabetical order)

Azuma, H. (1998). *Shinjuku Kabukichō Mafia No Sumu Machi* (*Shinjuku's Kabukichō: The Town Where the Mafia Lives*). Bunshun Bunko.

Azuma, H., Suzuki, T., Natsuhara, T., Hinago, A., Lee, X. et al. (2004). *Tokyo Autorō Sensō* (*Outlaws' Wars in Tokyo*). Bessatsu Takarajima Real, 58.

Hinago, A., Natsuhara, T., Yamaoka, S., Etō, K., and Watanabe, K. (2001). *Shinjuku Kabukichō Andā Wārudo* (*The Underworld in Shinjuku's Kabukichō*). Takarajimasha Bunko.

Lee, X. (2004). *Kabukichō Annainin* (*Kabukichō Guide*). Kadokawa Bunko.

Mizoguchi, A. (1998). *Chaina Mafia* (*Chinese Mafia*). Shōgakukan Bunko.

Mizoguchi, A., Morita, Y., Azuma, H., & Tomisaka, S. (2000). *Yakuza To Iu Ikikata Chūgokujin Mafia Raishū* (*The Life of Yakuza: The Invasion of the Chinese Mafia*). Takarajimasha Bunko.

Mo, B. (1999). *Jatō* (*The Snakehead*). Shinchō Bunko.

Morita, Y. (1998). *Tokyo Chainīzu* (*The Chinese in Tokyo*). Kōdansha Bunko.

Morita, Y. (1999). *Shinjuku Ban* (*Gangs in Shinjuku*). Kōdansha Bunko.

Morita, Y. (2002). *Tokyo Hanzai Konsu* (Crime Companies in Tokyo). Kōdansha Bunko.

Natsuhara, T. (Ed.). (2003). *Kabukichō Autorō Sensō* (*Outlaws' Wars in Kabukichō*). Bessatsu Takarajima Real, 52.

Orikawa, T. (2004). *Chūgokujin Renzoku Gōtōdan* (*Chinese Serial Robbery Groups*). Kōdan Sha.

Tamura, T. (2004). *Documento Gaikokujin Hanzai Kane No Tame Nara Inochi Wa Iranai* (*Documentary on Foreigners' Crimes: We Are Willing to Die for Money*). Rim Shuppan Shin Sha.

Tomisaka, S. (2003). *Sennyū Zainichi Chūgokujin No Hanzai Shinjikēto* (*Sneaking-in: Criminal Syndicates of Resident Chinese*). Bunshun Bunko.

It might be useful to start out with the profiles of major writers on a Chinese crime wave. Most works on the topic are produced by so-called "free writers (*furī raitā*)," or freelance writers who are reputedly well versed in Chinese society (*chūgoku tsū*).[43]   These freelance writers include Akira Hinago, Satoshi Tomisaka, Atsushi Mizoguchi, Yasuro Morita, Hirokatsu Azuma, Tateo Tamura, and Takashi Orikawa. Contrary to their name, "free writers" are not "free" at all. Since they are not employed by publishers or news organizations, they occupy a very weak position in the media. According to Yasuoka (2004), many freelance writers manage to get their pieces published by catering to the demands of editors and publishers (pp. 203-204). In fact, many of the above freelance writers did not choose to write on the theme of foreign crime; rather, they were originally assigned by magazine editors to do the report (for example, Azuma, 1998; Tomisaka, 2001).

In addition to writing *bunkobon* and *mook* titles*,* these freelance writers regularly contribute articles to such general-interest magazines as *Weekly Bunshun, Weekly Asahi*, and *SAPIO*. In fact, many *bunkobon* titles were originally published in general-interest magazines. For example, Hirokatsu Azuma penned articles on foreign crime in *Weekly Bunshun* from 1993 to 1994. A collection of articles was later published with revisions as a *bunkobon* in 1998 from *Bungei Shunjū Sha*, the publisher of *Weekly Bunshun*. Likewise, Satoshi Tomisaka's 2003 *Sneaking-in: Criminal Syndicates of Resident Chinese* was originally published as series articles in *Weekly Bunshun* from September to November 2000. Besides, they are often asked for comments when crimes by Chinese "illegals" are featured in print or broadcast media. Among others, Tomisaka frequently appears on TV when relevant stories come up in news programs.

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[43] The notable exception is Dr. Zhang Jing's (2003) *Rainichi Gaikokujin Hanzai* (*Foreign Visitors' Crimes*). But his book is academic by nature and published by *Akashi Shoten*, a small, independent publisher. Thus it does not fall into the category of popular texts.

Oddly, the *bunkobon* and *mook* authors rarely cross-reference each other's works, but they share a wealth of information. They typically draw on official crime reports and various anonymous—often, dubious—sources for unmasking the "reality" of Chinese crime. Moreover, the *bunkobon* and *mook* writers recycle a lot of materials across the media, which enables them to write prolifically on the topic. This may partly explain why the popular media employ remarkably similar rhetoric, frames of reference, and lines of arguments in covering an alleged Chinese crime spree. This "symbolic drip-feed" in turn serves to lend credibility to otherwise incredulous stories about crimes by Chinese "illegals."

4.6.1   Media Hype of Chinese Organized Crime

In the remainder of this section, I identify idioms, imageries, stories, and arguments the popular media commonly invoke for playing up the danger of a Chinese crime wave. To begin with, they are inclined to sensationalize the threat of organized crime by "illegal" Chinese migrants by depicting them as if they were members of international crime syndicates. This is a quintessential example of how the popular media both draw on and transform official accounts. What can be extrapolated from *White Paper on Police* are 1) "illegal aliens" are more likely to commit crimes in groups than the Japanese and 2) some groups perpetrate offences in a very organized manner. But just because groups of "illegal aliens" tend to commit crimes in an organized manner, this does not mean that they are professional criminal organizations. As a matter of fact, "while much is made of links to criminal organizations, statistics cited to demonstrate this fact reveal that, in 1995, only 1 per cent of those persons arrested for violating the Immigration Control Act of Japan were identified as having links to criminal organizations (Caouette and Saito, 1999: 26)" (Skeldon, 2000, p. 19).

The NPA's ambiguous and misleading definition of "transnational criminal organization" is partially responsible for the media's excessive emphasis on organized crime by Chinese "illegals" because it encompasses a wide range of groups from foreign-based criminal syndicates to two foreigners committing a minor offense. But the NPA at least makes a conceptual distinction between organized crime syndicates and foreign criminal groups. Besides, although *White Paper on Police* states that outposts of transnational crime organizations are getting more active in Japan, it also acknowledges that they are typically loosely arranged, opportunistic groups. The 2003 edition, for example, documents that approximately 70% of crimes committed by groups of foreign visitors involved three persons or less (pp. 7-8). Some law enforcement officials even admit that whether such ad-hoc groups should be called "organizations" is debatable (see, for example, Uchida, 1997, p. 45).

Yet the line between the two types of "transnational criminal organization" often gets blurred in the popular media. In effect, Chinese nationals who commit crimes in groups get almost automatically associated with professional crime syndicates. For example, Tomisaka (2000) recounts an alleged crime scene where Chinese groups were dealing in stolen goods. One day, he came across "several apparently Chinese people talking busily by cellular phone near a ticket gate in a JR [Japan Railways] station in Tokyo" (p. 51). Tomisaka then happened to see them selling stolen goods. He claimed to have witnessed such "crime scenes" over and over again. His narrative is problematic inasmuch as it induces the reader to suspect any Chinese walking in a group and talking by cell-phone as a potential criminal. In another article Tomisaka (2001b) suggests that the bosses of Chinese underground organizations are dressed so casually that it is all but impossible to tell them from ordinary people (p. 91). By implication, all Chinese-looking people need to be seen with suspicion. Worse, the popular media tend to pick

up the most vicious and ruthless of Chinese criminal groups. Takeyuki Tanaka (2001), for instance, charges Chinese smugglers for "ransacking" Japan as much as they want (p. 114). He deplores that since Japan's judicial system is not capable of tracking down and eliminating those smugglers, "[the country] is defenseless against 250 thousands illegal aliens" (p. 114). Notice that Tanaka exaggerates the threats of undocumented migrants by describing Chinese smugglers "ransacking Japan" as representative of "250 thousands illegal aliens."

Similar hyperbole is prevalent in newspapers as well. For instance, *Sankei Shimbun* of May 1, 2000 runs a rather alarming article on organized crime by foreign visitors. In particular, the article underscores the threat of Chinese criminal groups by saying: "Recurring among crimes by foreign visitors last year were organized crimes such as smuggling of an enormous amount of stimulant drugs and robberies by the Hong Kong-based criminal organization 'the Hong-Kong Triads' or murders and kidnapping by the Snake Head for nonpayment of smuggling fees" (p. 1). Like Tanaka, the article depicts the illicit activities of professional crime syndicates as illustrative of organized crimes by foreign visitors. *Yomiuri Shimbun* of September 29, 2003 also opines that the government must tackle organized crimes by *Yakuza* gangs and foreigners as if foreign criminal groups were as professionally organized as *Yakuza* (p. 3). Even the *Japan Times* which is relatively critical of the NPA's crime reports interprets foreign visitors' tendency to commit crimes in groups as a sign of "an increase in illegal activities by foreign organized crime syndicates" (2000, September 15, n.p.).

Yomiuri Shimbun Public Safety Research Team (henceforth, the Research Team)'s 2004 *Organized Crimes* (*Soshiki Hanzai*) is perhaps most indicative of the media's inclination to conflate organized crime with crime that is organized by foreigners. The book consists of a collection of article series originally printed in *Yomiuri Shimbun* from 2001 through 2003.

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Although the book purports to unravel the reality of organized crimes in general, it is almost entirely devoted to the growing presence of foreign criminal groups and their connections with *Yakuza* gangs. For example, the first chapter entitled "Escalating Foreign Crimes" begins with a minute report on the grisly murder of a housewife in Yamagata Prefecture by three Chinese and one Japanese. The three Chinese originally came to Japan to attend language schools, but they eventually dropped out and joined a criminal group (p. 20). In the Research Team's account, this and other Chinese robbery gangs (*gōtōdan*) or theft gangs (*settōdan*) commit crimes all over Japan because they mock the Japanese police and have confidence that they won't be arrested. In fact, the police were able to arrest the offenders in the Yamagata murder case only because they discovered *by chance* the kitchen knives they used to kill the housewife. As the Research Team (2004) put it, "the discovery of the kitchen knives was nothing but a miracle" (p. 13).

According to the Research Team, this gruesome murder incident is only a tip of the iceberg, and Chinese groups have been repeatedly committing atrocious crimes throughout Japan. As the Research Team sees it, Chinese criminals pose particularly serious threats to public order because "they are not the kind of people who commit one crime and live quietly afterwards" (p. 34). On the contrary, "they have no compunction. They don't hesitate to perpetrate any atrocious acts for money" (p. 35). In fact, the three Chinese who murdered the housewife in Yamagata Prefecture allegedly expressed no remorse. Having attended several trials of the case, her bereaved husband told the reporters in great disappointment: "The criminals have no sense of guilt. Sometimes, they even smirked in a courtroom. It is painful to sit behind the bar and hear the criminals denying the charges" (p. 18).

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4.6.2 "Illegal" Chinese migrants are forging close links with crime syndicates.

While *White Paper on Police* offers a relatively modest assessment of links between Chinese

criminal groups and professional crime syndicates at home and abroad, the popular media rely on

anonymous police officers, *Yakuza* mobsters, and foreign gang members (as well as official

crime reports) for stressing their close ties. For example, the June 18, 2001 issue of *AERA* draws

on several freelance writers, including Mizoguchi and Mo, to show that Chinese "illegals" in

Japan now align themselves with transnational criminal organizations for the systematic

perpetration of criminal acts. According to the lead article, former Japanese-language students

are typically assigned to lay groundwork for a criminal act, illegally staying and working

Chinese perpetrate the act itself, and professional criminal groups aid and abet them (p. 9).

Journalist Hiroshi Kubo (2004) also points to growing nexus between Chinese criminal groups

and *Yakuza* gangs. Even more worrisome is the fact that Chinese criminal groups now recruit

unemployed Japanese nationals to perpetrate crimes for them. According to Kubo (2004):

> It is well known that the Chinese hire jobless Japanese to commit larcenies. Once the
> Japanese who waited on them hand and foot got arrested, Chinese who spearheaded the
> crimes would quickly flee to their home country. If you take that into consideration,
> more Chinese must be involved in crimes than the statistics show and exacerbate
> Japan's crime situation. (p. 204)

Along a similar line, Tomisaka (2000) contends that "bad Chinese groups" no longer work for

the Japanese but lure "ordinary Japanese" to abet and assist them by offering handsome rewards.

He is gravely concerned about this alignment because "if the boldness of Chinese criminals is to

be combined with the 'eyes' of the Japanese who have home ground advantages, it will no doubt

endanger the safety of the island country" (p. 51).

Amplifying the public fear of organized crime by Chinese "illegals," the popular media

often invoke the image of "Chinese Mafia." Although literature on the Chinese Mafia abounds

in the media, very few, if any, writers seem to grasp how much of it is a reality. Indeed, as Mo (1999) holds, it is all but impossible for Japanese journalists to even contact Snakehead members as they keep a very low profile (p. 350). He even accuses self-proclaimed experts on China of cooking up stories about the Snakehead and the Chinese Mafia (p. 350). Even though the actual activities of the Chinese Mafia are unknown, the popular media still feed on its ominous image to hype up the reality of organized crime by the Chinese. Worse, as the growing presence of the Chinese Mafia has been reported over and over again, many people have begun to assume it as a reality. In consequence, a looming threat of atrocious crimes by Chinese criminal syndicates has become fixed in the minds of many people.

Overblown media reports are largely responsible for fueling the public anxiety over the Chinese Mafia because the term is nowhere used in *White Paper on Police*. The only reference to mafia in the NPA's *White Paper* is the Russian Mafia (for example, *Keisatsuchō*, 2003a, p. 26). The ambiguous definition of transnational criminal organization in *Police White Paper* is already problematic. By invoking the evocative and equivocal term "mafia," the popular media play an integral part in creating the *illusio* that "illegal" Chinese migrants are (potential) members of professional crime rings active in Japan's underground world. Azuma (1997), for instance, estimates without hard data that at least 2,000 Chinese have joined mafias after they came to Japan (p. 36). In *Outlaws' Wars in Kabukichō* Natsuhara (2003a) argues that a staggering number of illegal entrants are getting "mafia-ized" (p. 83). Under the provocative title "Japan as a Target of 'Transnational Organized Crime,'" journalist Katsuro Kawabe (2000) proclaims that the smuggling of humans has now become the biggest external threat in postwar Japan (p. 187). In particular, he takes the growing presence of the Chinese Mafia seriously. Even though his fear of the Chinese Mafia is hardly substantiated, Kawabe insists that the

Chinese Mafia is shaking the very foundation of social order in postwar Japan (p. 191). Along the same line, the *Weekly Post* of April 28, 2000 reads: "'The presence of illegal aliens is posing a threat to public safety,' declares the National Police Agency. [The NPA] also warns against the shadowy activities of foreign mafias such as the Chinese Snakehead" (p. 35). In this article, the Snakehead is assumed to be a mafia despite the fact that the NPA's *White Paper* has never identified the organization as such. As a matter of fact, the Snakehead is not a transnational crime syndicate but a smuggling network (Mo, 1999, p. 74). Yet the popular media usually label the Snakehead as a global crime ring jeopardizing Japan's public safety.

Some writers even deliberately collapse the distinction between "illegal" Chinese migrants and mafia members. For example, Lee (2003) equates foreign mafias with "'crime teams' by bad foreigners" (p. 65). A more blunt assertion comes from Atsushi Mizoguchi's article in *The Way* Yakuza *Lives—The Invasion of the Chinese Mafia*. He (2000b) finds little value in separating "bad Chinese groups" (those who began to engage in criminal activities in Japan) from "the Chinese Mafia" (meaning "professionally organized crime syndicates") because the important point is not their criminal records, but whether they make a living on crimes (p. 11). Since all undocumented migrants are "criminals" in the sense that they violated immigration laws, Mizoguchi maintains that they should be all viewed as "foreign mafias" (p. 10).

In some cases, Chinese criminal groups are characterized as even more cruel than the Mafia. Self-appointed Kabukichō expert Xia Mu Lee (2003a) quotes a ranking Chinese mafia member as testifying: "It is getting common for foreign students who are short of money to commit burglaries in groups. . . . Indeed, the most violent and horrifying people may well be reckless young foreign students rather than a group called the Mafia" (p. 78). Likewise,

Tomisaka (2003) points out that while the Chinese Mafia used to dominate the underground world in Kabukichō, most Chinese criminals active in the area are now former students (p. 88). In his view, these student-turned-criminals pose an even greater security threat because they, unlike mafia members, are undisciplined beasts (p. 88). In like manner Yoshitaka Kakei (1997) suggests that even professional criminals' acts of violence pale in comparison with "illegal" Chinese migrants' atrocities: "Those Chinese who have become delinquent [*furyōka*] in Japan are even more radical than members of formal [criminal] organizations. Surprisingly, they undertake to commit murders for as little as 100 thousand yen [$900]" (p. 62).

In addition to the horrid image of the Chinese Mafia, the popular media often deploy "company" metaphors to illuminate the organized nature of criminal activities by "illegal" Chinese migrants. The September 16, 2003 issue of *Weekly SPA!* (*Shūkan SPA!*), for example, runs a feature article on a Chinese crime wave under the title "Evolving 'Crimes by the Chinese': Their Networks and Latest Methods." Drawing on anonymous police officials, journalists, security firm employees, and *Yakuza* gangsters, the report purportedly unveils the reality of Chinese criminal groups (p. 20). The graphic description of Chinese criminal groups alludes to the presence of a large Chinese crime network targeting Japan (p. 20). The report portrays the network as "a large crime trading firm" (*hanzai no sōgō shōsha*) profiteering from various illicit businesses including lock-picking crimes, prostitution, credit card skimming, money counterfeiting, and drug peddling (p. 20). Similarly, Morita (2003) likens Chinese criminal syndicates to "crime companies" in that they provide housing benefits and organize leisure trips for their members as many Japanese enterprises do for their employees (p. 200). As the title of his 2002 book *Crime Companies in Tokyo* suggests, the analogy of "company" is ubiquitous in Morita's works on Chinese criminal groups. "Company" metaphors are used in national dailies

as well. To mention one example, *Asahi Shimbun* of March 8, 1998 reports a police raid on a

Chinese theft gang under the headline "Foreign Company Inc. of Crime; The Police Analyze a

Chinese Group." The article compares the group to a company because confiscated membership

manuals stipulate that each member become a "stock owner" by 'investing" 300,000 yen

($2,700) for mutual support (p. 35).

Last but not least, the popular media are eager to spotlight conflict between Chinese

criminal groups and *Yakuza* gangs. Whereas *White Paper on Police* cites several cases of

scuffles between Chinese criminal groups and *Yakuza* gangs, the popular media deploy "war"

metaphors to exaggerate the magnitude of their conflict. Most suggestive in this respect is

Outlaws' War in Kabukichō. As the title indicates, this *mook* title is a collection of articles

featuring fierce underground battles among *Yakuza* gangs, the Chinese Mafia, and the police.

Several authors recount the so-called *Paris-Jenne* incident in September 2002 in which a

Chinese group shot two *Bōryokudan* gangsters (e.g. Natsuhara, 2003b; Lee, 2003). According to

Lee (2003), the police took the incident as "a historic crime in Shinjuku" because it might trigger

an all-out battle between bad Chinese groups and *Bōryokudan* gangs (p. 63). In a similar vein,

the *Weekly Asahi* of November 15, 2002 declares that an all-out war between the Chinese Mafia

and the Japanese *Yakuza* has broken out underground. The article ascribes the cause of the war

to the money trouble that cropped up between a Shanghai mafia and a *Yakuza* gang. The furious

Shanghai mafia dispatched a "negotiator" and a "hit man" from China's Tōhoku area to issue an

ultimatum to the *Yakuza* gang. Both of them were said to have received a 5 million-yen

($45,000) reward. Referring to this episode, one *Yakuza* gangster told the reporter: "You might

think it [the 5 million-yen reward] is low, but prices are different [between China and Japan]. So

is the price of life" (p. 152). Implied in this quote is that even *Yakuza* gangs are fearful of

reckless Chinese criminal groups. To mention yet another example, the *Weekly Post* of February 25, 2005, carries an article on the Chinese Mafia under the sensational title "Shintarō versus the Chinese Mafia—'A Final War in Kabukichō.'" Belying the shocking title, the article is little more than a description of recently beefed up crackdown measures against "illegal aliens" in Kabukichō and the Chinese Mafia's response to them. Still, the article postulates that the Chinese Mafia has gained a strong foothold in the area; it also draws on Morita, Lee, and other anonymous informants for documenting its escalating criminal activities.

4.6.3 "Illegal" Chinese migrants have triggered an unprecedented crime wave in Japan.

On the whole, *White Paper on Police* maintains that Chinese criminal groups tend to perpetrate criminal acts in an organized, sophisticated, and heavy-handed manner. The popular media basically subscribe to this idea but stretch it to the limit. First and foremost, many popular texts hold that crimes by the Chinese can be easily identified because their *modus operandi* is distinctively flagrant. Whereas the NPA's *White Paper* provides a fairly detailed description of felonious crimes by "illegal" Chinese migrants, the popular media supply even more gory details and flashy visuals for playing up the brutality of Chinese criminals and making their images felt clear to the popular imagination. For example, the September 1, 2003 issue of *AERA* recounts a murder case by a group of three Chinese in which a victim was stabbed all over and chopped up into pieces (p. 27). Investigators in the murder case told the reporter that they had rarely seen such a grisly crime scene (p. 27). The weekly pictorial magazine *Flash* (2002, July 2) echoes the same point in covering the killing of a construction company president in June 2002. The president was reportedly badly stabbed to death; from the wounds marked on his body, the Chinese Mafia was suspected of perpetrating the murder. A local resident in the construction

business is quoted as saying: "Even [Japanese] gangsters would not commit a cruel murder like this. Rumor has it around us that a foreigner was hired to commit this act. Otherwise, I can only think of girl troubles" (p. 93). Similarly, Tamura (2004) offers a two-page account of how brutally the housewife in Yamagata Prefecture was killed by the Chinese group. As he put it, the Chinese group's method of killing was "nauseating" (*hakike ga suru*) even to investigators (p. 202).

A similar pattern of reporting can be found in daily newspapers as well. Extreme as it may be, Governor Ishihara's following essay in *Sankei Shimbun* (2001, May 8) is still worth quoting at length:

> Several wealthy families within my circle of acquaintances have been assaulted by Chinese who broke into their homes and robbed them of large sums of money. In one instance, the criminals ripped the clothes that the women were wearing into two strips lengthwise and used these materials to tie up the victims. This type of cunning . . . method has never been seen before in Japan. In another bold . . . method, characterized by a complete lack of regard for alarms and other safeguards, criminals break into places such as jewelry stores using construction equipment to instantly break a hole in the walls and help themselves to the jewelry at hand. When the security company staff responds to the alarm, rather than run away [these brazen criminals] instead threaten the staff with weapons and chase them off. Then, by the time the police arrive, these criminals have made a leisurely escape.[44]

Not only do the popular media stress the flagrant nature of Chinese crime, but they sometimes spuriously link flagrant crimes to the Chinese even when the police make no formal statement about suspects. On February 12, 2002, a dead body was found in a dumping ground in Tokyo's Koto Ward. Journalist Kensaku Tokitō (2002) contributed a report on this incident to the March 15 issue of *Shūkan Posuto,* a sensationalist weekly. He surmised from the "horrible condition" (*mugoi jōtai*) of the body that the crime was perpetrated by a Chinese group despite the fact that even the victim had yet to be identified at that time (p. 210). In like manner, a

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[44] The English translation was taken from the Issho website. A full-text translation and line-by-line analysis of Ishihara's essay is available at the website.

reporter for the weekly pictorial tabloid *Flash* (1999, September 14) alarmed the reader to the danger of break-in larcenies by Chinese gangs under the title "Watch out! 'Chinese Theft Gangs' are Active behind the Scenes in Tokyo." The reporter who went by the name of *Jajamaru* claimed that his apartment was robbed by a Chinese gang. In reality, no suspects had yet to be arrested at the time of writing; he was only told by an investigator that as the apartment was thoroughly ransacked and almost every valuable was stolen, the act was supposedly committed by a Chinese theft gang (p. 34). Nevertheless, the reporter emphasized the dangers of robberies by Chinese groups throughout the article. Kakei (1997) went as far as to blame "bad foreigner groups" for most violent thefts in Japan (p. 63). However, his conjecture was nowhere substantiated in the article.

To highlight the unprecedented nature of organized crime by Chinese "illegals," the popular media invoke several neologisms. *Pikkingu gōtōdan* (lock-picking robbery gang) is a prime example of this. Although *White Paper on Police* documents that Chinese groups often commit robberies with "lock-picking devices," it does not label the groups themselves as "lock-picking robbery groups." As the popular media began to use the term "lock-picking robbery gangs" mostly in reference to a Chinese crime wave, lock-picking robbery has become largely a problem of Chinese criminal groups. In other words, just like the terms "*Japayuki-san*" and "foreign worker problem," the label "lock-picking robbery" functioned as a terministic screen through which the public understood and discussed crimes by "illegal" Chinese migrants. In consequence, the public has been (mis)led to think that Chinese groups have introduced a new type of crime. In reality, robberies with lock-picking tools are not new at all (Yanagihara, 2001, n.p.). What is new is the name "lock-picking robbery." Yet a new name for crime often translates into a new type of crime in the public's mind. This is what Stuart Hall calls the

generative and associative power of a label (Hall, 1974, p. 288; Hall, et al., 1978, p. 72). For

example, Hall, et al. (1978) lucidly showed that mugging broke as a big news story in the United

Kingdom in the 1960s and 1970s because of the novelty of the label, not of the crime itself (p.

71). Since mugging was initially seen as an American phenomenon, the media depicted

mugging on British streets as a sign of incipient breakdown in law and order besetting American

society. Hall, et al. (1978) observed:

> The 'mugging' label played a key role in the development of the moral panic about
> 'mugging' and the United States effectively provided both the label itself and its field
> of associations and references, which lent meaning and substance to the term. The
> mass media here was the key apparatus which formed the link and framed the passage
> of the term from one context to the other. (p. 27)

The label "lock-picking robbery" may not be nearly as evocative as "mugging"; still, the media's

repeated use of the term has fueled the public anxiety that Japan is unprepared for this new type

of offenses imported by Chinese criminal groups. For instance, Tomisaka (2003) cites a Chinese

journalist as testifying that many Chinese nationals with high lock-picking skills are ex-inmates

for repeat offenses (p. 208). This partly explains why Chinese lock-picking gangs are so violent

as to kill even their cousins and brothers-in-law without any remorse (p. 207). Although

Tomisaka concedes that a few Japanese people also commit lock-picking crimes, their crimes, he

contends, rarely escalate into robberies because they will just run away if caught in the act.

Tomisaka insists that Chinese lock-picking gangs are uniquely dangerous as many of them used

to commit far more heinous crimes such as robberies or abductions (p. 207).

The popular media sometimes employ "school" metaphors to illuminate the skills of

Chinese lock-picking criminals. Most illustrative of this point is an article in the *Weekly Asahi*

of February 25, 2000. According to a criminal investigator quoted in the article, members of

Chinese theft gangs often take "lessons" from "instructors" with prodigious lock-picking skills

before coming to Japan. Thanks to intense training sessions, they are able to unlock most doors within five seconds. When the police raided the hideout of a Chinese theft gang, they confiscated tens of different lock-picking devices and doorknobs upon which its members supposedly honed their picking skills. The article speculates that the hideout served as a "thieves' academy" (p. 143). In the October 11, 2000 issue of *Takarajima,* Hinago employs remarkably similar arguments, metaphors, and figures. He (2000) asserts that Chinese theft groups could pick most locks within five seconds (p. 36). Hinago also refers to the seemingly same hideout where Chinese thieves reportedly practiced their lock-picking skills with tens of different metal sticks and doorknobs (p. 36).

Tomisaka (2001a) goes further to suggest that trends in Chinese crime have shifted from lock-picking crimes to more violent robberies. Although little is known about this shift, he maintains that Chinese lock-picking criminals are no longer "sneak thieves" but violent criminals who don't mind killing people (p. 224). Along a similar line, the *Weekly Post* of September 29, 2000 points out that some Chinese theft gangs now use a crowbar to force open a door (p. 233). According to a Chinese theft gang member, this so-called "crowbar theft" (*bāru tō*) is much easier and more efficient than lock-picking theft because no skills are necessary to open a door with a crowbar (p. 233). Although the police have not confirmed any increase in crowbar theft, the gang member mockingly states that crowbar thefts are beginning to replace lock-picking thefts (p. 233). This is to say that Chinese theft gangs keep outwitting law enforcement agencies that have just set out to take counter measures against lock-picking crimes (p. 233).

4.6.4 Chinese criminals are more cruel and ruthless than any other nationals.

Related to the previous point, the popular media tend to characterize Chinese criminals as cold-blooded, cunning, and ferocious offenders who have no compunction about committing any heinous crimes. Tamura (2001), for example, offers a catalogue of "atrocious crimes by illegally staying Chinese" to illustrate their uncanny nature. An investigator in a murder case at a nightclub told him that after stabbing the manager, Chinese criminals remained in the club for an hour "as if they deliberately gave it time to enjoy watching frightened hostesses and customers' reaction" (p. 101). Tamura (2001) brings up another case in which two former Chinese students were charged with an attempted murder of a station employee. In his account, the ex-students approached the station employee "with a smirk" and suddenly beat him in the face with a club and stabbed him with a knife (p. 101).

Similarly, the August 2002 issue of *Bungei Shunjū* prints a talk on a Chinese crime spree between House member Tomoko Sasaki and Atsuyuki Sassa, former head of Japan's National Security Council. During the talk, Sasaki provides gory details of the aforementioned murder incident in Yamagata Prefecture. Her description of the incident bears a striking resemblance to that in Yomiuri Shimbun Public Safety Research Team's *Organized Crimes*. As she recounts it, the Chinese group was taken to the scene by Japanese gangsters, broke into the house, and stabbed the housewife badly to death without any hesitation when caught in the act (p. 271). Sasaki takes this murder incident as a symptom that crimes by malignant Chinese groups are spreading throughout Japan. Sassa echoes her view on the ruthless nature of Chinese criminals:

> They [Chinese] think nothing of killing people. [Robbers] normally don't break in [a house] when someone is present, but [the Chinese] don't care and break in anyway. Should they be caught by the elderly, children, or women, they would immediately tie them up and truss them with adhesive tapes. Sometimes, they would even choke

[victims]. They have no compunction about killing any witness, including women and children. (p. 271)

As an outspoken Diet member on Japan's public safety, Sasaki frequently appears in magazine articles about foreign crime. For example, in the September 24, 2002 issue of the women's weekly *Josei Jishin*, Sasaki supplies basic data on foreign visitors' crimes. After noting that "jails [in Japan] are happy places [for foreigners] because clothes, food, and accommodation are guaranteed" (p. 184), she (2002) gives her usual spiel: It is necessary, first and foremost, to reduce the number of illegally working foreigners in order to curb the number of crimes (p. 184; see also her tripartite talk in the July 2001 issue of *Chūō Kōron*).

In a little different vein, the September 1, 2003 issue of *AERA* asks three Chinese journalists, including Xia Mu Lee and Bangfu Mo, to analyze the cause of a Chinese crime wave. Lee attributes it to China's one-child policy. "Because of the one-child policy introduced in the 1980s (March 1980), [Chinese youths] have grown selfish as 'little emperor,'" says Lee (p. 29). Mo holds that many Chinese students justify their criminal acts as a revenge for having been harshly treated by Japanese society (p. 29). He reiterates this point in many other works (for example, see Mo, 1999).

To play up the violent nature of Chinese criminals, the popular media make frequent references to the weapons (knives, guns, swords, razor blades, etc.) they carry. Worse, Chinese "illegals" are often represented as ruthless criminals who don't hesitate to use weapons if victims show any sign of resistance. For example, Tamura (2003) asserts that most Chinese criminals from the Tohoku area are armed with Russian guns when they perpetrate atrocious crimes (p. 27). He finds the "armament" of Chinese criminals particularly sinister because they don't hesitate to commit a murder when caught stealing even a tiny amount of money (p. 28).

Similarly, the March 2001 issue of *Themis* cautions the reader against the danger of armed Chinese criminals:

> A recent trend [in crimes by the Chinese] is that they no longer confine themselves to threatening [victims] with knives; but they also carry model guns, trafficked firearms, or stolen hunting guns and badly assault victims after trussing them with adhesive tapes and handcuffs. They sometimes don't hesitate to kill them. (p. 119)

In some cases, even *Yakuza* is referred to as a "foil" for the cruelty of "illegal" Chinese. Natsuhara (2003a), for example, argues that even *Yakuza* gangsters are wary of the presence of Chinese criminal groups because they, unlike the Japanese, don't hesitate to assault others (p. 83). In similar fashion, a senior *Yakuza* gangster testifies to the violent nature of Chinese criminals in the September 16, 2003 issue of *Weekly SPA!.* According to the gangster, Chinese criminals are intractably dangerous because, unlike *Yakuza,* they are not bound by such unwritten moral codes as "don't hurt ordinary people" or "don't degrade yourself when you take on your enemies" (p. 23). Similarly, Akihiko Misawa (2001) interviews a leader of the Shanghai Snakehead who proudly declares: "We have taken over Kabukichō. We are not afraid of *Bōryokudan* gangs. Indeed, they will run away when they see us" (p. 113).

Related to this, several authors claim that numerous *Yakuza* gangsters have been mugged, abducted, threatened, and even killed by Chinese criminals (for example, Azuma, 1997, p. 39; Tomisaka, 2001a, p. 225). Yet few incidents have been brought to public attention because the gangsters feel too embarrassed to report to the police. In Tomisaka (2001a)'s estimation, the frequent abductions of *Yakuza* bosses by Chinese criminals attest to their "recklessness" and "ruthlessness" (p. 225). Natsuhara (2003a) also holds that the Chinese Mafia is by nature more atrocious than *Yakuza* gangs because the Mafia was founded for the sole purpose of engaging in criminal activities. (p. 85). Although most mafias have been kicked out of Shinjuku due to the police's sweeping crackdown measures, Natsuhara is convinced that they are building up more

power and waiting for the day to come back. He is terrified that the return of the Chinese Mafia would trigger an even more disastrous battle in the area as its "fighting potential" (*sentōryoku*) far surpasses that of the *Yakuza* gangs (p. 88).

4.6.5   "Illegal" Chinese migrants are willing to do anything for money

The 2003 edition of *White Paper on Police* alludes to the criminal propensity of Chinese nationals by carrying a series of confessions by Chinese suspects. The popular media not only feed on these confessions, but also add even more shocking ones. This tendency is particularly true for sensationalist media and journalists. Specifically, they are inclined to portray Chinese as greedy people willing to do anything for money. For instance, Hinago (2003) makes a bold claim that Chinese migrants, legal or illegal, don't mind risking their lives for earning money (p. 99). Under the horrifying title "Rapid Increase in Japanese Victims by Foreigners' Crimes: The Tragedy of Burglary 71%, Rape 100%," Mizoguchi (1999) also contends: "The overwhelming majority [of foreign criminals] are Chinese nationals. They would do anything for money. Gouging a victim's cheek and chopping off her neck—their acts are too flagrant for the Japanese to imagine" (p. 29). In another article entitled "'Bad' Chinese's Philosophy of Management," Mizoguchi (2000a) echoes the same point: "Everyone in mainland China believes that money is everything. Since they come to Japan for the sole purpose of making money, they are willing to commit any crime for money. Their approach is thoroughly businesslike" (p. 245). Likewise, *Weekly Shinchō* (2003, September 18) cites a police officer as saying: "[Chinese criminals] don't hesitate to kill frail women, the elderly, and children for money. They are willing to do any ugly things that are inconceivable to the Japanese" (p. 145).

The popular media often suggest that Chinese criminals don't hesitate to perpetrate heinous crimes even for a small amount of money. For example, they are portrayed as willing to commit a murder only if they get paid "one million yen [$9,000]" (*Flash*, 1997, September 9, p. 66), "200 to 700 thousand yen [$1,800 to $6,300]" (*Shūkan SPA!*, 1997, p. 25), "300 thousand yen [$2,700]" (Azuma, 1998, p. 208), "50 to 100 thousand yen [$450 to $900]" (Tamura, 2004, p. 152), and "100 thousand yen [$900]" (Kakei, 1997, p. 62). Azuma (1997) goes as far as to suggest that Chinese "punks" (*chimpira*) would beat and kill others in trouble over a thousand yen or two ($9 to $18) (p. 39).

A common idiom used for illuminating Chinese migrants' mammonism is 要銭不要命 (roughly meaning "we sacrifice our lives for money"). As with the term "Mafia," this allegedly popular Chinese saying is nowhere mentioned in *White Paper on Police*. Yet it is among the most common idioms used in popular texts about a Chinese crime wave. Yoshiro Morita (2003), for example, juxtaposes this Chinese saying with the Japanese psyche that "we give up money for life." In his view, this value gap is spawning crimes by Chinese migrants (p. 198). *Yomiuri Weekly* on November 16, 2003 quotes the same proverb to show that the Japanese police are combating completely new types of criminals (p. 18).

Another common metaphor used to underline the criminal propensity of Chinese "illegals" is "reserve army of crime" (*hanzai yobigun*). The February 21, 2002 issue of *Weekly Shinchō,* for instance, reads: "About 70 thousand Chinese students, including those attending vocational schools, are now living in Japan. Reserve armies of crimes are everywhere" (p. 139). Invoking the same metaphor, Lee (2004) emphasizes the growing threats of "illegal" Chinese migrants: "Not only smugglers but also overstayers and foreign students who have come to Japan for earning money—there are countless numbers of reserve army of crimes" (p.117). Notice that

undocumented migrants are all lumped together as potential criminals in both articles. The November 12, 2003 issue of the weekly *SAPIO* even hints that 30 million jobless people in the urban areas of China and a 150 million redundant population in its rural parts are potential reserve armies of crimes (p. 75). A similar metaphor can be found in national dailies as well. For instance, *Nihon Keizai Shimbun* of January 27, 1998 quotes a Justice Ministry official as saying that "jobless illegal aliens are turning into the 'reserve army of crimes'" (p. 38).

Weekly SPA! (2003, September 16) attributes the Chinese's obsession with money to a decline in Confucian ethics under the socialist regime. An anonymous writer is quoted as explaining that since Confucian teaching no longer undergirds the society, a rapid economic growth is changing China into "a society where money is everything" (p. 23). "As a result," he continues, "[the Chinese] are feeling less hesitant to commit crimes" (p. 23). To mention another example, Orikawa (2003) carries an extensive interview with an "internationally wanted fugitive." He told Orikawa that the Chinese have a fundamentally different kind of morality than the Japanese insofar as they envy others with luxurious houses and tombstones no matter what evil deeds they do to own them (p. 45). Along the same line, the weekly pictorial *Flash* (1997, September 9) contacts "Mr. A" who allegedly worked for the Chinese Mafia. He asserts that the Chinese are malicious by nature because "they hardly tell what belongs to them from what doesn't. That's why they steal others' possessions as they want" (p. 66). Novelist Fan Cheng (2003) even insinuates that every Chinese in Japan is a potential criminal: "Any Chinese will want to make money quickly and easily if he sees the 'peace senility' [*heiwa boke*] of Japan. This is not limited to those who have sneaked into Japan with the intention of committing crimes" (p. 144).

It follows that these moral-less Chinese migrants are threatening not only Japan's public safety but also the moral fabric of the society. Attorney Katsuhiko Takaike (2004), for instance, blames "bad Chinese" for eroding morality in Japanese society (p. 289). Although he concedes that an increase in felonious crimes cannot be imputed to foreigners alone, Takaike insists that atrocious crimes by foreigners, especially the Chinese, are uniquely pernicious as they are jeopardizing the nation's social stability and morality as well (p. 289). By the same token, the November 2001 issue of *Themis* calls for tougher laws that would protect the life and property of the Japanese against Chinese criminals who are "taking advantage of Japanese society's 'virtue'" (p. 90).

In extremes cases, the differences between Chinese and Japanese criminals are ascribed to racial and even genetic factors. Governor Ishihara contends in *Sankei Shimbun*'s front-page column on May 8, 2001 that the spread of atrocious crimes by Chinese migrants "is indicative of the ethnic DNA [of the Chinese]" (p. 1, cited in the Issho Website, 2002, n.p.) Extreme as Ishihara's views may be, he is not alone in propagating such a blatantly racist idea. Akira Hinago (2000), a co-author of *Kabukichō Underworld*, quotes a police-beat reporter as saying that since Chinese people are shrewd businessmen by nature, they would not miss out on a treasure house like Japan (p. 36). According to Hinago, the Chinese were astounded to see so many vending machines and bicycles on the streets without any anti-theft measures. In their view, that is "tantamount to saying 'we don't mind you stealing them'" (p. 37). Consequently, many Chinese migrants have now grown into "awful 'monsters,'" deplores Hinago (p. 37). Masayuki Takayama (2003), a professor at Teikyo University, also asserts that brutal crimes by Chinese "illegals" in Japan reveal "the real face of the Chinese" (*Chūgokujin no sugao*) (p. 79).

This type of a poorly documented claim can be observed in newspapers as well. Notably, the Ibaraki edition of *Yomiuri Shimbun* carried a 6-part series to probe "the changing nature of crime" (*henshitsu suru hanzai*) in 2003. The second half of the series was devoted to foreign crime. Part 5 began with an unabashed confession from a Chinese thief: "I smuggled myself into Japan and made one million yen [$9,000] per month. I remitted money to my family members and they built a three-story house" (n.p.). According to the article, "the man from Fujian province, who was a member [of a Chinese criminal group], thought nothing [of committing thefts] and boasted of 'the smuggler's palace.' The investigators were left dumbfounded" (n.p.). The article also hinted that Chinese suspects would take advantage of Japan's lax criminal laws to get away with their crimes. Another member of the criminal group stood mute most of the time but told an investigator at one point: "Japan's laws are lax. Even if you get arrested for larceny, you will just end up getting deported" (n.p.). His mocking remark was congruent with the "confessions" from Chinese suspects in the 2003 *White Paper on Police*. Quoted near the end of the article was "要銭不要命," the popular idiom in literature on crimes by Chinese "illegals" indicating their willingness to sacrifice lives for money. An investigator allegedly heard Chinese suspects saying this over and over again (n.p.).

4.6.6   Japan is unprepared for a Chinese crime wave

The popular media repeatedly denounce law enforcement agencies as too lenient with these irredeemably vicious Chinese criminals. This is quintessentially the second type of transformative work in Hall, et al.'s model of crime reporting. That is, rather than translating official viewpoints into a public idiom, the media call on control authorities to enforce more

stringent measures by taking the public voice. In this way, they "provide a crucial mediating link between the apparatus of social control and the public" (Hall, et al., 1978, p. 63).

For instance, Kubo (2004) claims in the rightist monthly magazine *Shokun*: "[I]t has become 'a common sense' among Chinese criminals that they will get only deported if they insist on their right to silence" (p. 207). In fact, they contemptuously call Japanese police officers "pediatricians" because they treat criminals so nicely. In consequence, a large sum of the taxpayer's hard-earned money (*ketsuzei*)[45] is wasted to investigate them, to no avail (p. 208). To "put a stop to waste of money and time," Kubo proposes four prescriptions one of which authorizes court judges to pronounce foreign suspects guilty based on circumstantial evidence alone (p. 211). His reform proposals are far more radical than the current control measures stipulating that law enforcement agencies make every effort to protect the rights of foreign suspects (for example, see *Keisatsuchō,* 2002a, p. 80).

In a dialogue with Sassa, House member Sasaki (2002) maintains that the punishment in Japan is too light to curb crimes by the Chinese. To bolster her claim, she recounts her visit to Tokyo's Fuchu prison with a Chinese judge. Impressed by the quality of the prison, the Chinese judge allegedly told her: "If [a prison in China] were a good facility like this, everyone in our country would want to get in" (p. 273). Sasaki also suggests that the money prisoners make in jail encourages the Chinese to commit crimes: "[Prisoners] receive about 4,000 yen [$36] per month for their labor. If they serve three years in jail, their savings will add up to 150,000 yen [$1,360]. That is a lot of money in China because its average monthly salary is 10,000 yen [$90]" (p. 273). Sassa (2002) concurs with Sasaki and adds: "This is tantamount to giving [Chinese] criminals a break in jail and asking them to leave with allowances" (pp. 273-274).

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[45] *Ketsuzei* literally means "blood tax" and is imbued with strong nationalistic sentiment.

Then he argues that when 80% of the victims of foreign crimes are Japanese, we must prioritize the human rights of the Japanese over those of foreigners (p. 275).

The popular media often deploy the metaphor "a paradise (or haven) for criminals" (*hanzai tengoku*) to emphasize that Japan is vulnerable to Chinese crimes. For example, Lee (2004) claims to have overheard many Chinese in Kabukichō saying "Japan is a paradise for criminals," "a thief's job is half done when s/he enters Japan," or "it is easier to deceive Japanese adults than Chinese babies" (p.121). In a similar vein, Tomisaka (2001b) warns that Japan is "a haven for [Chinese] criminals" because punishments are less severe, prisons are comfortable to live in, and they get paid for their labor in jail (p. 88). According to Tomisaka, Chinese ex-inmates often tell their acquaintances back home that "Japanese prisons are like hotels" (p. 90). He is concerned that such remarks perpetuate the vicious circle of crimes by "illegal" Chinese migrants (p. 90).

Elsewhere during the entertainment-news show *TV Tackle* on TV Asahi (broadcast on March 10, 2003), Tomisaka (2003) was asked for comments as an expert on a Chinese crime wave. What follows is his "expert opinion":

> The Chinese could be sentenced to death for theft in their home country. Punishment in Japan is light. Thus it is better for them to earn money in Japan. When you claim to have a toothache in jail, you can get it treated by tax in Japan. It has spread by word of mouth that if thrown in jail, you'd better get dental treatment as well.[46]

Along a similar line, Kubo (2004) asserts that compared with jails in their home country, Japanese prisons are like "oases" for Chinese criminals because they guarantee three meals and nap time every day (p. 207). In another article, Kubo (2003) talks to a senior investigation official who states that "they [Chinese suspects] are making light of the Japanese police because they know that the police, unlike Chinese authorities, will not treat them harshly" (p. 213).

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[46] The transcribed text of the program is available at http://www.geocities.co.jp/Bookend-Ryunosuke/6112/TVtackle030310.html.

Similarly, the *Weekly Shinchō* of February 3, 2005 furiously reacted to China's demand for providing short-term visa exemptions for its nationals during the 2005 World Expo in Aichi Prefecture. Most indicative is the article's title "'Visa Exemptions for the Chinese' during the Expo Will Turn Japan into 'a Paradise for Criminals'" (p. 153). Lee's piece in the November 26, 2003 issue of *SAPIO* is even more sensational. He argues that jails in Japan have become "hotbeds of crimes" inasmuch as they provide Chinese criminals with perfect opportunities to seek advice on future crimes (p. 91).

These demonizing portrayals of Chinese "illegals" serve to fuel the public anxiety that Japan is defenseless against their crimes. Orikawa (2003), for example, holds that the police have been outwitted by Chinese criminals as they are fundamentally different from their Japanese counterparts (p. 42). Similarly, Kubo (2003) argues that Japan's law enforcement agencies are only prepared for the traditional crimes by the Japanese, but not for crimes by the Chinese (p. 218). Since "illegal" Chinese migrants are seen as posing an unprecedented threat to Japan's law and order, any attempt to criticize skewed crime data and overblown media reports may well be taken as an unpatriotic act to impair Japan's public safety. Tomisaka (2001b), for instance, writes that the Japanese have "very odd minds" in the eyes of Chinese criminals because they willingly jeopardize the national interests by being "nice" to foreigners (p. 229).

4.6.7   Everyone is at risk from Chinese criminal groups

White Paper on Police maintains that foreign visitors are committing crimes all over the country; it also documents increasing cases of break-in robberies that could do harm to ordinary people. The popular media goes further to suggest that everyone is at risk of being assaulted by "illegal" Chinese. Kubo (2003), for example, urges the reader to be cautious against Chinese criminals

because "they do not live quietly in an isolated hideout, but live in your neighborhood as if they were ordinary citizens" (p. 213). A young man doing dishes in an off-street Chinese restaurant, he continues, might be a theft gang member (p. 213). In a similar vein, Orikawa (2003) argues that "[o]nce the profiles [of rich people] were leaked, they would be targeted by bloodless and tearless Chinese" (p. 39). Likewise, Yan (2003) alarms the reader to the growing threats of criminal groups from Fujian: "Their crime network has been taking deep root in underground society and keeping a vigilant eye on us every day so that they could readily attack us whenever we were caught off guard" (p. 266-267). Tamura (2004) ends the book with an even more ominous remark by a Chinese Mafia member: "The Japanese families possess a lot of money. We are targeting every and each of the 47.08 million households in Japan. [Household larceny] is easier than shop or bank robbery" (p. 301).

This type of foreign crime reporting runs rampant in broadcast media as well. For instance, *Daitokai Keisatsu Gekiroku 24 Ji* (*Filming the Metropolitan Police at Midnight*)*,* a 180-minute feature program on TV Asahi (aired on December 28, 2004), devoted over 45 minutes of the airtime to covering a foreign crime wave. It was narrated that we were now living in the constant fear of being attacked by foreigners at any time.

4.7   A CASE STUDY: THE NEWS COVERAGE OF THE MATSUMOTO FAMILY MURDER INCIDENT

> This is a truly terrible crime. I feel so sad for the little children, but why are the newspapers and TV just concentrating on the nationality of the killers? Japanese people have committed crimes like this in the past. Chinese people are just as shocked by what happened, but the media [seem] to be blaming us for it.
>
> (a Chinese student cited in Curtin, 2004, n.p.)

This section provides a case study to demonstrate that the sensational portrayals of crimes by "illegal" Chinese migrants can be observed in most media outlets regardless of their political leanings, reporting styles, and readership/viewership.   While I don't mean to fudge the distinction between highbrow and lowbrow media, they all use remarkably similar interpretative frameworks, information sources, public idioms, and lines of argument in reporting a Chinese crime wave. For example, the Sunday edition of *Tōkyō Shimbun*[47] (2001, September 16) carries a special report on foreign crime. The reference list indicates that the special report heavily relies on the NPA and the Immigration Bureau as well as Satoshi Tomisaka's *Sneaking-In*. Atsushi Mizoguchi also contributes a column to the report. Also worthy of mention are the images of foreign-looking criminals disguised with sunglasses and knit caps (see Figure 4.4). Notice that the guy in front is armed with knives, whereas the other is trying to open a door with a lock-picking device.

Source: *Tōkyō Shimbun*, 2001, September 16, p. 1. Reprinted with permission of *Tōkyō Shimbun Sha*

Figure 4.4: *Dēta De Miru Gaikokujin Hanzai* (Data-based Look at Foreigners' Crimes)

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[47] *Tōkyō Shimbun* is a daily newspaper pubslihed by the Tokyo branch office of Nagya-based *Chūnichi Shimbun*. Althoguh *Tōkyō Shimbun* is not among the five national newspapers, it still has a circlation of about one million.

Specifically, this section analyzes the news coverage of the killing of a Japanese family by three former Chinese students in June 2003. On June 19, 2003, the three Chinese in Fukuoka City killed Shinjiro Matsumoto, his wife Chika, and their two children aged 11 and 8. They reportedly broke into the Matsumoto residence and killed all of them for 37,000 yen ($330) in cash (Curtin, 2004, n.p.). The bodies were dumped in the nearby Hakata bay after being handcuffed and weighted down with dumbbells so that they would not float. Shinichiro Matsumoto allegedly engaged in "underground business" and got into trouble with several *Yakuza* gangsters (*Yūkan Fuji*, 2003, August 2, p. 3). In August, Chinese authorities arrested two former students who fled to China; the Japanese police apprehended the other one. The Intermediate People's Court in Liaoyang Province sentenced one suspect to death and the other to life imprisonment on January 24, 2005 (*JT*, 2005, January 25, n.p.). The Fukuoka District Court handed down the death sentence to their accomplice in the May 19 ruling (*JT*, 2005, June 2, n.p.). The gruesome murder by the three former Chinese students "shook the entire nation" (*Shūkan Shinchō*, 2005, February 3, p. 153); it also took serious tolls on Chinese residents in Japan. According to Curtin (2004), "[a]s a result of the killings in June 2003, the number of Chinese students allowed into Japan has been drastically restricted. Many in the Chinese community feel that the press is stereotyping them as criminal, fueling a rising tide of anti-Chinese sentiment" (n.p.).

This so-called "Fukuoka family murder incident" (*fukuoka ikka satsugai jiken*) spawned a spate of media stories partly because the incident was deemed to be one of the successive murder cases perpetrated by Chinese students-turned-criminals, following the Yamagata incident in April 2000 and the Ōita incident in January 2002. Put differently, the media understood the

murder as symptomatic of the growing tide of organized and vicious crimes by Chinese "illegals."

Overall, the news coverage of the Fukuoka family murder incident conformed to the general patterns of foreign crime reporting described in the earlier sections. To begin with, the media stressed that the crime was committed in a group and perpetrated in a heavy-handed manner. Drawing on the 2004 *Police White Paper*, *Nihon Keizai Shimbun* editorialized on October 1:

> A characteristic feature of crimes by foreigners is that they tend to commit crimes in groups and in a heavy-handed manner. This is typified by the murder of the family of four in Fukuoka City. The Fukuoka Prefectural Police and China's Security Authority are currently interrogating three Chinese college and pre-college students under custody, but what figures prominently is the flagrant method they used to kill the family, including the children, and to sink their bodies in the sea. (p.2)

Besides, the three former Chinese students were initially suspected of being allied with underground crime syndicates. This suspected link, however, turned out to be false, and the students were found to have followed nobody's order. Yet the media spuriously pointed to connections between the Chinese suspects and underground crime rings. The *Japan Times* of September 21, 2003, for example, mentioned the possibility that "underworld figures" hired the students to kill the Matsumoto family:

> The police believe that an individual, or a group, bore a grudge against the Matsumotos and hired the three Chinese as there are no links between the suspects and the family. Earlier this month, police said a former Chinese manager of an Internet cafe in Fukuoka, who allegedly has links to underworld figures, was in frequent contact with the suspects immediately before and after the killings. They have already questioned several local gang members with records of involvement in illegal smuggling of Chinese nationals into Japan to determine whether they have any information about the case. (n.p.)

It is clear from these two quotes that even such reputable newspapers as *Nihon Keizai Shimbun* and the *Japan Times* tend to carry crime stories within the interpretive framework of the primary definers.

In a similar vein, the *Weekly Asahi* of August 29 insinuated that the Chinese Mafia and *Yakuza* gangs got involved in the murder case:

> A lot of sex-related shops are concentrated in Nakasu, or Kyushu's largest entertainment area. Many groups such as *Bōryokudan* and the Chinese Mafia are said to be active behind the scenes. We wonder if the former students had contact with the underground society linked to the incident here. (p. 149)

Likewise, *AERA* (2003, September 1) reported that the police were going after an "underground figure" who masterminded the killing (p. 26). To mention another example, the weekly pictorial *Friday* (2003, October 10) printed a so-called "murder chart" (*satsujin chāto*), or an internal police document tracing the relationship among those who were suspectedly involved in the incident, including *Yakuza* gangs (p. 94). Reportage writer Kazumitsu Ono who penned the article quoted an investigator as saying: "Since none of the suspects knew well the Kurume city where they abandoned [Matsumoto's] car, a Japanese must have been involved [in this incident]" (pp. 94-95). Ono then ended the article by suggesting: "Investigative authorities have already specified 'masterminds.' The time is drawing near that they will be taken into custody" (p. 97). Alluding to the same murder chart, the October 2, 2003 issue of *Weekly Bunshun* (*Shūkan Bunshun*) asserted: "The investigation headquarters is believed to have set its mind on issuing a warrant for senior *Bōryokudan* members as soon as their relationship with the Chinese group is confirmed" (p. 42). Soon after the two articles got printed, Matsumoto's brother filed libel suits against the publishers of both magazines for listing the initials of his name in the chart and spuriously linking him to the murder incident. On July 27, 2005, the Tokyo District Court sentenced the publisher of *Friday* to pay some 8.8 million yen ($80,000) in restitution to the

plaintiff. The presiding judge stated that the article was neither thoroughly researched nor well supported (*NS,* 2005, July 28, p. 17).

Moreover, many newspaper and magazine articles played up the cruel nature of the Chinese suspects. For example, the murder of the Matsumoto family was depicted as "an unusually atrocious murder in the history of crime" (*Shūkan Shinchō*, 2003, September 18, p. 145) or "an unprecedentedly heinous crime" (*Yūkan Fuji,* 2003, August 15, p. 2). Similarly, the evening daily *Yūkan Fuji* portrayed the Chinese suspects as "professional murders" (2003, August 15, p. 1) and "Chinese hit men" (2003, August 2, p. 3). To illustrate the brutality of the incident, the media frequently supplied gory details of the students' *modus operandi. Manichi Shimbun*'s article on August 6 is a good illustration of this point:

> They choked Matsumoto and his wife until they were unconscious and strangled their children aged 11 and 8. The assailants used handcuffs to attach weights to the victims and dumped them into the water off a deserted area of the Hokozaki dock in Hakata Port. The Matsumoto couple drowned there. (cited in *MDN*, 2003, August 6, n.p.)

Many articles also printed pictures of the weapons—handcuffs, dumbbells, and weights— allegedly used by the suspects (for example, see *Nishi Nihon Shimbun*'s website at http://www.nishinippon.co.jp/news/2003/jiken/higashiku/syasin.html). The October 2 issue of *Weekly Bunshun* even supplied the exact name, size, and weight of the dumbbells: "The weights are called 'strut' and used for plumbing. They are 15 centimeters in height, 32 centimeters in length, and 15 centimeters in width. They weigh about 30 kilograms each, and [the suspects] were carrying the weights without covering them" (p. 40). Meticulous attention to the weapons plausibly reflected and reinforced the prevailing view that Chinese criminal groups were getting more violent and armed.

Also notable is the media's heavy reliance on the *bunkobon* and *mook* authors. For example, the Kyushu edition of *Yomiuri Shimbun* (2003, September 17) solicited opinion from Mizoguchi in a special report on the Fukuoka family murder incident. As usual, he underscored the danger of a Chinese crime wave by suggesting that "[the Chinese] could resort to murder in pure pursuit of money" (n.p.). Another *Yomiuri Shimbun* report dated December 8 stressed the unprecedentedly violent nature of crimes by the Chinese, stating that even investigators' 30-year experiences with murder and robbery were of no use in combating foreign crime (n.p.).

The vicious nature and criminal propensity of "illegal" Chinese migrants were emphasized in TV news as well. Soon after the Chinese students were arrested, free-lance journalist Shuntaro Trigoe commented on *Super Morning*, a daily morning show on TV Asahi (*a la* NBC's *Today Show*): "From the beginning, I suspected that this incident was executed by foreigners. The method of the crime was out of Japanese national character." Another female commentator registered her concern that a substantial portion of Chinese students might have entered Japan with the intention of committing crimes in the first place. On September 19, *Super TV*, an evening news program on TV Asahi, aired a feature segment on the Fukuoka family murder incident. Interviews with several Chinese students indicated that the suspects murdered the Matsumoto family to show loyalty to their "big brother" (*aniki-bun*) who lured them into the underground society. The involvement of *Yakuza* gangsters was also insinuated. Near the end of the segment, Tomisaka appeared to comment on the murder case as an expert on Chinese crime: "It seems that [the Chinese group] sought to achieve their goal in the simplest manner possible and did not let their feelings get in the way. Killing and sinking the two children are hardly conceivable." Takashi Kutsuwada, a commentator of the program, wrapped up the segment by stating to the effect: The Japanese police are not capable of coping with flagrant crimes

committed by cold-blooded Chinese youths. Unless strict law enforcement measures are taken to grapple with this problem, I am afraid that the Japanese society might turn into a dark, crime-ridden society.

4.8 GROWING ANTI-IMMIGRANT SENTIMENT

The general public is increasingly hostile to undocumented migrants due to the prolonged recession and the perceived foreign crime spree. Importantly, the media frenzy over foreign crime is also to blame for this anti-immigrant public sentiment. Among others, Chinese migrants suffer most from the negative images widely circulated in the media. As Takano (2004) deplores, many Chinese migrants have difficulties finding apartments or part-time jobs due to the negative images attached to them (p. 60). Although it is impossible to measure the effects of the sensational media coverage, the results of opinion polls regarding public order and "illegal" foreign workers may well be useful indicators. I mainly cite opinion surveys conducted by the Prime Minister's Office (PMO) (renamed the Cabinet Office since 2001) because they are considered most rigorous and reliable. Plus, as the PMO has conducted opinion surveys on the issue of foreign workers four times in the last 15 years, the results of the polls allow for an analysis of changing public attitudes toward "illegal" foreign workers in comparable ways.

The PMO's 2000 survey found that 49.6% of the respondents upheld the immediate deportation of "illegal" foreign workers, up 16% from the 1990 survey. The percentage rose to 61.8% in the Cabinet Office's opinion survey released in September 2004 (see Table 4.9 on the next page).

Table 4.9: Public Opinions Regarding Measures against the Existing Foreign Simple Laborers

Year	All simple laborers should be deported	They should be cracked down only in serious cases	They should be allowed to work in sectors suffering a labor shortage	Others	Don't know
1988	37.0%	40.7%	7.3%	n/a	15.0%
1990	33.6%	40.6%	11.4%	1.2%	13.2%
2000	49.6%	35.0%	5.7%	1.0%	8.7%
2004	61.8%	28.0%	2.4%	0.8%	7.0%

Source: *Naikakufu* (Cabinet Office), 2004a, p. 44

The Cabinet Office's 2004 survey also found that 25.9% of the respondents opposed the admission of "simple laborers," up from 14.1% and 21.2% in the PMO's 1990 and 2000 opinion polls, respectively (*Naikakufu,* 2004a, pp. 14-15). Of those who were against the employment of foreign simple laborers 74.1% cited a threat to public order and morals (p. 38; see also Table 4.10).

Table 4.10: Top Three Reasons for Opposing the Employment of Foreign Simple Laborers (multiple answers permitted)

Year	They would threaten public order and morals	Boost the unemployment rates for Japanese workers in a time of economic recession	Increase troubles with local residents
1990	54.0%	52.7%	38.7%
2000	62.9%	59.0%	45.1%
2004	74.1%	40.8%	49.3%

Source: *Naikakufu* (Cabinet Office), 2004a, pp. 16-17

In addition to the surveys on foreign workers, the Cabinet Office also released the results of an opinion poll concerning public order in December 2004. The poll revealed that nearly 90% of the respondents felt that Japanese society was less safe than it was 10 years ago (*Naikakufu,* 2004b, p. 10). Of the perceived causes of deteriorating public order, "a surge in the number of

illegal aliens" ranked the highest with 54.4% (*Naikakufu*, 2004b, p. 12). *Yomiuri Shimbun*'s opinion poll conducted in March 2004 yielded a similar result. It found that 94% of those surveyed felt that public safety had worsened in the past few years (*YS,* 2004, April 8, p. 1). Out of them, 54% attributed deteriorating public safety to an increase in the number of illegal aliens, which ranked second only next to a decline in social morals (62%) (*YS,* 2004, April 8, p. 15). If one compares the Cabinet Office's 2004 opinion surveys with the Justice Ministry's similar poll in November 1987, the rising public animosity towards unauthorized migrants is evident. For 49.5% of the respondents (N=741) in the Justice Ministry's survey answered that the acceptance of foreign workers would not exacerbate public safety in Japan (cited in *Tōkyō-to Kikaku Shingi Shitsu*, 1988, p. 176).

The results of the PMO's opinion polls also indicate that the human rights of foreigners are at stake. According to its 1988 opinion survey on the protection of human rights, 61.8% of the respondents (N=2,320) answered that the rights of the Japanese and foreigners should be equally protected, while 16.7% opposed the protection of equal rights regardless of nationality (n.p.). In the Cabinet Office's 2002 survey (N=2,059), the percentage of the former dropped to 54%, down 11.5% from the last survey in 1997; that of the latter rose from 18.5% to 21.8% (*Naikakufu,* 2003, n.p.; see also Matsubara, 2004, March 3).

4.9   CHAPTER SUMMARY

> Is there more to the Chinese crime phenomenon than greed and other personal factors?
> (Zha, 2002, p. 129)

This chapter has demonstrated that undocumented migrants are too often represented as potential criminals in official documents and the media. In particular, the popular media, through a

barrage of alarming crime reports interspersed with frightening visual graphics, play a critical role in constructing the public knowledge that "illegal aliens" are posing a unprecedented threat to Japan which was once hailed as the world's safest country.

To recapitulate the main points, only 0.4% of the crimes in Japan involved "illegal aliens" in 2002, and the vast majority of their offenses were larcenies, thefts, and shoplifting. Far too frequently, however, "illegal aliens," especially Chinese "illegals," are portrayed as brutal and ruthless criminals who don't hesitate to kill anyone for easy and quick money. Also, they tend to be spuriously linked with transnational criminal organizations. The use of the ambiguous term "transnational criminal organization" in official reports is pernicious enough. By invoking the image of "mafia," the popular media fuels, rather than quells, the public anxiety over a foreign crime wave. Unfortunately, such sensational crime reports are not limited to general-interest magazines, *bunkobon*, and *mook*, but they also abound in national newspapers and on primetime TV news.

Overall, the findings in this chapter confirm Hall, et al.'s model of crime reporting. The Japanese media by and large act to frame crime stories in line with the interpretation of the primary definers. True, the *bunkobon* and *mook* authors add new insights to official crime reports by citing various other—mostly anonymous—sources. But they rarely transgress the interpretive framework of the powerful because they need to quote official documents, police authorities, and criminal investigators for appearing impartial and credible. Especially when the *bunkobon* and *mook* authors rely heavily on such dubious sources as *Yakuza* gangs and foreign criminals, the credibility of their crime stories rests largely on the legitimacy imparted on law enforcement agencies.

The Japanese media also actively transform official crime reports in ways that "*reproduce the definitions of the powerful*" (Hall, et al., 1978, p. 57). Their transformative work includes the use of such public idioms as "mafia," "要銭不要命," and "paradise for criminals." Contrary to Hall, et al.'s thesis, however, the Japanese media use remarkably similar public idioms in covering a Chinese crime wave. While this homogenization of popular idioms across the media can be explained in a number of ways, two factors seem to be particularly responsible. First, a heavy reliance on official sources, coupled with the system of exclusive press clubs, fosters "bureaucratized pack journalism," which in turn makes reporters oblivious to the fact that official reports provide an incomplete and misleading portrait of the crime situation in Japan. Of more importance, the non-stop news cycles and the economic structures of news organizations inhibit reporters and editors from doing a real investigative report on Chinese criminal groups because it is too arduous, cumbersome, and dangerous. Plus, the reality of Chinese criminal groups may not be so frightening as to appeal to their readers. In view of this, most reporters find it tempting to quote self-proclaimed Chinese experts, invoke popular idioms, and dub well-known narratives in crime reporting. This is particularly true of those who are intent on telling frightening stories of an alleged Chinese crime spree.

In recent years, an increasing number of conservative politicians have tapped into the rising xenophobic tide for political gain. In October 1998, the Human Rights Committee of the United Nations (1998/1999) expressed concern that the violations of minorities' human rights in Japan are justified a) by the repeated used of popularity polls and b) on the grounds of "public welfare" (p. 316). Friman (2004) also argues that foreign crime "works as an electoral/power base issue" for the ruling Liberal Democratic Party (n.p.). Such politicization of the foreign crime issue would be more difficult if the media more critically scrutinized official accounts.

Although there is nothing wrong with tightening border controls to bar foreign criminals from entering Japan, they are too often packaged with measures to apprehend undocumented migrants many of whom have already established their living bases in Japan. Such policy packages draw little criticism partly because the distinction between foreign criminals and undocumented migrants has been blurred in the media under the label of "illegal aliens" or "bad foreigners."

In fairness to journalists, the clandestine nature of undocumented migrants hinders critical investigative reporting on foreign crime. Lacking alternative sources of information, journalists have little recourse but to rely on official documents and hearsay. Nevertheless, they must recognize that when the overwhelming majority of Japanese people don't have direct contact with unauthorized migrants, their negative images circulated in the media shape public perceptions of irregular foreigners.[48] As Ippei Torii, secretary general of the Japan Federation Workers' Union, argues in response to Governor Ishihara's anti-immigrant address in April 2000, "[t]he governor can lead people into believing that foreigners are committing more crimes because people do not know the true situation of overstayers and illegal entrants in Japan" (*JT*, 2000, May 1, p. 2).

Again, I don't mean to dispute the fact that crimes by "illegal" Chinese migrants are on the increase. Crimes, exploitation, and human right infringements are all real problems. My point is that undue emphasis on crimes by Chinese "illegals" brings only the first problem to the fore, while displacing the others. In particular, excessive focus on the criminal propensity of "illegal" Chinese newcomers serves to divert public attention from the government's failed economic measures and flawed immigration policies that contribute to a foreign crime wave. While the popular media occasionally portray undocumented migrants in a positive light,

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[48] Komai (1999/2001), for instance, observes that those who favor crackdowns on "illegal" foreigners are much lower among those who have contact with foreign workers in the workplace (p. 48). Conversely, "the lack of actual contact can lead to increased anxiety among them [Japanese]" (Komai, 1999/2001, p. 133).

ubiquitous crime stories on "illegal aliens" far overshadow such sporadic positive depictions of undocumented migrants. The end result is that "while 'months of concerted action' are regularly staged to expose 'illegals', no similar steps are taken to expose violations of labour regulations or to investigate the victimization of 'illegals'" (Herbert, 1996, p. 101).

Some people attribute an increase in foreigners' crimes to the government's inappropriate measures to protect their rights and benefits. From this vantage point, it is neither effective nor responsible for the government to enforce stern crack-down measures against undocumented migrants. On the contrary, "[t]he only solution to foreign crime . . . is to extend visas so they can work" (Yoshinari, cited in Kakuchi, 2003, n.p.). Yet the extension of rights and social services to undocumented migrants are unlikely as long as the rhetoric to criminalize visa overstayers prevails. For it is out of the question to endow these "potential criminals" with health insurance, paid holidays, injury compensation, and other benefits. In fact, attorney Genichi Yamaguchi and Professor Hiroshi Komai charge that the media hype of foreign crime is a great hindrance to normalizing the status of overstayers (participant observation of a symposium on special residence permission, October 3, 2004).

Seen in this light, it is imperative to challenge the prevailing rhetoric that criminalizes undocumented migrants and to present a more favorable image of them. This is obviously a daunting task given that citizens' groups and overstayers have had little say in altering Japan's restrictive immigration policies. The next chapter takes up a rare case where citizens and overstayers united to force immigration authorities to respond to their demands. While they did not succeed in subverting the dominant discourse, they managed to get their voices heard in public in the face of the rising anti-immigrant public sentiment.

5.0 SOCIAL ACTIVISM ACROSS THE GREAT DIVIDE: A CASE OF THE CAMPAIGN FOR SPECIAL RESIDENCE PERMISSION FROM SEPTEMBER 1999 THROUGH FEBRUARY 2000

> There is a need to invent new forms of communication between researchers and activists.
> (Pierre Bourdieu, 1998, p. 57)

5.1 INTRODUCTION

As early as July 1988, the Study Group on the Issue of Internationalization proposed: "Whether the influx of simple laborers is to be accepted or not, appropriate measures must be taken to redress the inhumane treatments often inflicted on the simple laborers who have already flown in" (*Tōkyō-to Kikaku Shingi Shitsu*, 1988, p. 59). Unfortunately, 15 years after this proposal, policymakers, businesses, and the mainstream media remain largely indifferent to the living and working conditions of unauthorized migrants, while tirelessly debating whether, when, and under what conditions unskilled or semi-skilled foreign workers should be introduced into the domestic labor market.

However, a more pressing issue is, or at least should be, what to do with the existing unauthorized foreign workers and their families. The government's exclusionary immigration policies notwithstanding, so-called "simple laborers" have long undertaken labor-intensive work to sustain Japan's critical economic sectors. Contrary to popular beliefs, many "illegal" foreign workers are no longer temporary sojourners but long-term residents who have established their living bases in Japan. A sizable number of them have brought in their families and virtually settled in Japan; some of their children were even born in Japan. Yet their basic rights continue

to be denied due to their illegal status. Thousands of undocumented school-age children, for example, don't go to school primarily because their parents hesitate to register at local municipal offices for fear of detention and deportation (Takahashi, 2004, p. 47).[49] Many others have severe difficulties keeping up with their classmates (Villalba, 2000, n.p.).[50]

Although there exists a growing gap between the official immigration policies and the everyday experiences of undocumented migrants, the state remains adamantly reluctant to bridge it. As Komai (1999/2001) succinctly puts it, "[i]n spite of the increasing trend toward settlement among irregular foreigners in Japan, the policy stance taken toward them has been one of complete exclusion" (p. 110). Hirano, Castles, and Brownlee (2000) concur: "The Japanese government does not expect or want settlement to occur, and therefore tends to ignore the phenomenon" (p. 249). Besides, the general public rarely views visa overstayers as deserving residents. Rather, as Chapter 4 has shown, they have been increasingly seen as potential criminals posing a serious threat to Japanese society.

Against this backdrop, a special residence permission campaign launched by 21 aggrieved visa overstayers and their supporters in 1999 can be understood as a challenge to the state's negligence as well as lack of public interest in the plight of undocumented migrants. While organizing efforts by and for undocumented migrants have been made since the late 1980s, the special residence permission campaign was unprecedented social activism in terms of its vocality and visibility. It was also among the few social movements ever in Japan that successfully mobilized a wide range of social actors including religious groups, civil rights activists, union members, and academics. While these diverse actors had built a collaborative

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[49] All children must register with authorities to attend public schools.
[50] According to Yamanaka (2003), a substantial proportion of children of *Nikkeijin* workers don't go to school despite the fact that they are eligible, though not obligated, to receive public education (p. 178). It can be surmised from this data that the percentage of unschooled children of undocumented foreign workers is even higher.

relationship at various levels over the years, they had never joined forces for a common and concrete political cause prior to the campaign.

The principal aims in this chapter are three-fold. First of all, the chapter explores the roles the 21 overstaying foreigners played in the special residence permission campaign. Throughout the campaign they took to the street, staged rallies, and appeared on the media to demand special residency; their support groups also pictured them as courageous people who were determined to fight for the rights of all troubled overstaying foreigners in Japan. Since a line between acting as social agents and being represented as such was often murky in the campaign, it is intriguing to probe what the overstayers actually did and how they were represented to bring the campaign to success. Secondly, the chapter delves into the symbolic battles the overstayers and their supporters waged in the campaign. More specifically, it first looks into their rhetorical strategies for projecting an alternative image of undocumented migrants so that the media and the public would see them as deserving residents. The chapter then scrutinizes the media strategies they adopted to gain and sustain favorable media attention over the course of the campaign. Lastly, the chapter reviews the academic group's activities in support of the special residence permission campaign. As briefly noted in Chapter 1, this campaign was arguably the first social movement in which immigration researchers in Japan got *collectively* involved. My particular interest lies in assessing the academic group's engagement in light of Bourdieu's views of intellectuals. Bourdieu offers particularly useful insights in considering the roles the academic group played in the campaign. For unlike Said (1996) who stresses the autonomy, individuality, and amateurism of intellectuals, Bourdieu envisions them as collective agents who venture to work in close liaison with grassroots activists, especially labor unions, against the forces of oppression and domination.

For a data collection and analysis, I perused the support groups' newsletters, websites, and books as well as national newspaper and magazine articles reporting the campaign. I believe that I was able to retrieve most relevant written texts as APFS kindly gave me access to its collection of newspaper clippings concerning the special residence permission campaign. I also made every effort to collect articles not included in APFS's newspaper clippings by using the on-line database services for *Asahi Shimbun*, *Mainichi Shimbun*, *Yomiuri Shimbun*, *Nihon Keizai Shimbun*, and *Sankei Shimbun*. I searched related magazine articles through *Nichigai: Magazine Plus* and *Web Ōya-bunko*. It was fairly easy to obtain books on the special residence permission campaign as only two titles have been published as of February 2005. To supplement the archival research, I also interviewed several activists and researchers who played key roles in the campaign.[51] The interviews were conducted in order to gain insights into the struggles and dilemmas members of the support groups faced over the course of the campaign.

5.2   THE FOREIGN WORKER PROBLEM SINCE THE 1990s

The media's preoccupation with the foreign worker problem peaked around the 1988-1992 period. Since then, the issue of foreign workers has been a topic of on-again, off-again debate, though its scale and magnitude have not been as intense as in the late 1980s. According to *Mainichi Shimbun* of February 21, 1995, the public's interests in "the problems of illegal foreign workers" had been waning since the enforcement of the revised Immigration Control Act in 1990 (p. 15). A table-of-content search of the back issues of *Nihon No Ronten* (*Issues for Japan*)

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[51] I conducted extensive, semi-structured interviews with the following persons from October 2003 to August 2004: Katsuo Yoshinari of APFS (October 27, 2003), Kimie Tsukuba of APFS (May 19, 2004), Ichirō Watado of Meisei University (May 19, 2004), Nanako Inaba of Ibaraki University (August 17, 2004), and Hiroshi Komai of Chukyo Women's University (August 26, 2004). The length of interviewing ranged from 40 minutes to 90 minutes. No interviews were audio-taped and all the quotes in this chapter are based on the author's notes.

(1993-2005) yielded similar results. *Nihon No Ronten* is published annually by *Bungei Shunjū Sha* and contains a collection of articles by prominent writers on controversial issues in Japan. A search of its back issues, therefore, provides a window into major national issues during this period. Table 5.1 indicates that the foreign worker problem attracted scant attention in the latter half of the 1990s.

Table 5.1: Table-of-Content Search of *Issues for Japan* (1993-2005)

Year	93	94	95	96	97	98	99	00	01	02	03	04	05
Included?	yes	yes	yes	no	no	no	no	yes	Yes	yes	no	yes*	no

Note: * The topic of foreign workers is mentioned in passing and not fully addressed in an independent section.

It can also be inferred from Table 5.1 that the foreign worker problem re-emerged as a social issue around 1999.[52] As the government was slated to set a new immigration policy in 2000, several official bodies, civil organizations, and employers' associations released their respective views on immigration reform. These reports rekindled the media's interest in the foreign worker problem. Particularly influential was the Economic Council's report in June 1999. This key advisory council to the prime minister proposed that the government "promote the acceptance of foreign workers in specialized and technical areas" and "give careful consideration to this issue [the acceptance of unskilled foreign workers and immigrants], starting with a consensus of Japanese citizens" (n.p.). Following the Economic Council's report, the Labor Ministry drew up a draft of the 9th Basic Plan on Employment Measures to be approved by the Cabinet on August 13, 1999. With regards to the acceptance of foreign workers, the basic plan generally confirmed the Economic Council's proposal. Equally important was the second Basic Plan for Immigration Control the Justice Ministry unveiled in March 2000. While

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[52] The 2000 edition of *Issues for Japan* was published in the fall of 1999.

foreseeing an acute labor shortage due to the low birth rates, the basic plan remained cautious over the admission of unskilled foreign workers. Yet another influential report was released in March 2000 by the Population Division of the United Nations. The report *Replacement Migration: Is It a Solution to Declining and Aging Population?* suggested that Japan would need 33.5 million immigrants from 1995 through 2050 to keep the size of the working-age population constant at the 1995 level (United Nations Population Division, 2000, p. 50). These three reports, among others, stimulated many other policy recommendations from a variety of groups (for synopses of major policy recommendations, see the report submitted by the Ministry of Health, Labor, and Welfare's Study Group on the Employment of Foreigners [*Gaikokujin Koyō Mondai Kenkyūkai*], 2002, n.p.).

Since the Japanese government basically upheld the current immigration policies, a public debate became essentially a repeat of the one in the late 1980s. Although a need for unskilled foreign labor force was now seen as a structural, rather than cyclical, one being caused by the shrinking working-age population, the focus of the debate was still over whether or not unskilled foreign workers should be introduced. Many media pundits continued to invoke the metaphor of "open-door versus closed-door" as if foreign workers threatened "invading" Japan. Most illustrative in this regard is *Nikkei Business*'s special report "Pressed for Opening the Country [to Foreign Workers]" in November 2000. Printed side by side on the opening pages are the pictures of Commodore Perry-led "black ships" and of "illegal aliens" lining up in front of the Immigration Bureau building (pp. 26-27). Implicit in this analogy is that unskilled foreign workers are enormous external threats disrupting otherwise tranquil Japanese society. Unfortunately, this seemingly endless "open-door vs. closed-door" debate obscures more urgent problems facing the existing unskilled foreign workers and their families, including their

wretched working conditions, gross human rights violations, and the outright denial of access to public services.

The government's official posture notwithstanding, a sizable proportion of irregular foreign workers have turned out to be long-time residents despite their illegal status. The prolonged stay of unauthorized foreign workers is well documented in official apprehension statistics. Table 5.2 shows that almost half of the apprehended foreigners in 1998 stayed in Japan for more than three years. Likewise, Okuda and Tajima's 1994 field research on "newcomer" Asian migrants in Tokyo's Ikebukuro area found that 32.3% of those surveyed wished to stay in Japan as long as possible (cited in Tajima, 1998, p. 112).

Table 5.2: Apprehended Foreigners by Length of Stay in Japan (1991-2003)

	1991	1992	1993	1994	1995	1996	1997	1998	1999
6 months or less	12,733	14,370	7,850	6,116	5,594	5,224	5,221	5,697	5,863
1/2 – 1 year	10,495	22,171	11,133	6,820	5,388	5,471	4,568	4,510	6,209
1-2 years	5,441	15,465	25.072	15,153	8,835	7,549	6,702	5,811	6,764
2-3 years	2,531	5,949	12,298	17,537	10,259	7,589	5,945	5,244	5,503
3-5 years	1,389	3,289	6,242	10,116	14,753	15,323	9,552	8,082	8,556
over 5 years	257	584	1,411	3,172	3,890	6,430	9,548	10,428	12,490
Unknown	62	333	335	438	715	199	68	763	873
Total	**32,908**	**62,161**	**64,341**	**59,352**	**49,434**	**47,785**	**41,604**	**40,535**	**46,258**

	2000	2001	2002	2003
6 months or less	4,546	4,734	4,385	4,462
1 year or less	4,828	3,839	4,300	3,676
2 year or less	6,990	4,737	4,553	5,133
3 year or less	5,614	4,241	3,540	3,759
3-5 years	7,872	5,843	5,738	5,921
over 5 years	13,672	9,622	9,028	10,498
Unknown	688	492	820	876
Total	**44,190**	**33,508**	**32,364**	**34,325**

Sources: *Hōmushō*, 2000-2003, n.p.; *Nyūkan Kyōkai*, 2000, p. 58, 2004, p. 76; Sellek, 2001, p. 105

Even though many undocumented migrants have established their living bases in Japan, the government insistently denies that Japan is a country of immigration (Watado, 2002a, p. 31). Kondō (2002) suggests that the government deliberately avoids using the terms "immigrants" and "immigration policy" (p. 417). In lieu of an immigration policy, Japan has "entry and departure control measures (*shutsu nyūkoku kanri seisaku*)."[53] As Weiner (2000) sums up, one of the basic tenets behind Japan's "immigration policy" is that foreigners should be admitted only on a short-term basis "[t]o reduce potential social costs, including education for the children of migrant workers, and the emergence of 'social' problems associated with immigrant settlement" (p. 60). Indochinese refugees and *Nikkeijin* may come closest to being called immigrants, but they are legally classified as "long-term residents." Plus, *Nikkeijin* tend to be depicted as "returning compatriots" in official reports.[54] After all, as Pak (1998) puts it, "the entire process [of labor migration in Japan] is hidden behind the continued rhetorical commitment to preventing immigration" (p. 11). As explained later in the chapter, foreign worker support groups such as APFS have worked hard to contest the rhetoric that masks the reality of Japan's labor migration.

5.3   APFS: ITS HISTORY, GOALS, AND ACTIVITITES

According to Shipper (2001), few ethnic associations in Japan—which are comprised predominantly of old-comer residents—are willing to extend support to their illegal compatriots

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[53] "*Shutsu nyūkoku kanri*," which is usually translated as "immigration control," literally means "control of entry into and departure from the country."

[54] It is indicative that a long-term resident visa is issued to *Nikkeijin* ostensibly for the purposes of "homecoming" (*sato gaeri*) and "visiting relatives" (*shinzoku hōmon*). The actual migration pattern of *Nikkeijin*, however, belies these stated goals. Drawing on a survey conducted by Hamamatsu City (where a large number of *Nikkeijin* reside and work in automobile factories or electronic appliance plants), Komai (1999/2001) argues that "in contrast to the strength of . . . ethnic networks, many Nikkeijin have only weak links with their Japanese relatives" (p. 85).

(p. 434). In the absence of formal support from government bodies and ethnic groups, unauthorized newcomer migrants usually turn to Japanese NGOs and other voluntary associations for help when a serious problem arises (Shipper, 2001, p. 434). As an increasing number of undocumented migrant workers have come to Japan, numerous groups have been founded to support them at the grassroots level. According to Ogasawara, et al. (2001), the number of support groups has skyrocketed from less than 10 in 1985 to over 200 in 2000 (pp. 171-173).

The Asian People's Friendship Society (APFS) is among the oldest foreign worker support groups and originally grew out of personal friendship between Liakat Hossain, a Bangladeshi student of a Japanese language school, and Akira Kumagaya, a member of the citizen's group Hiroba Itabashi (who was also a friend of Yoshinari) (APFS, 2002a; see also, *AS,* 1987, December 20, p. 25). Soon after they got acquainted at a local bathhouse, they began to frequent each other's place. Hossain would be advised on life in Japan, whereas Kumagaya, Yoshinari, and their friends would learn about the Bangladeshi culture and newcomer migrants' living and working conditions (Morishita and Naitō, 2003, p. 3). Their friendship, coupled with the tragic death of a Bangladeshi migrant by starvation in November 1987, prodded 20 Bangladeshi and Japanese to found Bangladesh Japan People's Society in December. The group was renamed the Asian People's Friendship Society in February 1987 as other Asian nationals came to ask for help (APFS, 2002b, p. 3).

The membership of APFS expanded to more than 500 in the first four years; it now has over 2,700 registered members from more than 10 countries. The members mostly comprise Bangladeshis, Burmese, and Filipinos (Yorimitsu, 2001, p. 22). To my knowledge, some Pakistanis and Iranians have also joined APFS. According to APFS's pamphlet, the vast

majority of the members are undocumented. Half of them have already returned to their home countries, and about 150-200 members participate in events and meetings on a regular basis (Yoshinari, personal communication, October 27, 2003). APFS is funded mainly through membership fees and private donations; municipal authorities occasionally provide funding for such events and activities as lecture series, survey research, and medical check-ups. According to Yoshinari, APFS has recently downsized its operations, supposedly because of a drop in its membership and consultation cases (personal communication, October 27, 2003; see also Tsugawa, 2003, n.d.). As a result, the staff has been cut down from 10 Japanese and 17 non-Japanese staff members in the early 1990s to two staffers and five to six volunteers at the time of the interview (Yoshinari, 1993, p. 63; APFS, "APFS", n.p.). Yoshinari is currently the only paid staff member who works on a fixed annual salary of less than three million yen ($27,000) (Matsubara, 2000, February 21, p. 3). Professor Ichiro Watado of Meisei University assumes an advisor role to APFS. About 20 people serve on the steering committee, but not all of them are actively involved in APFS.

APFS distinguishes itself from most other foreign worker support groups on several counts. For one thing, the organization is a citizen's group affiliated with neither labor unions nor Christian groups. Accordingly, APFS holds a variety of non-labor-related events, including a one-day bus tour, a summer camp, and a spring flower viewing party (*hanami*). For another, APFS purports to be more than a support group. To use Yoshinari's (1996) words, it operates on the assumption that newcomer migrants are "invaluable neighbors and residents" and "social actors" who are leading and changing Japanese society together with Japanese citizens (p. 281). The newsletter of the group is named *This Land is* –after Woody Guthrie's "This Land is Your Land"; the title nicely captures the goal of APFS. In fact, foreign members have taken active

part in running the group from its inception. For instance, it has been customary to choose a secretary general from non-Japanese members. According to Yoshinari (1996), Bangladeshi members took a leading role in expanding the membership in the early days of APFS. Some foreign staff members have been working for as many as 10 years, which is rarely the case with their Japanese counterparts (Yorimitsu, 2001, p. 22). By engaging foreign members in the group, APFS seeks to dispel the stereotypical view that undocumented migrants are helpless foreigners dependent on Japanese activists. Lastly, unlike many other support groups, APFS bills itself as a locally-based organization. APFS's office is located in Tokyo's Itabashi Ward where a sizable number of unregistered foreigners live and work. As Mizukami (1998) observes,

> The reasons for foreigners settling in this Ward include the existence of low-rent apartments and small business offices or factories which provide job opportunities for manual labourers. According to some members of the Society, compared with other areas in Tokyo, the Ward has more housing available and is convenient because of its proximity to major stations. (p. 360)

To forge close ties with the local community, APFS has participated in—even organized—a variety of local events, notably, the annual "Asia-You-Never-Knew! Fair." Happy House, an APFS-affiliated group, holds this ethnic festival every fall with the aid of a local shopping street promotion union. Its primary goal is to introduce local residents and the public to the foods, cultural performances, costumes, and folk crafts of the members' home countries. The shopping street promotion union also requests APFS to open ethnic food shops for its annual local festival. Masami Sakurai of the union appreciates APFS's cooperation, noting that the development of a network with diverse peoples is necessary to give a boost to the shopping street (APFS, 2002a).

In a published interview, Yoshinari isolates three turning points for the group: 1) the foundation of the group in 1987, 2) an increase in consultation cases concerning non-labor issues around 1992, and 3) the initiation of the special residence permission campaign in 1999 (APFS,

2002b, p. 5).   The initial purpose of APFS was to promote mutual aid and interaction between foreign nationals and Japanese citizens (Mizukami, 1996, p. 360).   Accordingly, its activities were limited mostly to hosting various informal gatherings and consulting newcomer migrants on troubles in the workplace, in school, and in daily lives.   APFS began to take on more political edge in 1990 when the revision to the Immigration Control Act provided the impetus for undocumented foreigners to get actively involved in the group (Yoshinari, 1996, pp. 270-273). For example, foreign staff took initiative in staging a rally in April 1990 to protest the enactment of the new Immigration Control Act.   According to Yoshinari (1996), members from Pakistan, Sri Lanka, and Bangladesh worked hard to make flyers in their respective native languages and publicize the event to their friends and acquaintances (p. 272).   The rally was reportedly the first political gathering organized by and for migrant workers (*YS*, 1990, April 30, p. 26); it also marked the very first May Day Meeting for Migrants Workers.   Since then, APFS has held a May Day event every spring a few days before May 1st.[55]

As a considerable proportion of "illegal" foreign workers got married or sent for their families in the early 1990s, APFS became confronted with a series of new problems.   Chief among them were international marriage, childbirth and child-rearing, divorce, and settlement. The number of consultation cases on marriage and special residence permission jumped up from 46 cases in 1992 to almost 600 in 1993 (Yoshinari, 1996, p. 274).   Similar yet distinct problems cropped up around the mid-1990s as many children of undocumented migrant workers grew up to a school age.   Related to this, the problem of so-called "stateless children" arose during this period.   In the absence of governmental support, APFS and other support groups were forced to tackle these emerging problems on their own.

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[55] APFS did not hold a May Day meeting in 2004 for the first time in 14 years.

While APFS is a local-based group, it has built a trusting relationship with many other support groups over time. In principle, foreign worker support groups can be classified into several camps ranging from lawyers' associations, community workers' unions, and medical NGOs to civil rights organizations and women's associations. Lawyers' associations typically provide legal consultation and settlement to visa overstayers and push for better treatments of foreign suspects in detention centers, prisons, and immigration offices (Shipper, 2002, p. 43). Community workers' unions[56] primarily handle cases of unpaid wages, unlawful dismissals, and workplace accidents involving unregistered migrant laborers. Medical NGOs treat uninsured immigrants at an affordable rate. Citizens' groups operate at the most grassroots level and engage in a variety of activities, including individual case advocacy, governmental lobbying, social and cultural events, conferences on the issue of foreign workers, and publication of newsletters (Shin, 2001, pp. 270-271). Women's groups offer consultation services and temporary shelters for foreign women fleeing from their abusive husbands or exploitative brokers.

Although these foreign worker support groups differ from each other in their goals and activities, they have developed a loosely coordinated network of mutual aid and information exchange to administer better services. To be more precise, since most NGOs for foreign workers operate on a tight budget with a small staff (Pak, 1998, p. 202), they have no choice but to cross-network with each other to provide adequate information, referrals, and counseling services for unregistered migrants with diverse backgrounds and needs (for details on the networking, see Shipper, 2001).

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[56] So-called "enterprise unions" (i.e. one union per company) account for over 90% of all unions in Japan. Whereas enterprise unions are intended for full-time employees (Japan Institute of Labor, 2002, pp. 47-49), community workers unions accept members on an individual basis irrespective of their occupation and employment status. Hence they are conducive to the needs of irregular foreign workers.

Over time, APFS has collaborated with many other foreign worker support groups at various levels. Although the group itself is not a trade union, Yoshinari had served as a leader of the Itabashi Workers Union before he assumed the current position. His background has supposedly helped APFS to cooperate with labor unions and capitalize on their network when necessary.[57] Besides, many lawyers have recognized and assisted APFS' activities. Notably, APFS received the Human Rights Award from the Tokyo Bar Association in January 1995 (APFS, 2002a). APFS has also cooperated with the SHARE, a medical NGO, to offer free medical check-ups to uninsured foreign nationals. APFS is currently a member organization of the Solidarity Network with Migrants in Japan (SMJ), the umbrella organization of foreign worker support groups. Although APFS didn't join the SMJ at the time of the campaign, it nevertheless enlisted the help of the organization.

Last but not least, APFS has established close connections with several prominent immigration researchers over the years. The involvement of the academic group in the special residence permission campaign was partly a product of the decade-long reciprocal relationship between APFS and the researchers (Watado, 2000, p. 82). Yoshinari (2002) values academic research inasmuch as it provides theoretical insights, historical perspectives, and empirical data useful for justifying, evaluating, and guiding APFS's activities (p. 5). This is not a common attitude among activists as they often discredit scholarly work as futile in addressing imminent (in their view, "real") issues (Katagiri, 2005, p. 56). For instance, Ken Suzuki of *Kalakasan*— Migrant Women Empowerment Center did not hide his frustration about the selfish attitudes of many academics who contacted the group only for their research purposes (participant observation of the 10th National Forum for Philippines Study Groups, July 3, 2005).

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[57] One notable example is the co-foundation of the CALL Network by APFS and 7 other labor unions and civil organizations in February 1988 (for details of the CALL Network, see Suwa, 1989).

Notably, APFS commissioned Professor Watado to conduct an interview survey on "newcomer" Asian migrants in Itabashi Ward from November 1992 through February 1993. The group submitted the survey reports to the local municipal office as references for better administrative services for unregistered foreign residents (*YS*, 1993, May 13, p. 24). Watado has also served as a keynote speaker, a conference coordinator, and a lecturer on several occasions at APFS's request. To mention one example, he coordinated the symposium "International Labor Migration and Japan in the 21st century" in conjunction with APFS's 10th anniversary party. Hiroshi Komai, then professor of sociology at Tsukuba University, was invited as a keynote speaker. Yoshinari (2003) remarked in retrospect that Komai's and Watado's talks on the normalization of irregular migrants in the symposium encouraged him to launch the special residence permission campaign in 1999 (p. 34). Other than the symposium, APFS has regularly organized a lecture series and invited specialists from various fields. The past lecturers include Junko Tajima of Shukutoku University, Mariko Hirose of Shōwa Women's University, and Keizō Yamawaki of Meiji University. Sometimes, Yoshinari himself gets invited to speak before immigration scholars. For instance, the Foreign Labor Project Team of Hitotsubashi University had Yoshinari give a talk on generational conflict among newcomer migrants. As elaborated in a later section, this networking with immigration scholars and other foreign worker support groups greatly helped APFS to fight through the special residence permission campaign.

5.4   REQUIREMENTS FOR SPECIAL RESIDENCE PERMISSION

The Japanese government has never enacted an amnesty program for unregistered foreigners before; it also rules out the possibility of amnesty in the future on the grounds that the implementation of amnesty would fuel further illegal migration (for example, see the First

Immigration Control Basic Plan cited in *Ajiajin Rōdōsha Mondai Kondankai,* 1993, p. 54). The lack of amnesty sets Japan apart from most other industrialized countries where tougher immigration control measures are often packaged with the legalization of undocumented migrants who meet certain provisions. The U.S. Immigration Reform and Control Act of 1986, for instance, granted amnesty for about 3.1 million "illegal aliens" while enforcing employer sanctions.

In the absence of general amnesty, application for special residence permission is currently the only recourse for unregistered foreigners to get their status legalized in Japan. Although a similar system exists in other countries, they usually adopt dual regularization programs, namely a combination of general amnesty and special residence permission. Special residence permission differs from general amnesty in a couple of important respects. First of all, permission for special residency is granted only in the last stage of deportation procedures. In other words, irregular foreigners must first surrender to the Immigration Bureau before filing a petition for special residency. Second, whereas general amnesty is designed to normalize all irregular immigrants who fulfill a certain set of requirements, special residence permission is granted on a case-by-case basis. Furthermore, there are no explicit criteria for the issuance of special residence permission. Instead, Article 50 of the Immigration Control Act gives the Justice Minister complete discretion in granting special residence permission. The absence of written criteria greatly discourages unauthorized migrants from applying for special residence permission. As Komai (2003, December 31st) charges in an interview with Hiroshi Matsubara of the *Japan Times,* "[t]he opaque system allows the government to tighten or loosen immigration controls subjectively, depending on the economic situation or public sentiment" (p. 3; see also Figure 5.1 on the next page).
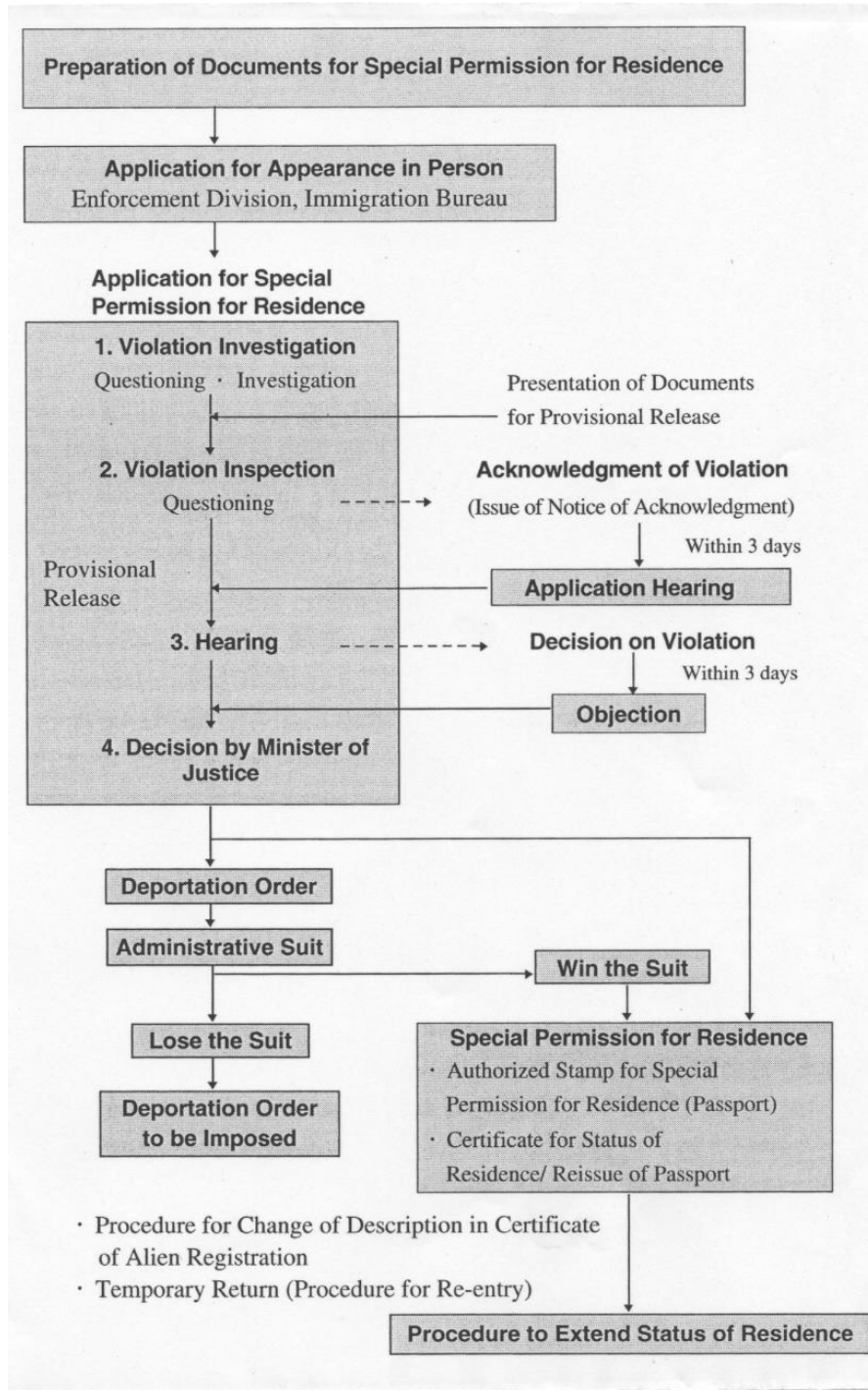
Source: *Ijū Rōdōsha To Rentai Suru Zenkoku Nettowāku* (Solidarity Network with Migrants Japan), 2003, p. 25.
Reprinted with permission of Solidarity Network with Migrants Japan.

Figure 5.1: Application Procedure for Special Residence Permission

While no written criteria for special residence permission are available, the Justice Minister has so far granted special residency almost exclusively to those who have close ties with either Japanese citizens or permanent residents. Until the late 1980s, special residence permission had been given mostly to undocumented immigrants from the Korean peninsula (*Hōmushō Nyūkoku Kanri Kyoku*, 1987, p. 113). In 1985, almost all unregistered Korean immigrants (47 out of 48) apprehended for criminal law offenses were granted special residency on humanitarian grounds (*Hōmushō Nyūkoku Kanri Kyoku*, 1987, p. 114). Few Korean immigrants now resort to this option because the amendment to the Immigration Control Act in 1990 has accorded residential rights to all long-term Korean residents, registered or not. Since then, the system of special residence permission has mainly become a vehicle for "newcomer" foreign workers to get their status regularized. With a dim prospect of general amnesty in the foreseeable future, an increasing number of unauthorized migrants report to the Immigration Bureau in hope that they would be given special residency. As a result, the number of foreigners granted special residence permission has grown exponentially in recent years (see Table 5.3).

Table 5.3: Number of Foreign Nationals Granted Special Residence Permission (1992-2003)

Year	1992	1993	1994	1995	1996	1997	1998	1999	2000	2000	2001	2002	2003
Number	482	465	612	849	1,468	1,406	2,497	4,318	6,930	6,930	5,306	6,995	10,327

Sources: *Hōmu Daijin Kambō Shihō Hosei Chōsabu*, 1993-1997; Yamaguchi, 2004, p. 2

When the 21 overstaying foreigners stood up to file for special residence permission in 1999, the granting of special resident permission for visa overstayers was limited to 1) those married to native residents and 2) those who were raising children born with a Japanese partner.

Special residence permission began to be given to the latter in 1996 in accordance with the ratification of the U.N. Convention on the Rights of the Child. The only known exception was Korean immigrants who illegally entered Japan soon after World War II. Although many of them were not related to Japanese citizens and resident Koreans, they were allowed to stay in Japan on the grounds that they had already established their lives as workers and residents (Ko, 2000, p. 33). This historical precedent was to give APFS the leverage to demand special residence permission for the 21 overstayers who had no blood ties with native residents in Japan.

5.5 PATH TOWARD COLLECTIVE CAMPAIGNING FOR SPECIAL RESIDENCE PERMISSION

Since the early 1990s, many foreign worker support groups have continuously urged the government to grant amnesty for unregistered foreigners. The highpoint of grassroots activism for amnesty was the rally named "Human Rights to Foreigners! December 13 Rally" at Tokyo's Yamanote Church in 1992. The Forum on Asian Migrant Workers, the precursor of the SMJ, staged the rally; and many other support groups, including APFS, joined forces in coordinating various events on that day. The details of the rally were reported in the inaugural issue of *Immigrant Workers' Forum* (*Imin Rōdōsha Fōramu*) in April 1993.

APFS got interested in the system of special residence permission in March 1990 as it helped a Pakistani overstayer married to a Japanese woman to obtain regular status of residence. Since then, APFS has been actively involved in the issues of special residence permission and amnesty. In March 1992, APFS held a forum on special residence permission, which stimulated a flood of phone calls and walk-in visits from interested unregistered foreigners and their spouses (APFS, 2000b, p. 14). Around the same time, the group drafted the Declaration of Foreign

Workers' Human Rights in time for its annual May Day meeting. The Declaration called on the government to normalize the status of undocumented foreign workers in Japan (Yoshinari, 2002, p. 9). It was formally adopted in 1994 with over 800 signatures by 11 different nationals and submitted to the Immigration Bureau of the Justice Ministry. In January 1993 several staff members were invited to speak on the topic of special residence permission in a lecture held by the Forum on Asian Migrant Workers. This indicates that APFS gained a reputation as a grassroots expert of some sort on the subject in the early 1990s.

The number of consultation cases on special residence permission continued to soar in 1993. Of a total of 2,010 consultation cases in 1993, 801 concerned special residence permission, followed by life and other matters (493 cases), labor issues (484 cases), and medical problems (231 cases) (Mizukami, 1998, p. 361). To facilitate information exchange, mutual aid, and interactions among intermarried couples, several members of APFS volunteered to form the Forum on International Marriage (*Kokusai Kekkon O Kangaeru Tsudoi*) on June 27, 1993. The group was soon renamed Happy House in February 1994. One activity of the group was to aid visa overstayers in obtaining special residence permission (for example, see *YS,* 1994, April 23, p. 24).

In April 1994, an unregistered Korean woman visited APFS's office to seek consultation on special residence permission. She and her two sons smuggled themselves into Japan in the early 1980s and surrendered to the Immigration Bureau in a plea for special residency in August 1992. Unfortunately, they were all denied special residence permission in March 1994. This was the first case in which APFS helped foreigners neither married nor related to native residents to fight for special residence permission. Although APFS filed an administrative suit in objection to the deportation of the Korean family, the family was soon deported and APFS

eventually lost the case (Yoshinari, 2004, p. 178). From this bitter experience Yoshinari learned that the only way to pressure the Justice Ministry to normalize the status of irregular migrants was to appeal to the general public and to stir a nationwide controversy on the issue.

While APFS had long assisted irregular foreigners in obtaining special residence permission on an individual basis, several factors prodded the group to launch a collective campaign in September 1999. For one thing, although APFS had regularly negotiated with immigration officials to demand amnesty for undocumented migrants since the spring of 1993, immigration authorities had dismissed its requests almost out of hand. Having recognized that an amnesty program was unlikely in the near future, APFS changed its strategy and decided to utilize the system of special residence permission as an alternative (Kobayashi, 2002, p. 52). For another, the amendment to the Immigration Control Act in 1999 stepped up penalties for immigration law violations. The inclusion of these punitive sanctions meant that the already wretched living conditions of unregistered foreigners could get even worse. Lastly, foreign worker support groups began to face a series of "second-generation immigrant problems" in the latter half of the 1990s as children of undocumented migrant workers grew up to a school age. They found it intolerable to leave undocumented children under "rightless" conditions (Yoshinari, 2002, pp. 18-19).

5.6 A CHRONOLOGY OF THE SPECIAL RESIDENCE PERMISSION CAMPAIGN

5.6.1 Prior to September 1

APFS began to give serious consideration to collective petitioning for special residence permission in January 1999 when *Asahi Shimbun* (1999, January 5) editorialized that the

government should consider normalizing the status of long-term visaless migrant workers (p. 5). Soon after the editorial came out, APFS asked its foreign members if they were interested in filing collective petitions for special residence permission (Ogaya, et al., 2001, p. 50). Although decisions to report to the Immigration Bureau were ultimately left to overstayers themselves, this did not mean that anybody was encouraged to join a group demanding special residency. Rather, prospective applicants were selected in light of their period of stay, their children's ages, and a need for continued medical treatment in Japan (Kobayashi, 2002, pp. 53-54).

Initially, over 60 overstaying foreigners expressed interest in surrendering to the Immigration Bureau (Yoshinari, 2004, p. 182). Many of them soon backed down for fear of being detained and deported. This was understandable, given that foreigners who were neither married nor related to native residents had rarely been granted special residence permission. By the day the 10th May Day Meeting for Migrant Workers was held, only 38 of them remained resolved to come forward and demand special residency. Of them, 21 overstayers were determined to report to the Immigration Bureau on September 1 and the remaining 17 on December 27 (Yoshinari, 2002, p. 12).

In June 1999, APFS participated in the Third National Forum in Solidarity with Migrant Workers organized by the SMJ. During this two-day forum, the issue of special residence permission became a central theme in many panel discussions. Notably, two Iranian children aged 12 and 15 spoke up for regular resident status in the plenary session. In this way the forum participants got to know APFS's plan on the special residence permission campaign. Around the same time, APFS began to contact other foreign worker support groups for cooperation. Nanako Inaba of Ibaraki University told me that she was first informed of APFS's plan through the Edogawa Union, a Tokyo-based community workers union, around July (personal

communication, August 17, 2004). On July 11, a group of attorneys from the Center for

Protection of Foreigners' Human Rights held the first meeting in preparation for an impending

campaign. Masaki Yamada, a member of the attorneys' group, had long worked with APFS

since Yoshinari requested him to represent a Bangladeshi defendant in a criminal case in 1990

(APFS, 2002b, p. 12). Several staff members of APFS held a final preparatory meeting with the

overstayers on August 1st to confirm their will to fight for special residency and to devise

concrete campaign strategies. Ichiro Watado and four lawyers also attended the meeting

(Watado, 2000, p. 83). On August 29, APFS held a gathering to support the 21 overstayers at a

local hall near the office. The overstayers "came out in public" for the first time in the gathering.

Several journalists were present as APFS notified them in advance of their intention to appear at

the Tokyo Immigration Bureau on September 1.

5.6.2   A Timeline of the Campaign after September 1

On September 1, 1999, the 21 visa overstayers who consisted of five families and two

unaccompanied men from Bangladesh, Iran, and Myanmar surrendered to the Tokyo

Immigration Bureau to file for special residence permission. About 20 supporters accompanied

them (Yoshinari, 2004, p. 172). This was the first case where visa overstayers without close ties

with native residents demanded special residence permission in a group. Thanks to the advance

notice, immigration authorities made no arrests and told the overstayers that they would be

investigated at home (Shipper, 2002, p. 56). As APFS contacted the press ahead of time, most

national newspapers covered their action the following day.

Of the 21 overstayers aged 2-68, 8 were children; 16 applicants were Iranian nationals.

This was because the suspension of the mutual visa exemption agreement between Iran and

Japan in 1992 made their re-entry virtually impossible once they left Japan. Plus, there existed a strong personal network for mutual aid among the Iranian overstayers. According to Watado (2002b), the economic distress and the theocratic regime in their home country provided additional incentives for them to stay in Japan (p. 90).

Second and third groups of overstayers followed suit and reported to the Tokyo Immigration Bureau on December 27 and July 12-13, 2000, respectively. APFS opted for a series of collective campaigns in hope that they would exert stronger pressure on the Justice Ministry, draw more media attention, and stir up a public controversy (Yoshinari, 2004, p. 182). The collective campaigning was also intended to compel the Justice Ministry to lay down explicit criteria for issuing special residence permission (Murata, 2002, p. 4).

Owing to relentless campaigning efforts by varied social actors, the Justice Minister conceded special residence permission to 16 applicants, or 4 Iranian families, in February 2000. A Burmese family of three and two unaccompanied men were denied their petitions. While the Justice Ministry gave no reasons for granting (or not granting) special residency, "lawyers emphasized the fact that the children were enrolled in Japanese schools and 'well accustomed with Japanese culture and can speak only Japanese'" (*Migration News*, "Japan: crackdown, legalization," n.p.).

The success of the campaign can be attributed partly to the development of loosely coordinated national networking among and across foreign worker support groups and concerned individuals. Countless groups and individuals got involved in the special residence permission campaign and formed a loose alliance of civic engagement for a common political goal. But the development of such a nationwide network did not take place out of thin air; rather, it was a product of more than a decade of coalition building efforts among foreign worker support

groups. Of prime importance to the campaign was the development of networks among community workers' unions, attorneys, and academics as well as the establishment of an umbrella organization for foreign worker support groups. About 70 community workers' unions joined together to establish a national network in September 1993 in an effort to handle increasingly complex and diverse problems. In legal arenas the Tokyo Bar Association set up the Center for Protection of Foreigners' Human Rights in 1989. To address various issues related to the human rights of foreigners in Japan, concerned attorneys also founded the Lawyers' Association for Foreign Laborers' Rights (LAFLR) in 1990 and the Lawyers' Association for Foreign Criminal Cases in 1992 (Shipper, 2001, p. 302). According to Shipper (2002), there are now 11 lawyers' association NGOs for foreign workers in the Kantō area alone (p. 43). Last but not least, academics in the fields of ethnic and immigration studies established an on-line network called the Ethnic Migration Studies in Japan (EMSJ) in November 1995 (Ishii, Sadamatsu, and Ikeda, 2000, n.p.).

Over time, their cross-networking efforts moved toward a higher level of concentration and coordination, culminating in the formation of the National Network in Solidarity with Migrant Workers in 1997. According to Shipper (2002), the network was launched at the Second Forum in Solidarity with Migrant Workers to replace its precursor, the Forum on Asian Migrant Workers (p.54). It was later renamed the Solidarity Network with Migrants Japan (SMJ), supposedly because its activities expanded to all unregistered foreigners irrespective of their employment status. The SMJ is now housed in the Japan Council of Churches and consists of 88 organizations and 237 individuals (Okamoto, 2004, p. 204). As the central network organization, the SMJ has taken a variety of collective actions from holding a symposium and lobbying immigration authorities to forming a global alliance with overseas NGOs and staging a

rally for unregistered foreigners (Shipper, 2001, p. 324). As Shipper (2002) sums up, the SMJ has enabled Japanese activists "to associate more as members of a socially conscious community of activists rather than as isolated and marginalized individuals" (p. 66).

To reach as many audiences as possible, APFS tapped into these existing networks of foreign worker support groups. For instance, the networks of community workers' unions and NGOs for foreign workers enabled APFS to collect signatures from some 100 groups within two weeks from September 15 through 30. 30 groups and 15 individuals launched another signature campaign in November 1999 to mobilize public support. About 5,300 signatures were collected in three weeks and submitted to the Justice Ministry on December 15; a total of 34,000 signatures were collected by April 1st (Steering Committee, 2000, n.p.). The collection of over 30,000 signatures would have been impossible without the functional national networks. In addition, the lawyers' associations facilitated the prompt formation of a defense team for the 21 overstayers. The EMSJ was also instrumental in forming an academic group in support of the special residence permission campaign.

5.7   MEDIA STRATEGIES—FIGHTING WITH AND AGAINST THE MEDIA

The success of social activism hinges a great deal on its media strategies. As Bourdieu (1998) concisely puts it, "[i]t is no longer possible nowadays to conduct social struggles without having a specific programme for *fighting with and against television* [italics added]" (p. 57). One way to fight with and against television, more broadly the media, is to work in close liaison with progressive journalists (Bourdieu, 1998, p. 73). This was one of the media strategies APFS pursued over the course of the campaign.

While such conventional strategies as petitioning and rallying were effective in mobilizing public support at the street level, the special residence permission campaign would not have been so successful without continuous and favorable media coverage. Indeed, the media even spurred the campaign in that *Asahi Shimbun's* editorial in January 1999 provided the impetus for APFS to launch the movement for special residency. Immediately after the editorial was printed, Yoshinari contacted the journalist who penned it. He agreed with Yoshinari on the need for regularizing the status of long-term unauthorized migrants and promised to assign a reporter to cover the campaign. Yoshinari and Komai met with the journalist even during the campaign to discuss its prospects and future strategies (Komai, personal communication, August 26, 2004). Yoshinari also arranged to meet with a reporter for NHK a week before the 21 overstayers surrendered to the Immigration Office (personal communication, October 27, 2003). According to Yoshinari, the reporter reacted favorably to the overstayers' impending action, too. Through these and other interactions with journalists, Yoshinari got the feeling that the campaign was likely to be covered in a positive light. In view of this, the media were not simply a channel in the campaign for activists to send messages to the public. Rather, a handful of journalists functioned as social agents and took active part within the structure of their institutions and professional roles in helping the overstayers to obtain special residence permission. In fact, Kimie Tsukuba of APFS told me that the campaign got a big boost thanks to the reporting of the NHK director, the *Asahi Shimbun* writer, and a freelance TV director who produced a documentary on the campaign on TV Asahi (personal communication, May 19, 2004).

Seen in this light, Bourdieu's (2001/2003) following thesis does not apply to the media coverage of the special residence permission campaign: "The spokespersons are interviewed, a few emotion-laden reports are broadcast, but the demands of the movements are seldom taken

seriously in public debate, as a consequence of the media's limited understanding" (p. 41). On the contrary, sustained attention by journalists gave activists the leverage to present the campaign as a legitimate social movement. The support groups, for their part, adeptly used their investigative reports to command the attention of policy makers. This "collaboration" between journalists and activists was crucial in making the campaign a success.

In fairness, Bourdieu's aim was to elucidate *structuring and structured* constraints in a journalistic *field*, not to point a finger at *individual* journalists. In fact, he was well aware and appreciative of serious journalists committed to investigative reporting. Indeed, the main thrust of his critical works on the media was to explore possibilities for concerted action among journalists, activists, and researchers. "Only through such a collaboration," Bourdieu (1996/1998) contends, "will it be possible to work effectively to share the most universal achievements of research and to begin, in practical terms, to universalize the conditions of access to the universal" (p. 1). From this vantage point, the finding in this chapter may be rather consistent with Bourdieu's thesis. For my point is that the support groups managed to sidestep structural obstacles in a journalistic field by orchestrating efforts of concerned journalists as a collective force to pressure immigration authorities.

Importantly, the favorable media coverage of the campaign was largely a product of APFS's longstanding efforts to build a trusting relationship with journalists. While criticizing the media for spreading the unsavory images of undocumented migrants, APFS has also served as an invaluable source of alternative information for news outlets. Since a small number of foreign worker support groups existed in the late 1980s, APFS has received fairly constant media attention from its inception (see Table 5.4 which tabulates the number of newspaper articles making references to APFS from 1988 through 2004).

Table 5.4: Database Search for the Keywords "APFS" & "Asian People's Friendship Society"

Year	Asahi	Yomiuri	Mainichi	Total
1988	1	0	0	1
1989	0	0	0	0
1990	0	3	1	4
1991	1	1	2	4
1992	0	2	2	4
1993	6	6	1	13
1994	2	3	2	7
1995	2	2	2	6
1996	1	1	2	4

Year	Asahi	Yomiuri	Mainichi	Total
1997	2	0	3	5
1998	2	0	1	3
1999	8	1	1	10
2000	8	13	4	25
2001	0	0	0	0
2002	0	0	0	0
2003	3	0	1	4
2004	0	1	0	1
Total	36	33	22	91

Sources: *Yomidasu Bunshokan, Kikuzō, Mainichi Shimbun Kiji Jōhō*

APFS's connections with journalists partly explain why the 21 overstayers' surrender to the Immigration Bureau was promptly covered in most national newspapers the following day. In particular, *Asahi Shimbun* devoted half a page to their action. Given that other national dailies printed only a brief report on the news, *Asahi Shimbun*'s article stood out. To my knowledge, no newspapers were critical of the overstayers' action. *Asahi Shimbun* (1999, September 2) even depicted the overstayers as courageous social actors taking big risks to speak up on behalf of all aggrieved undocumented migrants (p. 39). *Asahi Shimbun* also ran an editorial on the campaign on September 3. The editorial explicitly called on the government to relax the current criteria for special residence permission (p. 5).

Just as important, the overstayers and their supporters were able to sustain favorable media attention throughout the campaign. Table 5.5 offers a fairly comprehensive list of the news coverage pertaining to the special residence permission campaign (see pp. 227-228).

Table 5.5: List of the Media Reports about the Special Residence Permission Campaign (from September 1999 to March 2000)

<u>Year 1999</u>

9/2   *Asahi Shimbun* (p. 39), *Japan Times* (p. 2) on the overstayers' surrender

9/3   *Asahi Shimbun* (p. 5) ran an editorial on the special residence permission campaign.

9/22   *Japan Times* (p. 2) on the formation of a defense team

10/19   *Asahi Shimbun* (p. 26), *Japan Times* (p. 2) on APFS's submission of a petition to the Justice Ministry

11/4   *Asu o Yomu* on NHK (a 10-minute news segment)
        Japan Times (p. 3) on an Iranian family

11/11   *Asahi Shimbun* (p. 15, Evening edition) on a joint statement by the academic group

11/12   *Japan Times* (p. 2), *Daily Yomiuri* (p. 2), *Manichi Shimbun* (p. 26, Tokyo edition) on academics' petitioning

11/22   *Asahi Shimbun* (p. 34), *Mainichi Shimbun* (p. 26), *Asahi Evening News* (p. 4) on a petition drive

12/9   *Asahi Shimbun* (p. 34) on a symposium

12/16   *Asahi Shimbun* (p. 35, Tokyo edition), *Asahi Evening News* (p. 4) on a national caravan

12/20   *Daily Yomiuri* (p. 3) carried an interview with Yoshinari.

12/21   *Yomiuri Shimbun* (p. 23) on a national caravan

12/27   *Asahi Shimbun* (p. 29, Aichi edition) on a national caravan

12/28   *Asahi Shimbun* (p. 23, Shizuoka edition) on a national caravan;
        Japan Times (p. 2) on five Iranian families' visits to the Tokyo Immigration Bureau

12/29   *Asahi Shimbun* (p. 4) Professor Komai contributed an article.

12/31   *Daily Yomiuri* (p. 3) on the special residence permission campaign in general

<u>Year 2000</u>

1/13   *Asahi Shimbun* (p. 5) printed "a letter to the editor" by Yoshinari.

1/19   *Asahi Shimbun* (p. 34), *Japan Times* (p. 2) on a sit-in by the 21 overstayers outside the Justice Ministry building
        Mainichi Shimbun (p. 26) on the overstayers' plea to the Japan Bar Association

1/23   *Nihon Keizai Shimbun* (p. 39), *Japan Times* (p. 2) on the Justice Ministry's impending decision to grant special residency to seven overstayers

1/27   *Asahi Shimbun* (p. 1), *Yomiuri Shimbun* (p. 4, Evening edition) on the Justice Minister's impending decision to relax the criteria for special residence permission.

1/28   *Mainichi Shimbun* (p. 2, p. 28), *Nihon Keizai Shimbun* (p. 18), *Asahi Shimbun* (p. 22, Evening edition) on the Justice Minister's decision to issue special resident permission

1/29   *Japan Times* (p. 2) on the granting of special residency to 12 overstayers

2/3   *Asahi Shimbun* (p. 39), *Yomiuri Shimbun* (p. 34), *Japan Times* (pp. 1-2), *Daily Yomiuri* (p. 2), *Mainichi Shimbun* (p. 28) on the issuance of special residence permission to three Iranians

2/4   BS 22 on NHK BS1 (a feature segment entitled "Changing Policy on the Acceptance of Foreigners" [*kawaru gaikokujin ukeire seisaku*]), *Mainichi Shimbun* (Chiba edition)

2/5   *Scoop* (a news program on TV Asahi) broadcast a feature program on the campaign under the title "Give Special Residence Permission to Children Born in Japan!: A Documentary on the 21 Illegal Aliens" [*nihon sodachi no kodomo ni zairyū kyoka o! fuhō taizai gaikokujin 21nin no kiroku*]

2/10   *Asahi Shimbun* (p. 38), *Yomiuri Shimbun* (p. 38), *Nihon Keizai Shimbun* (p. 38), *Mainichi Shimbun* (p. 39), *Sankei Shimbun* (p. 26), *Japan Times* (p. 2) on the granting of special residence permission to two Iranian families

2/11   *Mainichi Shimbun* (Gunma edition) on an Iranian family residing in Gunma who was granted residency permission on February 10

2/12   *Yomiuri Shimbun* (p. 23) printed a review of the booklet *Visa Overstayers and Special Residence Permission*

2/15   *Asahi Shimbun* (p. 38), *Yomiuri Shimbun* (p. 1), *Japan Times* (p. 3) on granting special residence permission for another Iranian family

2/20   *Yomiuri Shimbun* (p. 1, Gunma edition) contained an interview with an visa overstayer who was given special residence permission.
        Yomiuri Shimbun (p. 4) carried a commentary on the special residence permission campaign.

2/22   *Japan Times* (p. 3) printed an interview with Yoshinari.

2/23   *Asahi Shimbun* (p. 4) A reporter reflected on the campaign and called for more transparent immigration policies.

3/11   *Japan This Week* on NHK BS 1 (a segment of this English-language news program featured the issue of special permission for residency.)

Note: The list was complied from APFS's newspaper clipping collection, the academic group's official website, and my own archival research.

However, the media's favorable coverage of the campaign did not necessarily reflect public opinion at that time. On the contrary, the general public was increasingly hostile to visa overstayers (see Chapter 4). In fact, Watado (2000) wrote in retrospect that when NHK aired a feature program on the campaign, the majority of the viewers who called in to the station reacted negatively to the overstayers' action (p. 87). He was told by the NHK director that the callers were mostly against regularizing the status of irregular foreigners under any conditions (personal communication, May 19, 2004). Kaoruko Yamamoto's report on the academic group's joint statement in November also testified to this point. In attending a press conference following the release of the joint statement, she (1999b) was surprised to witness a small number of supporters relative to a large crowd of reporters (n.p.).

These pieces of anecdotal evidence suggest that the special residence permission campaign did not succeed in mobilizing as much public support as the media reported. In other words, public approval expressed in the media was more *representation* of public opinion than *representative* of it. This highlights the indirect yet pivotal roles the media played in the campaign. That is, the media did not so much confer legitimacy on the campaign as helped to make it a legitimate public issue to which the government had to respond. If the campaign had not been favorably and constantly covered, the Justice Minister might not have changed his staunch attitudes. Moreover, although the media might not have generated enough public support for the campaign, they enabled the overstayers and their supporters to reach wider publics. By appealing to the general public, they at least succeeded in projecting *an air of popular support* before immigration authorities. This is to say that even if the overstayers and their supporters were unable to craft a very persuasive message to the general public, their symbolic struggle should not be construed as a failure. For appeals to sectors of the entire

population were necessary to project an air of public support whether or not these sectors were actually moved by the appeals.

In addition to forging close ties with journalists in the mainstream media, APFS also managed to gain access to the publishing industry, especially such independent publishers as *Akashi Shoten* and *Gendai Jimbun Sha*. APFS published two books on the special residence permission campaign, one from *Akashi Shoten* (*Overstaying Foreigners and Special Residence Permission*, 2000) and the other from *Gendai Jimbun Sha* (*Give an Amnesty for Children*, 2002). The former book was based on papers for a symposium APFS and the academic group held in December 1999; the latter volume contained retrospective reports on the special residence permission campaign. Notably, the publication of the first book was strategically timed to raise public awareness of the campaign before the Justice Minister announced his decisions. As Komai recalls it, the idea for the publication occurred to APFS and the academic group in a preparatory meeting in November 1999 (personal communication, August 26, 2004). Soon after the meeting, he approached two *Akashi Shoten* editors with a proposal for publishing a book on special residence permission in January 2000. Prior to its publication, Komai had put out numerous works on the subjects of foreign workers and immigration from *Akashi Shoten*. His personal connections supposedly helped to get the book published in a timely manner.

Last but not least, APFS and the academic group made effective use of the internet in order to garner public support. Both of them created websites to solicit donations and endorsements for the campaign as well as to mobilize people across the nation for a variety of activities and events. APFS opened its website on October 27, 1999 and provided semi-weekly updates on the campaign. A total of 22 updates and several other special reports were posted

through December 2000.[58]   Besides, APFS announced major events and activities online and

asked visitors to join and support them. The profiles and voices of the 21 overstayers were put

up on the website as well. Importantly, the internet allowed the overstayers to appeal directly to

the public while remaining anonymous. APFS's website also carried a selection of comments

from those who signed petitions for legalizing the status of the 21 overstayers. Similarly, the

academic group's website ran endorsements from prominent immigration scholars. Together,

they gave visitors to the websites the impression that a good number of citizens and researchers

championed the cause of the campaign. The academic group's use of the internet was even more

intriguing because its activities were mostly "internet-based." The group's use of the internet is

to be elaborated later.

5.8   RHETORICAL STRATEGIES IN THE SPECIAL RESIDENCE PERMISSION CAMPAIGN

The assessment of rhetorical strategies in the campaign requires attention to two major

constraints imposed upon the overstayers and the support groups. First and foremost, they were

faced with a daunting task of crafting a persuasive message to the general public, while making a

compelling case for their plea before immigration authorities. Although the Justice Minster had

the ultimate authority to grant special residence permission, it was still important to make

rhetorical appeals to the public. For immigration authorities were unlikely to grant special

residency to the overstayers unless they saw enough public pressure mount. At least, Yoshinari

and other supporters believed so. The overstayers could have filed administrative suits if they

had been denied special residence permission. But their chance of winning a court case was slim

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[58] The Burmese family who was denied special residency in February 2000 filed an administrative suit, and APFS continued to provide updates on the campaign after the Justice Minister handed out his decisions.

because a 1979 Supreme Court ruling stipulated that a long-time overstay "is nothing more than a continuous illegal state and thus should not be considered a reason to provide legal protection for visa overstayers, even if they are living in peace and quiet" (Tanaka, 2004, p. 3). Actually, the Justice Ministry had lost few cases in the past (*Ijū Rōdōsha To Rentai Suru Zenkoku Nettowāku*, 2003, p. 21). Having recognized that legal challenge was not a viable option, Yoshinari (1999a) felt that the only way to win concessions from immigration authorities was "to present the meaning of this movement to the public, and make this issue known as a large social problem, thus forcing the Immigration Bureau and Ministry of Justice to act" (n.p.).

To further complicate matters, the campaign was confronted with severe time constraints. The investigations and hearings of all the overstayers were completed by November 18, which meant that the Justice Minister's decisions could be handed down at any moment. The investigations and hearings proceeded much faster than the support groups had expected. Until then, it took at least six months before an overstayer was even summoned for investigation. Mohammed Tarak Iqbal, an APFS member married to a *Nikkei* Brazilian woman, had to wait for two years and half to obtain special residence permission (Happy House, Islam, and Iqbal, 1999, p. 208). Yoshinari suspected that immigration authorities were deliberately speeding up the process so that the matter would be resolved before stirring up a social controversy (Matsubara, 1999, November 4, p. 3).[59] Whether his allegation was grounded or not, the overstayers and the support groups were certainly hard pressed to garner public support in a short time period.

In a nutshell, the principal goal in the campaign's rhetorical strategies was to document the undocumented in ways that would incline the public to see them as deserving residents. As

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[59] Yoshinari's allegation may not be founded because the Justice Ministry decided to speed up the procedures for special residence permission in 1998 in response to an upsurge in applications. Ōnuki pointed out in August 1999, a month before the campaign, that the streamlined procedures enabled some overstayers to obtain special residence permission within seven to eight months (Shibuya, 1999, n.p.). Nevertheless, APFS frequently invoked this line of argument to attack the Justice Ministry's harsh immigration policy and to support the cause of the campaign.

the previous chapters have shown, undocumented migrants have been typically portrayed as "helpless victims" at best and "(potential) criminals" at worst. The biggest problem with the rhetoric of vulnerability and criminality is that it hampers undocumented migrants' ability to speak out in public. As Asen (2002) puts it in more general terms, these forms of representation are disabling because they *absent* the represented from public discourse yet *present* them through negative images (p. 360). The unsavory media portrayals of undocumented migrants, above all, induce the public to perceive them as not belonging to their country of residence, which could in turn "produce feelings of being 'invaded' by the 'other,'" to borrow Sassen's (1999) words (p. 149).

Against the backdrop of the growing anti-immigrant sentiment, APFS formulated a series of rhetorical strategies to reconfigure the identity of the 21 overstaying foreigners. To begin with, the overstayers were pictured as courageous social actors who stood up to demand regularization despite the risks of detention and deportation. To this end, an appealing story was crafted to mark the "beginning" of the special residence permission campaign. As APFS narrated it, the campaign took off because the overstayers remained resolved to fight for their rights even after they were informed that they had little chance of obtaining special residence permission. For instance, Yoshinari (1999a) heralded the campaign as "a true self-supported movement initiated by the undocumented foreigners themselves" (n.d.). In his account, the overstayers took the lead in the struggle for special residency and the supporters' role was merely to assist them in carrying through the campaign.

Related to this, APFS also maintained that the overstayers were selflessly involved in the campaign for the sake of their children and other undocumented migrants who had to endure their sufferings in silence. Many Japanese people embrace self-sacrifice and altruism as essential

aspects of the society. APFS invoked these moral ideals as rhetorical commonplaces to reconfigure the images of the overstayers. For example, Yoshinari (1999b) recounted how an Iranian mother decided to fight for special residence permission:

> One Iranian mother who has a baby and a young daughter stated that they have decided to appear at the Immigration Bureau because of their children, since she just cannot bear to keep living under the present circumstances any longer, and she and her family does [*sic*] not mind being sacrificed even if her family is detained or deported, if this movement could advance to the next step. No one can change her decision. (n.p.)

Thus, "[t]heir action this time," he continued, "should be evaluated in light of their sacrifice for the benefit of the other 270,000 undocumented foreigners" (n.p.). As this quotation illustrates, Yoshinari and other supporters often tapped into such cultural norms as self-sacrifice to evoke an emotional, emphatic response for the overstayers.

This does not necessarily mean that the overstayers actually played a leading role in the campaign as concerned activists. In reality, it was APFS that brought up the idea of collective campaigning for special residence permission. Yoshinari (2004) writes in retrospect that he first broached the idea to two long-time Iranian members in January 1999 (p. 182). However, this was rarely pronounced as the "beginning" of the campaign. Moreover, many applicants shied away from speaking out in public. Even when the overstayers spoke to crowds in the street or to journalists, they did little more than express their wishes and talk about their life histories. Most of the time, their voices were filtered through the support groups' interpretive framework. Considering the overstayers' unstable status of residence, limited Japanese proficiency, and lack of legal knowledge, this was understandable.

Whether the 21 applicants actually led the campaign or not, the support groups were at least successful in getting the media to project a positive image of the visa overstayers to their audiences. For example, the *Japan Times* reported on September 2, 1999:

> "Because of today's action, these people may be sent back to their native country," Yoshinari told the press before visiting the immigration office. "But they decided to take the risk because they believe the current conditions for similar people who have overstayed needs to be changed." (p. 2)

Along the same line, *Asahi Shimbun's* editorial on September 3 read: "[I]t is said that [the 21 visa overstayers] dared to come out [and surrender to the Immigration Bureau] for raising public awareness of their conditions" (p. 5). The editorial then stressed "the need for giving positive consideration to this issue in order to build an open Japanese society amenable to 'differences'" (p. 5). These media portrayals of the overstayers as courageous and dedicated actors probably mattered as much, if not more, to the outcome of the campaign as the actual role they played.

Secondly, the support groups put up a symbolic resistance to the negative images attached to the label of "illegal aliens." Since the label "not only results in depriving them of legitimacy, but makes it easy for them to be criminalized" (Herbert, 1992, p. 117), the projection of a new, positive identity was a prerequisite for getting the overstayers' status normalized. To overcome the unsavory images of "illegal aliens," the support groups employed a different set of terms. Most telling was the use of the term "visa overstayers" in lieu of "illegal aliens." The support groups deployed the term, hoping that the overstayers' offenses would be compared more to such traffic violations as driving with expired licenses than to criminal offenses like homicide. As the following *Japan Times* article illustrates, this rhetorical strategy worked to get the press to depict the overstayers in a more positive light:

> The leading counselor for the group, Satoshi Murata, also urged the government to consider amnesty. "Although they have overstayed their visas," he said, "these people have contributed to Japan's economy by taking on severe and dangerous physical labor but still have no welfare or guarantee against injuries." (September 2, 1999, p. 2)

In Murata's estimation, the overstayers' contributions to the Japanese economy by far outweighed their breaches of immigration laws.

Yet another rhetorical strategy was to focus on children as they were largely immune to the stigma of "illegal aliens." This rhetorical strategy was intended not so much to empower the overstayers as to represent them as innocent victims of the rigid immigration policies. Initially, the support groups put forward four lines of argument to legitimize the campaign for special residency. First, they advocated that visa overstayers deserved regular status of residence because they had worked hard and contributed to the Japanese economy. This narrative thread highlighted adult male migrants and portrayed them as "diligent workers." Second, the support groups held that those overstayers who had established their living bases as "upright citizens" (*zenryō na shimin*) should be allowed to stay in Japan. Together, they sought to alter the image of undocumented migrants from potential criminals jeopardizing Japanese society to decent residents doing considerable good to the society. Third, the support groups argued that those children who were born or raised in Japan were entitled to stay because they would encounter severe difficulties if deported back home. By extension, their parents should also be permitted to live in Japan. Lastly, they claimed that those overstayers who needed continued medical treatment in Japan should be granted special residence permission on humanitarian grounds.

The support groups did not prioritize one argument over the others until halfway through the campaign. For example, when APFS and the SMJ requested other NGOs to endorse the overstayers' action, an attached letter addressed to the Justice Minister made all the four arguments to defend the overstayers' action. What follows is the beginning of the English version of the letter:

> Twenty-one persons . . . appeared at Tokyo Regional Immigration Bureau at Kita-ku on September 1, 1999 seeking Special Permission for Residence. They have established now their living bases in Japan and leading stabilized lives. Some of them go to the Public Primary School and the Junior and Senior High School and spending everyday [*sic*] the same as Japanese pupils. Also there are the persons who have injured [*sic*] seriously by the accident while they were working at the company

and need to continue medical treatment for the rest of their lives. (Steering Committee of "Give Ordinary Living in Japan to 21 Persons—270,000 Signatures," n.d., n.p.)

The letter then cited *both* the International Covenants on Human Rights and the U.N. Convention on the Rights of Child to call on the government to protect the human rights of "every person including undocumented foreigners" (n.p.). Some applicants in the overstayers' group advanced similar arguments during a petition drive in Tokyo's Ikebukuro area on November 21: "Since we are living as good citizens, we would like to be accepted into Japanese society" (Shibanuma, 1999, p. 26). Supporters who took part in the petition drive also urged the Justice Ministry to grant special residency to the 21 overstayers on the grounds that they "helped Japan become an economic powerhouse by doing the 'dirty and dangerous' jobs that Japanese workers avoided during the so-called bubble economy in the late 1980s" (Karasaki, 1999, p. 4).

However, the government's lukewarm response to the campaign pushed the support groups to alter their rhetorical strategy and to spotlight children and, to a less extent, mothers (Yoshinari, personal communication, October 27, 2003). According to Karasaki (1999), the support groups emphasized, above all, the welfare of children during the petition drive in November:

> They [supporters] also said the foreign nationals have paid taxes to the government. But they *mostly* [italics added] voiced concerns about the future, especially for their children. They stressed that their children have grown accustomed to Japanese culture and some have spent all their lives in Japan. The youngsters would have difficulties adjusting to life in their country of origin, they said. (p. 4)

At the height of the campaign Yoshinari (2000, January 13) also pleaded for the Justice Minister's "conscientious judgment" especially for the sake of children (p. 5). Some applicants echoed this view as well. For instance, Hiroshi Matsubara (1999) of the *Japan Times* quoted Taghibeigloo Shahroklt, a member of the overstayers' group, as saying that "he and his wife may deserve their current situation, when the fact that they have been staying in Japan illegally is

taken into account, but it is unfair that his children, for whom Japan is home, have to live without fundamental rights and future prospects" (p. 3).

Related to this, the image of a mother worrying about the future of her child made for compelling news coverage. Pictures carried in the media during the campaign are good indications of a shifting focus on the mother-child bond. *Asahi Shimbun* of September 2, 1999, for example, carried a picture of the overstayers and their supporters entering the Tokyo Immigration Bureau building (see Figure 5.2). Notice that men were marching in the front and women and children could be barely seen in the background. The text of the article began with emotive remarks made by Adel Ghebi, leader of the overstayers' group, in a press conference. It is telling that he made no mention of children and mothers:

> We have taken on so-called 3-K jobs and sustained the bottom of the Japanese economy. We were welcomed to fill in job vacancies during the bubble economy. It does not make sense to tell us to go back now that the Japanese economy has plunged into depression. A friend of mine died because he was not eligible for health insurance and unable to go to hospital due to his illegal status. (p. 39)

Source: *AS*, 1999, September 2, p. 39. Reprinted with permission of *Asahi Shimbun Sha* and APFS.

Figure 5.2: Picture of the Overstayers and Their Supporters Entering the Immigration Bureau

By contrast, pictures printed on later dates tended to foreground the children and their mothers. On January 28, 2000, *Mainichi Shimbun* carried a feature article on special residence permission; an attached picture displayed the overstayers and their supporters staging a sit-in outside the Justice Ministry's building on January 18. Included in the picture was an overstayed woman sitting down with a placard reading "Don't Detain Children!" The article echoed her plea with the subheading "Children Born in Japan are Innocent" (p. 25). A similar sit-in was staged outside the Tokyo Immigration Bureau on February 9. The picture of the sit-in in Figure 5.3 epitomizes the discursive shift from adult male workers to mothers and children that took place over the course of the campaign.

Source: Yoshinari, 2002, p. 17. Reprinted with permission of APFS and *Gendai Jimbun Sha*

Figure 5.3: APFS-led Sit-in outside the Tokyo Immigration Bureau on February 9, 2000

Even more telling are the two pictures carried in the February 25, 2000 issue of *Weekly Asahi* (see Figure 5.4 on the next page). Notice that the larger picture showed a close-up shot of an

Iranian mother and her two daughters outside the Immigration Bureau after obtaining special residence permission. The picture of the father, by contrast, appeared at a much smaller size in the lower left-hand corner.

Source: *Shūkan Asahi*, 2000, February 25, p. 6. Reprinted with permission of APFS and *Asahi Shimbun Sha*

Figure 5.4: Iranian Family Congratulated by Their Supporters and the Press after Being Granted Special Residence Permission

Similarly, the *Japan Times* of February 10 printed a picture of a 13-year-old Iranian girl "wiping tears of joy" when greeted by her friends at the Immigration Bureau (p. 2).

The support groups made this shift mainly for legal and rhetorical reasons. From a legal standpoint, Japan has been a signatory to the Convention on the Rights of the Child since 1994.

This and other related U.N. conventions gave the support groups great leverage in making a compelling case for normalizing the status of undocumented children and, by extension, their parents. Besides, when a revision to the Immigration Control Act was passed in August 1999, a non-binding resolution was adopted calling for special consideration to overstayers' family ties.

Rhetorically, children and, to a less extent, mothers were detached from the negative images associated with "illegal aliens." The images of mothers and children have particularly strong rhetorical forces when they are suffering. As Chavez (2001) explains, "[m]others and children are generally not considered 'dangerous'; they are innocents in a world of danger" (p. 73).[60] The increased profiles of children and mothers encouraged journalists to portray the visa overstayers beyond the typecast images of "illegal" foreign workers. In fact, Yoshinari deplored the media's lukewarm interest in a recent special residence permission campaign by and for eight single male Bangladeshis (Komai, October 3, 2004, participant observation). Even when they were all deported on January 21, 2005, it hardly made the news.

Not only did the support groups and the overstayers come to spotlight the children amid the campaign, but they also stressed their "Japanese-ness." In their account, the children should be allowed to stay in Japan because they spoke Japanese as their native language and identified strongly with Japanese society. For example, Karasaki (1999) interviewed an Iranian woman in the group who claimed that her daughters deserved regular status of residence because "[m]y daughters know nothing about their own country . . . . They both consider themselves Japanese" (p. 4). It followed that she and her husband should also be permitted to stay for the good of their children. Near the end of the article, the woman was quoted again as pleading: "I feel guilty

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[60] In Chavez's estimation, this is partly why women and children figure predominantly on refugee-related magazine covers. Through an elaborate analysis of cover images from 10 popular American magazines during 1965 and 1999, he found that "[t]he combination of at least one woman and at least one child is featured prominently on four of the thirteen refugee-related magazine covers (31 percent)" (p. 72). The percentage is disproportionately high, given that only three of the sixty-three covers about non-refugee immigration featured women and children (p. 72).

about having overstayed (my visa) . . . . We are not trying to stay for the money or work like before. We want to stay for the sake of our children" (p. 4).

The children themselves sometimes wrote and recited letters at the request of the press. As the following excerpts illustrate, the letters often emphasized their "Japanese-ness":

> I have been in Japan for almost 9 years. At first, I wanted to go back almost every day as I didn't speak any Japanese. As I studied Japanese very hard, I became comfortable speaking the language in a year or two. But I have always thought that I would not be able to live normally like the Japanese because I don't have a visa. (a girl in the first year of high school, cited in Tsukuba, 2000, p. 18)

> If I am deported back to Iran, I may have to give up many important things like school work, friends, and learning Japanese culture. We just want to live an ordinary life in this country Japan. Is it wrong? Is it wrong for overstayed children like us to think this way? We are now pulling ourselves together to answer that question. I love Japan and want to stay in Japan from the bottom of my heart. (an Iranian girl in the first grade of junior high school, cited in Tsukuba, 2000, p. 20)

> My whole existence is in Japan. But I don't know anything about the language, writing, culture, religion in my country of origin. (a boy in the first year of high school, cited in Tsukuba, 2000, pp. 21-22)

These letters supposedly pulled at the heartstrings of many Japanese regardless of their views on the issue of foreign workers. A letter-writing campaign like this was a particularly viable tactic in this grassroots movement as it allowed the children to express their opinions without revealing their identities.

Last but not least, the visa overstayers and their supporters called into question the conventional idea of special residence permission as benevolent dispensation granted from immigration authorities. Alternatively, they sought to recast it as a right every long-term resident, legal or illegal, was entitled to. To borrow Fraser's (1989) words, they strived to translate "needs talk" (i.e. irregular migrants need to stay) into "rights talk" (i.e. they have a right to stay) (p. 183).[61] Actually, the leader of the overstayers' group made explicit appeals for special

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[61] For an illuminating analysis on human rights in Japan, see Feldman, 2000.

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residency "as a right to live safely in Japan" (APFS, "*Zairyū*," n.p.). By framing special residence permission as a residential right, those involved in the campaign ultimately tried to re-define the government's responsibility regarding immigration politics. That is, they argued that the government should take responsibility for turning a blind eye to the illegal employment of undocumented migrant workers and leaving them and their families in horrible situations for a long time. This re-interpretation of the government's duty ran counter to the prevailing view that the government should make every effort to expel "illegal aliens" from the country.

5.9   COLLECTIVE, COLLABORATIVE, AND CRITICAL ENGAGEMENT BY RESEARCHERS

5.9.1   The Formation of the Academic Group

A major strength of the special residence permission campaign was that the lawyers' group, APFS, and the academic group brought together their own expertise, networks, and experiences in advocating the regularized status of the 21 overstayers. While the lawyers' group and APFS worked together as a unit, the academic group performed collaborative yet autonomous functions. As Shipper (2001) put it, APFS provided the energy and organizational know-how, whereas the academic group supported the campaign by providing a compelling intellectual reasoning (p. 379). Although it is hard to ascertain the degree to which each group contributed to the campaign, it is safe to say that the involvement of diverse actors in different fields helped to ensure that the campaign received favorable and sustained news coverage.

While the special residence permission campaign was arguably the first social movement ever in which immigration scholars in Japan got *collectively* involved, this does not mean that they had confined themselves to the role of detached observers until then. On the contrary, a

good number of immigration researchers have intervened in immigration politics, notably by

joining advisory councils to local or national governments. As Pak (1998) observes:

> Japanese academics have enthusiastically involved themselves in the debates about the
> new international migration to their country. Many combine active research agendas
> with explicit support for specific policy programs. These academics favoring the
> progressive internationalization agenda of increasing the openness of Japanese society
> often view local government as the best venue for realizing this goal. (p. 186)

Immigration scholars have also collaborated with social activists at many different levels

from coordinating a joint workshop to conducting a survey on the lives of unregistered foreigners.

At the institutional level, the Asia Pacific Migration Research Network (APMRN)[62] "holds

regular international conference to bring researchers, NGOs and policy-makers together to

analyze migration issues" (Hirano, Castles, and Brownlee, 2000, p. 244). Likewise, the SMJ

organizes bi-annual National Forum in Solidarity with Migrant Workers.[63] Over 800 activists,

scholars, and journalists took part in the Third National Forum in 1999 (Shipper, 2001, p. 320).

Many immigration scholars, including Ichiro Watado, Naoto Higuchi, Kaoruko Yamamoto, and

Nanako Inaba, participated in the past forums. At the personal level, a good number of

academics have developed long-term, reciprocal relationships with foreign worker support

groups. According to Shipper (2001):

> Professor Tanaka Hiroshi of the the Hitotsubashi University and Professor Komai Hiroshi
> of the Tsukuba University —both of whom are prolific researchers on foreigners in

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[62] The APMRN is a transnational research project launched under the Management of Social Transformations
Programme of UNESCO in 1995. Although the APMRN is billed as a research project, its activities are not entirely
research-oriented; there are also political aspects to the project. According to the APMRN's website, its overall aim
is "to promote acceptance of the protection of human rights for migrants by means of gaining wider acceptance of
the 1990 UN Convention on Migrant Workers" (n.d.). To this end, the APMRN underscores the importance of
"encourag[ing] dialogue in the region among researchers, policy makers and NGOs." For details on the history,
goals, and activities of the APMRN, visit its website at http://www.unesco.org/most/apmrn_unconv.htm.
[63] The National Forum in Solidarity with Migrant Workers has its origin in the Kantō Forum on Foreign Workers
(*Kantō Gaikokujin Rōdōsha Fōramu*) in 1991 (Okamoto, 2004, p.217). Such Kantō-based foreign worker support
groups as *Karabaw No Kai* and *Gaikokujin 119 Nettowāku* took the lead in holding the event (Okamoto, 2004, p.
217). As a growing number of foreign worker support groups were established all over Japan, the event developed
into a national forum in 1996. The national forums have been held so far in Fukuoka (1996), Aichi (1997), Tokyo
(1999), Osaka (2001), and Fukuyama (2004). The number of participants grew from 400 in the first forum to about
1100 in the fourth (Okamoto, 2004, p. 219, p. 223).

Japan—are board members of the JCLU [Japan Civil Liberties Union]. Professor Komai, in fact, often uses materials from the foreigners support groups in his research. These influential academics introduce their colleagues and students to support some of the activities of these support groups. (p. 375)

Additionally, scholarly research and grassroots activism are not entirely separate enterprises when it comes to the issue of global labor migration. In the past decade, foreign worker support groups have proven helpful for those researchers who are interested in studying the working and living conditions of undocumented migrants (for example, see Kanegae, 2001). As researchers enlisted the help of support groups, many of them began to feel discontent to treat undocumented migrants only as their research objects without reciprocating for them (Ishii, Sadamatsu, and Ikeda, 2000, n.p.). This was particularly true for those scholars who actually witnessed the sufferings of undocumented migrants and the struggles of support groups (Shipper, 2001, p. 375). As Ishii, Sadamatsu, and Ikeda (2000) see it, the formation of the scholarly group for the 21 overstayers was partly an outgrowth of awakening political consciousness among academics.

Initially, Yoshinari intended to solicit the help of the immigration scholars he personally knew in hope that they would articulate the significance of the campaign and provide a theoretical justification for it. Once the campaign took off, more researchers turned out to get involved in the campaign than he had expected. According to Hirano (2001), the idea for the release of a joint statement was first proposed during the international symposium on "New Trends in Asia-Pacific Migration and Consequences for Japan" in late September (pp. 2-3). The symposium, along with the annual conference of the Japan Sociological Society in October, occasioned the formation of an academic group. Komai, Watado, and Yamawaki, all of whom had long-standing relationships with APFS, facilitated its formation. Immediately after the symposium, they relayed APFS's call for help to 160 researchers via the EMSJ (Yamawaki,

2000, p. 89). In response to APFS's request, 12 scholars volunteered to join the academic group (for the members of the academic group, see Table 5.6). The majority of them were sociologists who specialized in the issues of immigration and foreign workers.

Table 5.6: A List of Members of the Academic Group

KOMAI, Hiroshi (Coordinator, University of Tsukuba)

WATADO, Ichirō (Deputy Coordinator, Meisei University)

HIGUCHI, Naoto (Tokushima University)

INABA, Nanako (Ibaraki University)

ITŌ, Ruri (St. Paul University)

KAJITA, Takamichi (Hitotsubashi University)

KO, Sun Hui (University of Kagoshima)

KONDŌ, Atsushi (Kyushu Sangyō University)

SADAMATSU, Aya (Hiroshima Kokusai Gakuin University)

SAKUMA, Kōsei (Tokyo Women's Christian University)

YAMAMOTO, Kaoruko (Doctoral Student, Tokyo Metropolitan University)

YAMAWAKI, Keizō (Meiji University)

Source: Komai, Watado, and Yamawaki, 2000

5.9.2   The Role of the Internet in the Academic Group's Campaign

One notable feature of the academic group's activities was that they were mostly facilitated via the internet. In particular, the EMSJ, or an online network of researchers in the fields of ethnic and immigration studies, became a channel for soliciting endorsements as well as a venue for conducting discussions (Hirano, 2001, p. 3). For example, the EMSJ was instrumental in drafting and distributing a joint statement urging the Justice Minister to grant special residency to the overstayers. Watado, Komai, and Yamawaki gathered in APFS's office on October 4 to draft a joint statement. The initial draft was completed on October 8 and distributed during the annual conference of the Japan Sociological Society on October 11 (Yamawaki, 2000, pp. 89-90).

Heated discussions ensued mostly via the EMSJ. Komai, Yamawaki, and Watado held another meeting on October 14; Sakuma and Kondō also attended the meeting (Yamawaki, 2000, p. 91). They made significant revisions to the initial draft based on the input they received through the mailing list. After soliciting additional feedback, they finalized and distributed the joint statement on October 17. The statement was translated in English and Spanish as well and posted on the website the academic group opened on October 8 (Yamawaki, 2000, p. 91, p. 93).[64] Thanks to the academic group's painstaking efforts, a total of 593 migration scholars, including more than 100 from abroad, endorsed the statement in three weeks (Yamawaki, 2000, p. 93). Importantly, the internet enabled researchers across the globe to give symbolic support to the special residence permission campaign in such a short period.

An excerpt from the English version of the statement reads:

> We, concerned researchers, call for the Ministry of Justice to authorize special permission for residence to the members of the group cited below as soon as possible. . . . Although they wish to continue living in Japan, they are 'illegal immigrants' with no rights, and can no longer bear to continue living under the present circumstances. That is why, after long deliberation and at the risk of deportation, they took the decision to appear at the Immigration Bureau to request special permission for residence. (Komai, et al., 2000,[65] n.p.)

The remainder of the statement underscores, among others, the following points:

1. The visa overstayers are not criminal offenders. They only violated administrative laws;

2. They have contributed to Japanese society as diligent workers and taxpayers, which prove that they are "good citizens" of Japanese society;

3. Children's rights are protected under the U.N. Convention on the Rights of the Child the Japanese government ratified in 1994.

4. The children have become fully integrated into Japanese society, have close Japanese friends, and speak only Japanese.

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[64] An English version of the website was launched on October 28 (Yamawaki, 2000, p. 93).
[65] The original statement was released on November 11, 1999. The English translation was last revised on April 8, 2000.

5. In the past, the Japanese government granted special residency to hundreds of Korean smugglers on the humanitarian grounds that they had established their living bases in Japan.

As these snippets of the joint statement illustrate, the academic group basically subscribed to the views of other support groups. What contributions, then, did the academic group make to the special residence permission campaign? This question is to be addressed in the next section.

5.9.3   Reviewing and Assessing the Academic Group's Activities

While an evaluation of the academic group's engagement in the campaign is partly speculative, APFS and other support groups generally agree that the academic group played a significant, if not critical, role in altering the Justice Ministry's conservative posture. A member of *Kalabaw No Kai*, for instance, told Shipper (2001) that "[w]ithout the interaction of the academic group . . . the petition would have appeared merely as another passionate activity of Japanese activists" (p. 379). Yoshinari also offered a positive, albeit more modest, assessment of the academic group's role in the campaign. He speculated that the signatures from 593 researchers probably exerted as much pressure on the Justice Ministry as about 34,000 signatures APFS collected on the street (personal communication, October 27, 2003). Inaba expressed more critical views on the academic group's role in the campaign. She said that the group's contribution was limited and ephemeral at best (personal communication, August 17, 2004). In general, she had serious reservations about academia's power to influence elite-dominated politics in Japanese society. Inaba surmised that scholars' input in governmental advisory committees might have had a greater impact on the Justice Minister's decision than the academic group's grassroots engagement itself.

My assessment of the academic group's contribution is close to Yoshinari's. To begin with, many members backed up the campaign by "putting research findings into an accessible

form," to use Bourdieu's words (2001/2003, p. 36). For instance, Sun Hui Ko, an expert on Korean immigrants in Japan, documented the historical precedents in the 1960s and 1970s in which illegal entrants from South Korea were granted special residence permission on the ground that they had established their living bases in Japan. As a sociologist who specialized in the issue of immigration in France, Inaba elaborated on the *sans-papiers* movement[66] in the late 1990s and its implications for the special residence permission campaign. Moreover, Atsushi Kondō, a law professor at Kyushu Sangyō University, set forth major amnesty programs carried out in other countries.

The important point is that these scholars made strategic use of their expertise by linking their findings to the special residence permission campaign. To this end, they did not simply re-print their academic studies but translated them in language accessible to wider audiences. Inaba, Kondō, and Ko each contributed brief reports to the academic group's website; more extensive versions of the reports were included in the book published from *Akashi Shoten* in January 2000. Particularly useful was Inaba's reference to the *sans-papiers* movement and the execution of amnesty the movement led up to. As she recalls it, nobody had mentioned France's amnesty program until she brought it up in a meeting with other group members (personal communication, August 17, 2004). Inaba's input was reflected in the joint statement and helped to bolster the academic group's endorsement of the special residence permission campaign. Specifically, the situation in France was cited in the joint statement as follows.

> In France, to take only one example, children enrolled in schools are not deported. The French Government attaches great importance to the fact that strong ties to French society are created through school education. As a result, the parents are also granted permission to stay, since consideration is given to family ties before legal status. (Komai, et al., 1999/2000, n.p.)

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[66] The *sans-papiers* movement was a political struggle for amnesty organized by large numbers of immigrants and asylum seekers "without papers" (*sans-papiers*) in France.

The academic group then urged the Japanese government to take the same measure as a signatory country to the U.N. Convention on the Rights of the Child. While Inaba was careful not to draw a parallel between the *sans-papiers* movement and the special residence permission campaign, her report still gave the support groups a boost to make a more compelling case for their plea. Komai surmised that the support groups' repeated reference to France's case had a certain impact on the Justice Ministry's decision (personally communication, August 26, 2004).

Although some researchers in the academic group contributed new insights to the campaign, this does not mean that the group made strikingly new arguments. As a matter of fact, many foreign worker support groups had already made similar points before the academic group issued the joint statement. Still, the media were inclined to lend more credence to them when uttered by university professors. Accordingly, their "professional" opinions were given more air time and space. Komai told me that the campaign might have received less media attention if he did not serve as the representative of the academic group; for he was not only a prominent immigration scholar, but also a well-respected public figure to whom the media often turned for commentary pertaining to the issue of immigration (personal communication, August 26, 2004). In 1996 alone, Komai appeared in newspapers 12 times for comments, book reviews, and articles (for a comprehensive bibliography of his works, see the 2004 March issue of *Tsukuba Journal of Sociology*). In short, APFS was able to capitalize on Komai and other scholars' cultural capital as well as their connections with the mainstream media. One such example is Komai's essay on the meaning of the campaign printed in *Asahi Shimbun*'s opinion column on December 29, 1999. Since anyone is welcome to send his or her opinion to the column, *Asahi Shimbun* receives a large volume of letters every day. Thus the acceptance rate is quite low. However, since Komai was a trusted intellectual, *Asahi Shimbun* offered to carry his article in the opinion column

without going through the usual screening procedures (Komai, personal communication, August 26, 2004).

The academic group's appeal at the Immigration Bureau is another notable example. On November 11, several members visited the Immigration Bureau to submit a petition bearing signatures of nearly 600 researchers at home and abroad. The petition was handed in along with supporting views from three world-renowned immigration scholars—Tomas Hammar of Stockholm University in Sweden, Wayne Cornelius of the University of California at San Diego, and Stephen Castle of the University of Wollongong in Australia. Yoshinari arranged a press conference later on that day, predicting that journalists would find the academic group's political action newsworthy (Komai, personal communication, August 26, 2004). Indeed, he proved to be right. Most national newspapers promptly and favorably reported the group's appeal. For example, *Mainichi Shimbun* covered the group's action the following day under the headline "Give Special Residence Permission to Illegally Staying Foreigners: 593 University Professors and Others Issued a Joint Statement" (p. 26). On the same day, The *Japan Times* ran an extensive article on the academic group's petition:

> Tsukuba University Prof. Hiroshi Komai, president of the researchers' group supporting the appeal, said that if the minister refuses to grant permission, it will draw criticism from both domestic and international academic circles. He claimed his group will file an administrative suit against the ministry unless the minister grants them amnesty. (November 12, 1999, p. 2)

In a similar vein, *Asahi Shimbun* stressed the significance of the academic group's action by stating that it was among rare political interventions by immigration scholars in Japan (p. 15). These articles probably fostered the impression among the readers that a good number of immigration experts endorsed the campaign for special residence permission.

In another attempt to bring the campaign to public attention, the academic group and APFS jointly held a symposium at Itabashi Sambun Hall on December 11. The symposium, entitled *Japan's Immigration Policy at the Crossroads: Overstaying Foreigners and Special Permission to Stay,* included Komai's keynote speech and a panel discussion (see Table 5.7 for the program).

Table 5.7: Program of the Symposium (*Japan's Immigration Policy at the Crossroads*)

Keynote speech by Prof. Komai of Tsukuba University, "Settlement of Foreigners and Special Residence Permission"

Panel discussion (moderated by Prof. Watado of Meisei University and Prof. Keizō Yamawaki of Meiji University)

KO, Sun Hui (Kagoshima University), "Experiences of Koran Migrants in Japan"

INABA, Nanako (Ibaraki University), "Undocumented Foreigners in France and Amnesty"

KOIDO, Akihiro (Sophia University), "Immigration Control in the US and Amnesty"

KONDŌ, Atsushi (Kyushu Sangyō University), "Regularization and the International Law on Human Rights."

Sources: Komai, Watado, and Yamawaki, 2000; the academic group's website at http://www.geocities.co.jp/CollegeLife-Labo/8108/overstay.htm

Thanks to the support groups' PR efforts, the room was packed with audience members that included journalists (Watado, 2000, p. 87). As Shipper (2001) observed, approximately 400 people were in attendance (p. 377). Although the symposium did not draw as many lay people as the organizers had expected (Inaba, personal communication, August 17, 2004), it made the headlines in several newspapers. For example, *Yomiuri Shimbun* carried a four-column report on the symposium on December 21. After referring to the implementation of amnesty in France, the report quoted a symposium participant as calling for special consideration to the welfare of children (p. 23). In this way, the symposium helped to raise public awareness about the plight of undocumented migrants. On January 31, 2000, the academic group published a book about special residence permission and related subjects from *Akashi Shoten* at a very affordable rate

(900 yen, roughly $8). Each member and several others contributed a short article to the book. Its publication was another PR attempt to draw public attention to the campaign.

Not only did the academic group's engagement generate publicity on the campaign, but it also helped to create public pressure for a response from the government. For instance, on behalf of the academic group, House Member Nobuto Hosaka of the Social Democratic Party submitted written questions to then Prime Minister Keizō Obuchi in a Diet session on December 15, 1999.[67] The questions "concerning the immigration politics that attracts growing attention from the international public" first asked the prime minister to express his view on the joint statement issued by about 600 scholars at home and abroad. Prime Minister Obuchi released a written response on January 28, 2000, stating that the Justice Ministry took into consideration this "expert opinion" along with other views on the overstayers' action (cited in Hosaka, 1999, n.d.).

To sum up, the academic group contributed to the special residence permission campaign on at least two counts. For one thing, the group helped the campaign to receive frequent and favorable news coverage. For another, the group's involvement served to make the campaign a legitimate public issue to which the government had to respond. This might have been an unintended "authority effect"; nevertheless it was not a trivial point because an authority effect needs to be countered with an equally powerful authority effect (Bourdieu, 1998, p. 54). In fact, Komai (2004) was later told by an ex-immigration official—who used to work with Komai's colleague at Tsukuba University—that the academic group's appeal emboldened progressive immigration officials to have more say within the Justice Ministry (personal communication, August 26, 2004). Since this conversation took place during an informal drinking party, we should not take it at face value. Nevertheless, this anecdotal evidence hints that the academic group was successful in exerting pressure on immigration authorities.

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[67] The Cabinet is obligated to provide answers to submitted questions within 7 days.

5.10   RECONCILING CRITICAL REFLEXIVITY WITH COLLECTIVE ACTION

To take an active part in a social movement while submitting it to critical reflexivity is an extremely difficult task, which, in Bourdieu's view, is uniquely assigned to intellectuals. Bourdieu holds that the *collective* and *critical* social engagement of intellectuals is indispensable for promoting "a *Realpolitik* of Reason" (for example, see Bourdieu, 1989; Bourdieu, 1998). To this end, he calls on intellectuals to collaborate with social activists and labor unions not by catering to their demands but by contributing academic findings and scientific reasoning to their movements (for a discussion of Bourdieu's views on intellectuals, see Stabile and Morooka, 2003). Yet the critical and collective involvement of intellectuals may not always yield good results because internal criticism of social activism could undercut its momentum, undermine solidarity among the members, and jeopardize an otherwise "successful" movement. Thus, any intellectuals who are interested in the idea of "scholarship with commitment" must ask themselves a series of questions Bourdieu (2001/2003) posed in a keynote address to the Modern Language Association Meetings in December 1999:

> Must intellectuals . . . intervene in the political world, and if so, under what conditions can they interject themselves efficiently? What roles can they play in the various social movements active today, at the national level and especially at the international level?. . . . Can they contribute to inventing a new manner of doing politics fit for the novel dilemmas and threats of our age. (p. 17)

Initially, I intended to apply Bourdieu's views of critical and collective intellectuals in appraising the contributions of the academic group to the special residence permission campaign. Yet few scholars seemed to have pondered their roles as intellectuals while engaging in the campaign. Komai (2004) actually told Yoshinari that his contribution might be limited as he pursued scholarly work, not social activism (personal communication, August 26, 2004). Although all the three scholars I interviewed drew a clear line between scholarly work and social

activism, that did not seem to discourage them from getting involved in the campaign. Watado and Komai supposedly acted out of personal connections with APFS. Conversely, their commitment to the campaign did not necessarily reflect awakening political consciousness in Japan's academia. In fact, the academic group yielded little beyond the campaign as it ceased to function soon after the Justice Minister announced his decisions in early 2000. According to Inaba, the academic group's activities generated neither heated discussions nor reflective works on the roles of intellectuals with a few exceptions (personal communication, August 17, 2004). Indeed, Komai said to me that I was the only researcher who had interviewed him on the campaign (personal communication, August 26, 2004).

This is partly because the academic group was formed under severe time constraints and forced to act without much planning. Also, as Inaba puts it, the social roles of intellectuals are rather different in Japan and France. That is, while intellectuals in France are expected to intervene in social problems, the critical and collective engagement of intellectuals is not the norm in Japan (personal communication, August 17, 2004). As Masao Maruyama, a prominent scholar and public intellectual in postwar Japan, laments, the sectionalism and compartmentalization of the Japanese intellectual world has discouraged the intelligentsia from producing "an independent community of scholars who are free to think in what he calls universalistic terms" (cited in Koschmann, 1993, p. 396). If anything, conservative intellectuals have been more successful "in seizing the political megaphone provided by the media" (Koschmann, 1993, p. 423).

Nevertheless, it is worth fashioning a critical analysis of the academic group's social engagement in light of Bourdieu's views of intellectuals because several scholars attempted to get both actively and critically involved in the campaign. To begin with, Kaoruko Yamamoto,

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then a doctoral student at Tokyo Metropolitan University, took issue with the idea of "good-natured (*zenryō*) or wholesome (*kenzen*) foreigners," claiming that it could be taken to mean those who were fully "Japanized." As noted earlier, the overstayers and their supporters often invoked the "Japanese-ness" of the children as a rationale for special residency. Yamamoto (2000) registered her concern about this rhetorical move; for it could legitimize the cultural assimilationist idea that only those foreigners who thought and behaved like "normal Japanese" deserved to live in Japan (p. 99). At least, political authorities could interpret such vague concepts as "good-natured" and "wholesome" so arbitrarily that they could refuse to legalize the status of anyone they construed as "bad foreigners." Instead, Yamamoto (1999a) subscribed to the opinion that special residence permission should be given to overstayers as a residential right (n.p.).

Regarding this matter, a couple of scholars exchanged a series of arguments via the mailing list. Kondō (1999), for instance, suggested that "good-natured" was synonymous with "law-abiding" (i.e. those who paid taxes and had no criminal records) in this context (n.p.). In other words, he claimed that the term should be understood strictly in a legal sense. Yoshinari found little value in this argument (personal communication, October 27, 2003). Yet he would not enter the fray chiefly because the debate was confined to a small circle of academicians. This indicates that he tried not to fuel disagreement in academia, but was primarily interested in utilizing the concerted voices of scholars as political leverage to pressure immigration authorities.

In my view, what is missing from this thread of argument is the recognition that APFS attempted to question the tacitly accepted equation of "overstayers = illegal aliens = bad foreigners." In addition, Yamamoto and other scholars who made this case failed to pay adequate attention to the rhetorical audience the overstayers and the support groups aimed to

influence. That is, their messages were directed not only to the general public but also to immigration officials who had authority to grant special residence permission. As Kondō pointed out, the proof of "good nature" was a *de facto* requirement for obtaining special residence permission. Granted that the call toward "good foreigners" could re-legitimize the assimilationist view. For want of a better rhetorical commonplace, however, the support groups had to invoke the notion of "good foreigners" to win concessions from immigration authorities.

Moreover, Yasumasa Igarashi[68] (2001) wrote in retrospect that he was dissatisfied with the support groups' excessive emphasis on family ties. As the support groups began to highlight the plight of children, they came to concede that undocumented migrant workers might be "guilty," which, in Igarashi's view, was detrimental to the two unaccompanied applicants in the group. According to Yoshinari (2004), some people actually accused the campaign of "abandoning" (*misuteru*) single unregistered migrants (p. 173). Alluding to the media coverage of Proposition 187 in California, Ono and Sloop (2002) decry this line of argument as infantilizing rhetoric (pp. 93-94). In their estimation, infantilizing rhetoric is problematic because it reduces the image of unauthorized migrants to that of those who are in need of protection and assistance. Ono and Sloop (2002) argue that "[e]very invocation of the terms 'children,' 'kids,' and 'juveniles' might point to, and effect [*sic*], the understanding of all undocumented people as misguided and in need of tutelage and other forms of paternalistic authoritative control" (p. 106).

There is some truth to this criticism. As the campaign progressed, the issues of family ties and child rights began to figure prominently in the support groups' discourse. And this rhetorical strategy was not empowering to single undocumented migrants. But my objection to

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[68] Although Igarashi was not a member of the academic group, he had joined its mailing list during the campaign and posted several comments regarding the issues discussed in this section.

this charge is that rhetorical acts are but "strategic deployments of symbolic resources within an ideological frame" (Cloud, 1994, p. 158). In other words, social actors are often required to adapt their purposes to reality *by using the very categories and languages of their opponents*. As Soysal (1996) astutely observes, "[a]s they [Islamic activists] engage in political conflicts and public debate, they join in the same 'discursive medium and frames,' and use the same 'symbolic packages' that are available as public discourse independent of their original carriers" (p. 12). Along similar yet distinct lines, Said (1993) writes:

> For the intellectual, to be 'for' human rights means, in effect, to be willing to venture interpretations of those rights in the same place and with the same language employed by the dominant power, to dispute its hierarchy and methods, to elucidate what it has hidden, to pronounce what it has silenced or rendered unpronounceable. (p. 198)

This rhetorical act is not the same as co-optation. As Ono and Sloop (2002) hold, using the logic of dominant discourse does not necessarily result in reproducing it; rather, one can use the logic of dominant discourse to change that logic (p. 23). In other words, it is possible to wage a symbolic battle within the prevailing discursive framework, while striving to challenge the dominant discourse at a more fundamental level. Indeed, the special residence permission campaign was a quintessential case of "limited, tactical resistance" (Ono and Sloop, 2002, p. 116) without forsaking the possibility of a more radical social change, namely forcing the government to implement a general amnesty program. For many actors involved in the campaign, the Justice Minister's decisions to grant special residence permission to the 16 overstayers was a step forward to this larger, if not revolutionary, social change. Even Yoshinari who spearheaded the campaign acknowledges that "there is a long way to go before the human rights of all foreigners with established lives in Japan are guaranteed" (Matsubara, 2000, February 22, p. 3). In a *Japan Times* interview, he argues:

> Residence status is the most fundamental human right that must be granted to anyone

who has established his or her life here . . . . We must further work to push the government to establish clear standards for amnesty for those saddled with visaless status. (Matsubara, 2000, February 22, p. 3)

In sum, social activists must set *high but reachable goals* to effect social change. It follows that grassroots movements should be assessed in light of what was possible under given social and historical conditions. As Piven and Cloward (1976) stress:

> Opportunities for defiance are not created by analyses of power structures. If there is a genius in organizing, it is the capacity to sense what it is possible for people to do under given conditions, and to then help them do it. In point of fact, however, most organizing ventures ask that people do what they cannot do, and the result is failure. (p. 22)

5.11   CHAPTER SUMMARY

All in all, the success of the campaign is attributable to the following three factors. First of all, APFS was able to tap into the existing networks of civic engagement. If it were not for the national networks of community workers' unions, immigration researchers, and foreign worker support groups, the government may not have taken the overstayers' plea so seriously. Equally important was the trusting, reciprocal relationship APFS had developed with both mainstream and progressive media over time. APFS's close links with concerned journalists and editors were critical in raising public awareness for the campaign and exerting pressure on immigration authorities. Last but not least, APFS successfully channeled lawyers' experiences, visa overstayers' desire for legal status, other support groups' enthusiasm, and immigration researchers' expertise into a collective social movement.

While it is impossible to measure the effects of the campaign beyond the Justice Minister's decisions to grant special residency to the 16 overstayers, a series of anecdotal evidence indicates that the campaign served as a catalyst for several important changes. On a

short-term and personal level, the campaign encouraged more unregistered migrants to follow suit and fight for legal status of residence. For example, when APFS held an orientation on special residence permission on March 20, 2000, its office (with a capacity of 50) was packed with nearly 100 people (Shiratori, 2002, p. 64). The campaign has also unleashed a series of similar actions. According to *Migration News*, "[s]ince September 1, 1999, some 64 foreigners, including 20 children, have publicly identified themselves as being in Japan illegally and asked for permission to remain" ("Japan: Children").

The special residence permission campaign appears to have impinged on the government's immigration policies as well. Worthy of mention is the Justice Ministry's Second Basic Plan for Immigration Control released on March 23, 2000. The plan, designed to lay out "realistic and effective measures against illegal foreigners in order to further secure safety of the society," entertained the possibility of extending special residence permission to the unauthorized migrants who had strong links to Japanese *society,* not Japanese *people* (Ishii, 2003, p. 30; Komai, 1999/2001, p. 160; Matsubara, 2003, December 31, n.p.). An excerpt from the provisional English translation of the Second Basic Plan reads:

> Basically the policy described in the above section (1) shall be applied in full force to quickly remove illegal residents including illegal foreigners. On the other hand, as for an illegal resident who is recognized to have a civil status or position with a Japanese national, a permanent resident or a special permanent resident and *has close connection with the Japanese community* [italics added]*,* appropriate measures shall continue to be taken in individual cases with humanitarian consideration. (n.d.)

Although there remain severe limits, the new plan is a step forward to legalize the status of more undocumented migrants.

At the discursive level, the campaign helped to heighten the media's sensitivity to the issue of special residence permission. As Table 5.8 reveals, *Yomiuri Shimbun* carried more

articles on special residence permission in the two years (2000-2001) after the campaign than those from 1984 to 1998 combined.

Table 5.8: Number of *Yomiuri Shimbun* Articles about *Zairyū Tokubetsu Kyoka* (Special Residence Permission)

Year	1986-91	1992	1993	1994	1995	1996	1997	1998	1999
Number	1	3	4	9	1	3	3	3	3

Year	2000	2001	2002	2003	2004	Total
Number	26	10	15	18	19	135

Source: *Yomidasu Bunshokan*

More importantly, when the media addressed the issue of special residence permission, they tended to portray undocumented migrants in a positive light. The following three pictures were printed alongside newspaper articles featuring the topic of special residence permission (see the next page). Notice that all the pictures defied the stereotypical images of "illegal aliens."
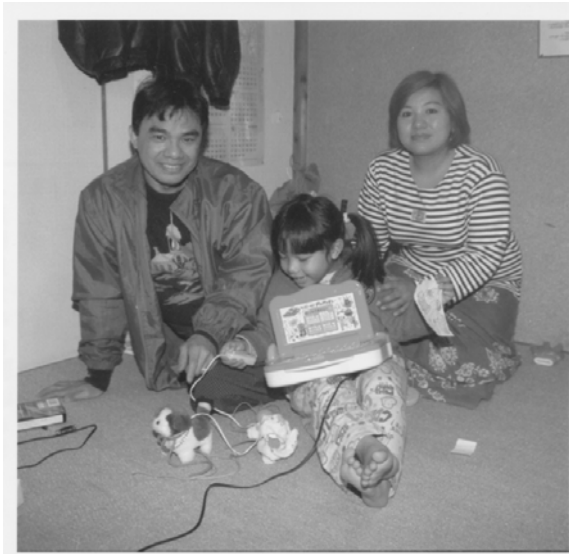
Source: *AS*, 2003, March 1, p. 35. Reprinted with
Permission of APFS and *Asahi Shimbun Sha.*

Source: *YS*, 2000, July 28, p. 7. Reprinted with
permission of APFS and *Yomiuri Shimbun Sha.*

**Figure 5.5: Pictures of a Burmese Family Demanding Special Residence Permission
(in their apartment room [left] and pleading for the release of her father [right])**

Source: *YS,* 2000, July 28, p. 7. Reprinted with permission of *Yomiuri Shimbun Sha.*

Figure 5.6: Schoolgirls Reporting to the Immigration Bureau in July 2000

On top of that, undocumented migrants are beginning, albeit slowly and sporadically, to be represented as active agents who are able and willing to come forward and speak up for their rights. For example, the May 1, 2000 issue of *Asahi Shimbun* reported on the APFS-led May Day Rally for Migrant Workers. Notably, "illegally staying foreigners" were depicted as courageous social actors speaking out against racial discrimination and ethnic bias in Japanese society:

> "Please give visas [to us]!" About 200 illegally staying foreigners who had lived clandestinely for fear of apprehension paraded in plea for special residence permission in Tokyo's Ginza on [April] 30. . . . Holding up placards and donning [their own] ethnic costumes, about 200 marched in hope that "disclosing our faces will help to eradicate [the Japanese's] discrimination and bias." (p. 26)

An even more telling example is a picture of the May Day Rally printed in *Asahi Shimbun*'s feature article on the settlement of foreign workers on May 3, 2000 (see Figure 5.7).

Source: *AS*, 2000, May 3, p. 13. Reprinted with permission of APFS and *Asahi Shimbun Sha*

Figure 5.7: Undocumented Migrants Demanding Visas in the APFS-led May Day Rally

The picture showed a group of overstayed foreigners rallying for the normalization of their status in central Tokyo. By holding up placards in various languages and wearing their own ethnic clothing, they sought to gain more visibility, appeal to international audiences, and dispel the myth of Japan as a homogeneous society. This visual image, along with those shown in Figures 5.5-6, is evidently at odds with the dominant understanding of undocumented migrants as deviant and dangerous. Although the support groups did not deliberately stage any "image events for mass media dissemination" to borrow DeLuca's terms (1996, ix), Figures 5.6-8 indicate that visual images could be potent sources of rhetorical power for counterposing against the dominant discursive frame an alternative one through which the sexualized and criminalized images of undocumented migrants are rendered absurd. Not only did the *Asahi Shimbun* article carried the empowering image of visa overstayers, but it also quoted Komai and Watado as criticizing the current immigration policy and calling for the relaxation of the criteria for special residence permission. On the whole, the article typifies the effects of the special residence permission campaign on the news coverage of visa overstayers. Although I don't mean to claim that these positive portrayals of undocumented migrants have overridden the negative ones in the media, the special residence permission campaign has demonstrated that the dominant discourse could be challenged at the grassroots level.

6.0   CONCLUSION

"Just look at me. Look at my friends." (a 26-year-old Bangladeshi overstayer[69])

6.1   INTRODUCTION

On May 1, 2000, *Asahi Shimbun* ran an article on the APFS-led annual May Day Rally for Migrant Workers. About 200 undocumented migrants reportedly marched in Tokyo's shopping street in plea for amnesty. The banners they carried read: "We are not criminals" and "Give residential rights to undocumented migrants" (p. 26). Another article on the same page, by contrast, reported on foreign crime with the sensational headline "foreigners' crimes have hit the highest rate, according to the National Police Agency" (p. 26). On October 12, 2003, Happy House held the 10th Asian Fair outside the Itabashi Metropolitan Tax Office. The fair celebrated the multiculturalism taking root in Japanese society. On the same day, several members of the ultra-rightist Restoration Party "New Wind" (*Ishin Seitō Shimpū*) delivered an anti-immigrant spiel to pedestrians outside the Shinjuku station, urging the government to expel "bad foreigners" (participant observation, October 12, 2003). The handbill they passed out stated: "The problem of foreign crime is no longer just another social problem, but [it is] a life-and-death matter to us the Japanese."

These conflicting representations of visa overstayers are jumbled together in current public discourse on the foreign worker problem in Japan. Indeed, one aim in this dissertation

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[69] His remark was quoted from the *Japan Times* on May 1, 2000 (p. 2).

was to show that the mass media are sites of symbolic struggles rather than ideological state apparatuses. While the anti-immigration rhetoric has by far overshadowed the pro-immigration rhetoric in public discourse (Chapter 4), various social actors have been contesting such xenophobic rhetoric at the grassroots levels (Chapter 5).

This does not mean, however, that possibilities for symbolic struggles are unlimited. On the contrary, a critical analysis of discourse on Japan's foreign worker problem requires close attention to the workings of unequal power relations and economic forces along national, ethnic, gender, and class lines. Specifically, the dissertation has scrutinized the political, economic, socio-cultural, and historical conditions that have shaped the dominant discourse on the issue of foreign workers over the last two decades. On the whole, this materialist-bent critical rhetoric project has proven useful in analyzing rhetorical dimensions of the foreign worker problem in Japan. The vast majority of unregistered foreigners are forced to remain silent due to their unstable status of residence despite the fact that they are susceptible to egregious social injustices. Besides, their supporters have far fewer resources and opportunities than state officials and business corporations to get their dissenting voices heard in public. Consequently, the "illegality" of overstaying foreigners has been deemed to be a more serious problem than labor discriminations and human rights violations against them. Critics/rhetors must recognize the importance of these material forces in order to appreciate the liberatory potential of discourse.

The dissertation has also demonstrated that the methods of quantitative analysis, participant observation, and interviewing can be usefully combined with textual analysis. For instance, one of the key arguments in Chapter 5 was that sustained *and* favorable media attention was critical in bringing the special residence permission campaign to success. The frequency

counts of relevant news reports in Table 5.5 evidenced the print and broadcast media's persistent interest in the campaign. Added to this quantitative approach, a rhetorical analysis of the news reports revealed that most media outlets covered the campaign in a positive light. Neither of these quantitative and qualitative approaches, by itself, could adequately account for the discursive strategies enacted in the campaign. Moreover, the interviews with Katsuo Yoshinari of APFS and then-Tsukuba University professor Hiroshi Komai, among others, greatly expanded my understanding of how APFS and the 21 overstayers enlisted the help of journalists and researchers in reaching wider publics and generating pressure on immigration officials. Put differently, interviewing enabled me to understand the process in which their dissenting voices made inroads into the mainstream media.

Methodologically, this dissertation may differ from most other works in rhetorical studies; still, it has important implications for the field. As McGee (1990) puts it, "whether we conceive it in an Aristotelian sense as the art of persuasion, or in a Burkean sense as the social process of identification, rhetoric is *influential*" (p. 279). By drawing partly on methods and theoretical insights used in other disciplines, the dissertation has sought to show that the influence of rhetoric in contemporary society can be best understood by looking into not only features of discourse but also those of discourse production and dissemination. Quantitative approaches, observational studies, and interview surveys afford rhetoric scholars great insights into the latter. They are particularly useful for explaining *how* grassroots activists get their messages out and exercise counter-hegemonic influence in and through the mass media. Studies of *how* and *what* of counter discourse certainly overlap, but they cannot be equated because the former includes an examination of how grassroots organizations establish connections with journalists and publishers inside or outside the mainstream media.

6.2　CHAPTER SUMMARIES AND IMPLICATIONS

Chapter 3 has shown that since migrant women are triply disadvantaged for being women, "illegal aliens," and, in some cases, trafficking victims, they are particularly vulnerable to various forms of symbolic violence. Despite the fact that the influx of female migrant workers marked the first wave of labor migration in postwar Japan, it was recognized as a peculiar issue of *Japayuki-san* distinct from the foreign worker problem. Importantly, the term *Japayuki-san* functioned as a terministic screen to fixate the stereotyped image of female migrants as young sex workers from poor Asian countries. Moreover, as the mass media took notice of the massive inflow of *male* foreign workers, they no longer found much news value in reporting the *Japayuki-san* problem. As with *Japayuki-san*, the term *gaikokujin rōdōsha* (foreign worker) served as a terministic screen to (mis)lead the public to think that Japan had never experienced a foreign worker problem before. While women's groups contested the distorted media images of migrant women and depicted them as victims of human trafficking, sexual exploitation, and physical abuse, their counter discourse did not help migrant women to be recognized as legitimate workers. Although the rhetoric of protection is useful in highlighting the institutionalized violence inflicted on migrant women, we should also strive to invent a form of discourse conducive to their labor rights. According to Mackie (2003), Japanese feminists made a strategic shift from "rhetorics of protection" to "rhetorics of rights" in the 1980s:

> Feminists argued for equality with 'guarantees' (*hoshō*), and that, instead of removing so-called protective provisions from female workers, these provisions should be extended to cover all workers. . . . On the part of feminists, there was thus a strategic shift from the language of *bosei hogo*, whereby women are positioned as being weak and in need of protection (*hogo*), to a view of women as workers with rights which must be guaranteed (*hoshō*). (pp. 182-183)

There are many strands of feminist thought, so I don't mean to accuse feminists of applying a double standard. After all, unlike those who championed the view of "women as workers with rights" in the 1980s, the most outspoken advocates for migrant women were Christian groups that had long objected to the commercialization of sex on moral grounds. As Mackie (2002) suggests, "[w]hile the decriminalization of prostitution has recently been debated by feminists in Japan, this argument is seldom heard from advocates working with immigrant workers, who recognize the coercive conditions many of these women work under" (p. 214). Still, I believe that a similar rhetorical move should be made to picture migrant women as both trafficking victims and legitimate workers. Beyond the victim/worker dichotomy, female migrants should ideally be represented in manifold ways so that they would not fit into any single stereotypical image. This dissertation offers a modest step forward in this direction.

Chapter 4 has demonstrated that "illegal aliens" are too often portrayed as posing a grave threat to the public safety, social order, and moral fabric of Japanese society. While crimes by "illegal aliens" are on the rise, only 0.4% of all the crimes in Japan involved "illegal aliens" in 2002. Plus, the vast majority of their offenses comprise larcenies, thefts, and shoplifting. Nevertheless, the popular media tend to depict "illegal aliens" as brutal criminals who are willing to kill anybody for money. In addition, the data on foreigners' crimes should be put in perspective as crimes by Japanese nationals are also increasing due to the protracted economic slump. Yet the mass media and the state alike generally cast more sympathetic eyes on Japanese criminals. This indicates that those who are "beyond the pale of discourses of citizenship" (Mackie, 2000, p. 253) are susceptible to the stigma of being criminals.

Chapter 4 has also elucidated the shortcomings of both conspiracy theory and propaganda model to account for the sensational news coverage of foreign crime in Japan. That is, the media

do not simply report the problem of foreign crime; they simultaneously construct and crystallize foreign crime as a frightening social problem in popular imagination. The media's repeated use of the term "Chinese Mafia," for instance, creates an atmosphere in which people feel that they have to guard against atrocious crimes by ruthless Chinese criminal syndicates. The news media must recognize that unsavory media portrayals of undocumented migrants take serious tools on their lives when few Japanese have first-hand knowledge of them.

Furthermore, journalists and researchers alike should be more attentive to the politics of language involved in framing the news. As van Dijk (1985) astutely observes:

> Large parts of the news appear to be pre-formulated already by influential news sources, such as the police or other state or corporate institutions. Their accounts, in documents or press releases, of their own action, already provide the journalist with a dominant definition of the situation. (p. 72)

Unfortunately, most Japanese media outlets are too willing to accept law enforcement agencies' definitions of terms in official crime reports and frame the issue of foreign crime very much as the "primary definers" frame it for them. Accordingly, the official narrative frame for foreign crime has gone largely unchallenged. Conversely, critical inquiry into the official frame and its consequences could unmask the constructed nature of "foreign crime as an unprecedented security threat." To take one example, Stabile (2001) suggests in her study of the U.S. media's crime coverage that the public might perceive the crime situation differently if increases in crime rates were understood as "arrest waves" rather than "crime waves" (p. 274). For such a discursive shift would evoke an insight in which the alleged crime rate increases would be linked more to stepped-up police activity than to increased amount of crime (p. 274). Similarly, a critical analysis of the prevailing discursive frame for foreign crime in Japan could help to raise public awareness of a discrepancy among the actual level of crime, official crime data, and crime news concerning "illegal aliens."

Chapter 5 has underscored the importance of *collective* symbolic struggles. When political and economic hegemony operates in favor of dominant discourse, the media are generally predisposed to reproduce the definitions of the powerful. Under these circumstances, social activism owes its efficacy to collective advocacy and concerted action among diverse social actors, including researchers, journalists, and activities. Even though the special residence permission campaign was a Tokyo-based movement with a particular goal, that did not diminish a need for nationwide networks of foreign worker support groups for effective communication and collective action.

Also highlighted in Chapter 5 was the role the mass media played in the outcome of the special residence permission campaign. In particular, while Chapter 4 focused on the repressive functions of the media, Chapter 5 examined their positive potential. One important implication of my analysis of the campaign's media strategies is that journalists in the mainstream media do not necessarily perceive grassroots activists as disturbers of law and order. On the contrary, some of them are willing to lend sympathetic ears to their causes and pay close attention to their movements. Grassroots activists for their part are able to enlist the help of these progressive reporters to elicit public support and call on policy makers to respond to their demands. This finding further attests to the need for making an analytical distinction between journalists and media institutions. At present, most media research conflates the work of journalists with the workings of media institutions (van Dijk, 1985; Schudson, 2000). However, such conflation is theoretically simplistic and empirically inadequate. Although it is important to probe into the structural and ideological dimensions of news production, it does not justify a lack of attention to the activities of journalists because the link among the political economy of society, the structure of news organizations, and day-to-day practices in journalism is not so clear and rigid (Schudson,

2000, p. 178). As Schudson (2000) holds, "[j]ournalists at mainstream publications everywhere accommodate to the political culture of the regime in which they operate. Still, ideals of journalistic professionalism may incline journalists toward acting to support freedom of expression" (p. 187). At least, it is not fruitful to ignore how journalists operate within a set of constraints as if appraisals of their autonomy necessitate the downplaying of political and economic forces as determining factors in news production. As van Dijk (1985) suggests:

> Daily interactions between journalists, or between journalists and other newspersons such as newsactors, sources, witnesses, or representatives of organizations, need to be further analyzed for their strategies, routine acts, commonsense categories, or other principles of understanding. Detailed observation and analysis is necessary of decision making processes in e.g. editorial meetings, also to make explicit the understanding and the uses of the well-known newsvalue criteria in the selection or the (re-)construction of news events as news items. (p. 6)

Although the dissertation investigated neither decision-making processes inside newsrooms nor interactions between journalists, it explored how several journalists interacted with grassroots activists to challenge the restrictive immigration policies in Japan. Such "detailed, micro-studies of media processes" help to advance our understandings of news discourse (van Dijk, 1985, p. 6).

Overall, the dissertation has demonstrated that discourse of "foreign worker" is deeply problematic because the very characteristics that make foreign workers desirable for employers—lower wages, fewer fringe benefits, harsher working conditions—could render them undesirable from the perspective of membership in a receiving country (Zolberg, 2000, p. 318). As long as the current discursive framework persists, undocumented migrants continue to be trivially represented as "economic units, significant only insofar as they contribute to the efficient operation of the state's economy," to borrow Ono and Sloop's (2002) phrases (p. 28). Accordingly, even those who favor the employment of unskilled migrant laborers tend to regard

them "as a shock absorber or adjustment valve between peaks and troughs of the economy, so

that Japanese workers' jobs and their wages remain secure during recessions" (Yamanaka, 2000,

p. 140). [70]   In analyzing German media reports on foreigners, political science professor

Christoph Butterwege argues that the reduction of foreigners to economic units is but a form of

covert racism:

> Whoever focuses on the cost-benefit calculus in the sense of a "functional anti-racism"
> ["we must be nice to foreigners as long as they are useful"] appeals to the egoism of
> potential enemies of foreigners. Unintentionally with the competition orientation, he
> [*sic*] sues for a mechanism triggering racism under certain circumstances and the
> prosperity chauvinism constitutive of rightwing extremism in Germany. (n.p)

In view of this, many scholars and activists call for the enactment of a comprehensive

immigration policy in Japan. Along a similar line, I would suggest that a rhetorical move should

be made from "foreign worker" discourse to "immigration" discourse so that full-blown public

discussions about immigration could take place. I believe that communication scholars could

make modest contributions to this discursive shift by filling the reservoir of discursive resources

on which progressive scholars, journalists, and activists are able to draw. As Hargreaves (2001)

argues, if more positive images of undocumented migrants are produced and circulated in the

media, they can "reduce the reservoir of racism and xenophobia on which extremist parties are

able to draw" (p. 35).

6.3   SUGGESTIONS FOR FUTURE RESEARCH

This study has focused upon dominant media discourse and the attempts by one group of

activists to combat it. As a consequence, it left untouched three communicative arenas of

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[70] Although Yamanaka made this point in reference to the *Nikkeijin* "guest worker" system, her observation holds
good for unskilled foreign workers in general.

significance, which future research might fill in. To begin with, this work did not pay sufficient attention to alternative rhetoric—or outlaw rhetoric in Ono and Sloop's terminology—that operates outside the dominant framework of discourse. In my defense, this was not the goal of the dissertation. Instead, I intended to critique dominant discourse and to examine social activists' symbolic struggles within the prevailing discursive framework. Still, I am mindful of the importance to invent discourses that are "incommensurable" with the logics of dominant ones (Ono and Sloop, 2002, p. 14). For example, it would greatly benefit irregular foreigners if the system of special residence permission were anchored in the discourse of human rights. For such a discourse would enable them to demand special residency as a right they deserve rather than a dispensation they are granted under special circumstances. Equally worth exploring is the possibility of casting unregistered foreigners in truly positive terms as they have always been defined negatively as *un*registered, *un*documented, *ir*regular, *un*authorized, and *il*legal. In other words, "illegal" immigrants are mired in the binary oppositions of legal/illegal and citizens/immigrants in which the latter in the pairs are seen as a falling away from the former. Ultimately, the positive portrayals of irregular foreigners require us to think beyond these binary pairings. For unless undocumented migrants, legal residents, and citizens are defined *in* equal terms, they are unlikely to be treated *on* equal terms.

Second, the dissertation falls short of recounting the lives of undocumented migrants in all their rich diversity and vigor. When the media by and large reinforce the unsavory images of unregistered foreigners, it is imperative to go beyond simple media criticism (i.e. semiotic analysis of media texts or the practice of using certain media to counter others) and to attend to the strategies they adopt in the ordinary conduct of their lives. Vital to this task is the incorporation of ethnographic techniques into media/rhetorical criticism. Admittedly, this

dissertation used the methods of participant observation and interviewing only as supplemental tools for analyzing media texts. Since I am a communication scholar with only basic training in field methods, this approach was critical in keeping the project both worthwhile and manageable. More rigorous ethnographic observations would yield further insights into alternative social contexts for the rhetoric of Japan's foreign worker problem. Particularly, more efforts should be made to allow undocumented migrants to articulate their concerns in their own voices, which is, according to West (1993), a primary goal of ethnography (p. 215). Even my limited fieldwork has made me realize that the actual lives of many unregistered foreigners were a far cry from the media portrayals of "illegal aliens." For example, after the Tokyo District Court overruled the Justice Minster's decision to deport an overstayed Iranian family in September 2003, I saw a 15-year-old daughter crying under her mother's arm with joy outside the courtroom. Although this Iranian girl was technically an "illegal alien," she was not even remotely associated with the stereotyped images of undocumented migrant women. Also, many supporters of diverse nationalities attended the court on that day, and I witnessed them talking about the court ruling in fluent Japanese. Although I don't mean to idealize ethnography, I believe that a combination of ethnographic fieldwork with textual analysis provides invaluable perspectives on both discursive and non-discursive dimensions of Japan's foreign worker problem

Lastly, the dissertation generally posited the state as a monolithic institution; but it is actually marked by fierce internal struggles and sharply conflicting interests. In fact, as Pak (1998) pointed out, the revision to the immigration laws in 1990 was partly a product of the intense turf wars between the Ministry of Justice and the Ministry of Labor (p. 34). Besides, as Komai (2004) suggested, the academic group's social engagement might have encouraged progressive immigration officials to have more say in the matter of special residence permission.

If so, it is worthwhile to pay closer attention to internal struggles among state authorities and to consider their implications for immigration politics and discourse. In this respect Bourdieu et al. (1993/1999)'s *Weight of the World* offers a useful perspective as a chapter of this critical-ethnographic work illuminates the agony of junior public servants who are abandoned inside the system. Ironically, these "insiders" (the "left hand of the state" to use Bourdieu's words) are constantly undermined and betrayed because they abide by the very norms of public institutions. The volume serves as a caveat for social movements scholars who are inclined toward a simplistic worldview of "state officials vs. citizens" or "bureaucrats vs. marginal groups." As Remi Lenoir, a co-author of the volume, argues, the use of such general designations as "power" or "crisis" "leads people to overlook the fact that the actions involved in the maintenance of order are very diverse and that their crises or difficulties result from different factors" (p. 223). In any case, a more nuanced understanding of the state is needed. As Bourdieu (1998) puts it, "[t]he state is an ambiguous reality. . . . The state is certainly not completely neutral, completely independent of the dominant forces in society, but the older it is and the greater the social advances it has incorporated, the more autonomous it is. It is a battleground" (pp. 33-34). Just as it is counter-productive to posit the media as a unitary organization, a simplistic view of state authorities may unduly limit the liberatory potential of discourse. Again, rhetoric is about human agency and rhetorical criticism entertains possibilities for action. Communication/rhetoric scholars should tap into any discursive resources to consider what intervention strategies are appropriate to effect social change.

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