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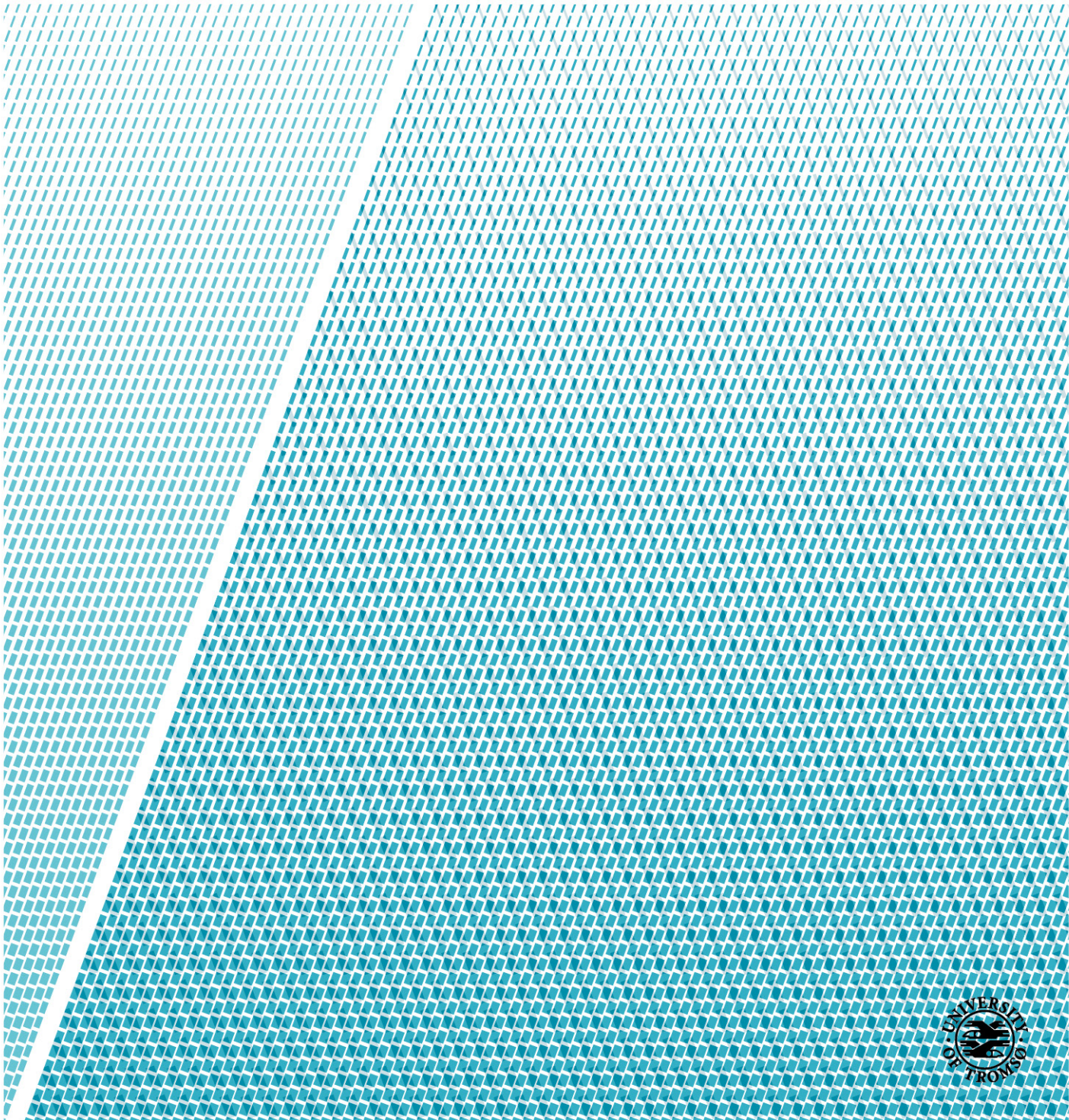
# **Peaceful Japanese Nationalism**

*A Case Study of Japanese Immigration Policies*

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**Elena Munarini**

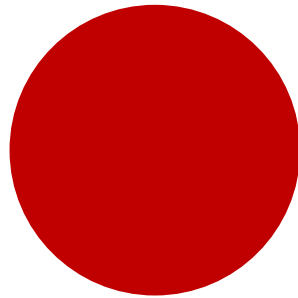
*Master's thesis in Peace and Conflict Transformation - May 2019*





# **PEACEFUL JAPANESE NATIONALISM**

*A Case Study of Japanese Immigration Policies*





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# ABSTRACT

This case study is a phenomenological analysis of Japanese immigration policies. The objective of this research is to produce a cogent interpretation of why Japanese Immigration Policies are so strict. Societal perspectives have been taken in consideration as one of the important aspects to explore. Japanese Society is considered unique, as it has distinctive principles based on the peace and harmony of the people of Japan. These ancient ethics, dating back to the 6th century, are still believed and used in the nowadays social structures. Research into these structures, coupled with a deep analysis of the immigration policies of Japan, it has been possible to elucidate some of the reasons why these immigration policies are so strict. The study has shown that a common intention from all the population is to carry harmony in order to live peacefully; however, Japanese believe that immigrants could attack this harmony because foreigners are not pure Japanese people. Hence, to describe this state of affairs, an interesting new adjective has been coined: Peaceful Japanese Nationalism.

Japan is considered in this project as a nation that carries nationalism in a peaceful way, in name of harmony.

# ABBREVIATIONS

3K	<i>Kitanai</i> (dirty), <i>kitsui</i> (demanding or difficult), and <i>kiken</i> (dangerous) jobs
HSFP	Highly-Skilled Foreign Professionals
LDP	Liberal Democratic Party
MOJ	Ministry of Justice
NELM	New Economics of Labor Migration
TITP	Trainee and Technical Intern Program



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**1.**

# **INTRODUCTION**

## 1.1 THE OVERVIEW

Japan has been considered having  
*“one of the most highly restrictive immigration policies among advanced industrial countries.”*<sup>1</sup>

Japan has a highly restrictive immigration policy, and these policies are based on laws being passed and upheld by elected officials of the democratic country of Japan. Therefore, the objective of this case study of Japanese Immigration Policies is found in the explanation of the following research question:

*why and how are Japanese policies so strict and restrictive?*

It is thereby interesting to examine whether there is something in the Japanese history and culture which can explain why the elected officials, as an extension of society, has chosen such a restrictive policy towards immigrants. There have not been found fixed answers to this matter, but this project will analyze an interesting and plausible hypothesis: Japan is a *peaceful* but *nationalistic* nation. However, in order to build the final analysis, it has been necessary to examine more questions that would eventually constitutes the theoretical framework of the whole. Therefore, there have been found some sub-research-questions, which will help to answer to the main research question:

*Are there historical events that brought Japan to carry such strong decisions regarding immigration?*

*What are the limitations, advantages, and disadvantages of these policies for and against Japan and the immigrant?*

Chapter three and four represent the two theoretical frameworks that describe and examine these two questions. In particular, chapter three focuses on important historical events, religion,

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<sup>1</sup> Damian J Rivers, "Cultural Essentialism and Foreigner-as-Criminal Discourse," in *Cultural Essentialism in Intercultural Relations* (Springer, 2015). P.16

These two theoretical chapters have given the possibility to have a substantial and valid analytical framework (chapter five), which will answer first to another sub-research-question:

*Is the Japanese society somehow involved in the decision of having strict immigration policies?*

Then, after having connected the previous theoretical framework to the final analysis, in chapter 5, it will be explained eventually the final hypothesis of why Japanese Immigration policies are so strict: because there is a *Peaceful Japanese Nationalism*.

### **1.1.1 Motives behind this Research**

*Peaceful Japanese Nationalism* is a project born from my personal wish to explore the country in order to discover more about the Japanese culture. It fascinates that this society has always distinguished itself from the rest of the world because of their unique “way of doing things”<sup>2</sup> and because of their ability to preserve traditions. However, the first issue encountered in approaching the country has been the difficult immigration procedures. It was not possible to move to the country because of slow bureaucratic processes and because of family limitations, due to the visa. Fortunately, this has not become a major issue, instead, it has turned to be of personal interest, to the extent that the author decided to conduct research in order to understand why these immigration procedures are so strict for me and for others. Japanese immigration strictness has been taken in this thesis as a common social fact, which, if understood correctly, will help also other common people to comprehend what there is behind it. Therefore, this project will have as objective to contribute to the understanding of why and how Japan has decided to have such harsh immigration policies. Eventually, with the final explanation of the matter, it has been also discovered an additional characteristic of the Japanese people: they are peaceful but nationalistic.

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<sup>2</sup> revised by Geoff Botting Boyé Lafayette de Mente, *Japan. A Guide to Traditions, Customs and Etiquette. Kata as the Key to Understand the Japanese* (Singapore: Tuttle 2017).

## 1.2 STRUCTURE OF THE THESIS

This thesis has three main sections: the methodology, the theoretical framework, and the analytical framework. Therefore, the first part will be covered by the explanation of the methodology and methods used in this thesis. The central body of the project is structured on a theoretical framework, which includes two main categories: the society and policies. These categories collect theoretical data that will produce useful considerations of both the Japanese Society and the Japanese Immigration Policies. Therefore, the theory of this thesis will be found in the understanding of historical events, religion, and traditions in chapter three, and in the understanding of the immigration history and immigration policies in chapter four. The final chapter of this thesis constitutes the analytical framework. It will explain how the previous theoretical frameworks helped to produce a final analysis of this Japanese case study.

### 1.2.1 Methodology and Methods

Chapter two will first describe the issues encountered during the initial moments of the research, but then will mostly explain the methodology and methods used in this research.

Phenomenology has been chosen as the main methodology for this thesis. It allows to study and to explore the phenomenon of the Japanese Immigration, in a way that will let the researcher to include additional important inputs to the research. Phenomenology looks at phenomena from a particular viewpoint. It considers important to look at more than one social fact, and even to include in the research process common human experiences. Thus, this methodology studies the understanding and meanings of behaviors, ideas, and social facts of people.<sup>3</sup> In here, there will be talked about the *context values*, which are those additional inputs that are discovered by the researcher in the surroundings of the research;<sup>4</sup> these findings regard the important aspects of the society and of the society history, which became extremely significant in the final analysis of “why Japanese immigration policies are so strict.”

After examining the methodology more deeply, there will be an understanding of how the thesis has been constructed. Methods such as *Historicity*, *Interpretation* and *Re- and De-Contextualization* will be explaining the way this Japanese Immigration Case Study was able to be conducted. Historicity gave to the study the possibility to examine historical books and to build discourses about the understanding of past events. Interpretation, instead, gives an

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<sup>3</sup> Clive Seale, *Researching Society and Culture* (UK: Sage Publications Ltd, 2017). P. 15-16

<sup>4</sup> Mark Risjord, "Philosophy of Social Science: A Contemporary Introduction," (Routledge, 2014). P.17-19



important contribution to the analysis because it has the power to de- and then re-contextualize facts found in texts.

An accurate literature review has been possible through the methods of historicity and interpretation, which gave an immense contribution to the final analytical hypothesis of this thesis: Peaceful Japanese Nationalism.

### 1.2.2 Japanese Society

Chapter three focuses on the understanding of past events that affected our present, and also a comprehension of Japanese culture with its own traditions and beliefs. The past brought to nowadays society an important moral guideline of how to behave and what to believe. Since the Era of Prince Shōtoku (574-622),<sup>5</sup> Japan has based its morality in the concept of *harmony* (*wa*), which is respected till our days. Moreover, both with ancient Shintō and Japanese Buddhism, it is possible to see the persisting and enduring society that has been shaped during this long time. Thus, in this chapter there will be an introduction of significant historical events, such as the first Constitution of Japan that gives importance of both the concept of harmony and the power of the new religion: Japanese Buddhism. Hence, there will be an interesting exploration of both Shintō and Japanese Buddhism, which resulted essential in the understanding of perspectives and ideologies of the Japanese society.

Harmony (*wa*) is treated as the main source of the peaceful life the Japanese still manage to have. It is an ancient expression and life-style that has a noteworthy power in this society. Connected to *wa* is the Japanese tradition of doing things: *the way of doing things*.<sup>6</sup> This will be interpreted in this analysis as the method used by these people in order to pursuit their methodological harmony in their society and world.

All these concepts of both *harmony* and *the way of doing things* let the Japanese people to obtain the status of being *unique*, as they consider themselves unique, homogenous, integrated, and mono-ethnic only among themselves.<sup>7</sup> The Japanese, with this rigid understanding of themselves, will eventually take the analysis readily to the exploration of also a more uncomfortable interpretation: the uniqueness as an egoistic perception. Thus, there will be a final elucidation of brutal facts that happened in Japan because of the “unique factor” label that

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<sup>5</sup> Helena Bruce, "Statesmanship and Sainthood: The Legend of Prince Shotoku in the Founding of Japanese Buddhism," (2015).

<sup>6</sup> Boyé Lafayette de Mente, *Japan. A Guide to Traditions, Costums and Etiquette. Kata as the Key to Understand the Japanese*.

<sup>7</sup> Stephen Murphy-Shigematsu, "Multiethnic Japan and the Monoethnic Myth," *Melus* 18, no. 4 (1993).

they put to themselves. The events of *Sterilization* following the *pureblood* theory will be finally explained in this chapter, as also a connection to the immigration policies that the analytical framework will consider critical.

### **1.2.3 Immigration Policies**

Chapter three will see a theoretical understanding of Japanese Immigration Policies. The chapter will start with the examination of the history of migration of Japan, which resulted really short and recent. It was discovered that World War Two and post-Cold War were the biggest immigration periods of the land of the rising sun (Japan), and this symbolized the starting of illegal immigration. A correlation has been found between this first illegal immigrants and the un-skilled legal immigrants that enter to Japan today. It will be, therefore, explained in here all the different categories of immigrants of both the past and of the present times, and their difficulties and limitations received from Japan.

In this chapter, there will then studied both sides of the Immigration process: the Japanese perspective over the immigrant and the immigrant perspective over Japan and its polices. In Japan foreigners are subjected to judgmental procedures, depending if the immigrant is unskilled, skilled, or highly-skilled, or if he/she is from Japanese descendants. It will be then possible to see that there are differences between immigrants, in which some will be more or less privileged by both society and political system. Highly skilled foreigners are the more advantaged because considered at an acceptable level of the high Japanese standard.<sup>8</sup> With the problem of an aging-population and shrinking of population, the government had found as feasible solution the possibility to welcome certain highly skilled people to enter the country and to contribute in a good way to make Japan survive.<sup>9</sup>

With this study, it will be possible to see how many obstacles this society has towards letting certain foreigners entering its country and how they instead privilege others. Many are the reasons, and last chapter will analyze some.

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<sup>8</sup> Glenda S. Roberts, "An Immigration Policy by Any Other Name: Semantics of Immigration to Japan," *Social Science Japan Journal* 21 (2017). P.89-98

<sup>9</sup> Ibid.

#### 1.2.4 Peaceful Nationalism

The last chapter will see an interpretation of the whys and the hows the Japanese society is still so closed to the foreigners even while it is a modern nation. First of all, the Japanese believe that their country do not have any immigrant,<sup>10</sup> because all the foreigners entering their country are just “selected foreign people” entering to work and to help the country in either economy or in their aim of internationalization.<sup>11</sup> Thus, there will be an elucidation of why there is a distinction between the idea of calling the immigrant “foreign worker” and not simply “immigrant.” The result is that the word “immigrant” become a taboo<sup>12</sup> for some reasons that will be explained in this chapter.

In this section, it will be possible to connect all the dots of the previous findings and to reach the assumption that the Japanese know they are the Japanese, the unique people that live in harmony among only themselves (*We Japanese - Wareware Nipponjin*).<sup>13</sup> The foreigner is historically seen more as a lower standard level person and even as a criminal.<sup>14</sup> Therefore, this section will also explain the case of the foreigner as the one braking the law, or even as *terrorist*, consequently the terrorist attack of 9/11.<sup>15</sup> This judgmental behavior towards the foreigners will be connected to other issues regarding multiculturalism and integration of these foreigners. This chapter represents the analytical framework of this thesis. Therefore, in the second part of the chapter, there will be the understanding of how the two categories of the theoretical framework (Society and Policy) can be connected with each other. The conclusions reached are pure hypothetical interpretation built upon a phenomenological approach. A phenomenologist has the ability and power to use several and different inputs in order to build a better, more valid, and complete interpretation of facts.<sup>16</sup> Therefore, there will be an analysis of why the author eventually consider the Japanese as Peaceful People; and also, an analysis of why the Japanese can be also considered Nationalistic People. The author has come to a conclusion which contemplate these antithetical terms together, and coined the Japanese phenomena of being both peaceful and nationalistic as *Peaceful Japanese Nationalism*.

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<sup>10</sup> Satoshi Sugiyama, "Japan's Denial of Immigration Reality Echoes Germany's Experience with "Guest Workers"," *The Japan Times* (December 31, 2018).

<sup>11</sup> Roberts, "An Immigration Policy by Any Other Name: Semantics of Immigration to Japan."

<sup>12</sup> Ibid.

<sup>13</sup> Murphy-Shigematsu, "Multiethnic Japan and the Monoethnic Myth."

<sup>14</sup> Rivers, "Cultural Essentialism and Foreigner-as-Criminal Discourse." P.15-16

<sup>15</sup> David Murakami Wood, David Lyon, and Kiyoshi Abe, "Surveillance in Urban Japan: A Critical Introduction," (Sage Publications Sage UK: London, England, 2007). Introduction

<sup>16</sup> Patrik Aspers, "Empirical Phenomenology: A Qualitative Research Approach (the Cologne Seminars)," *Indo-Pacific Journal of Phenomenology* 9, no. 2 (2009).

This chapter will be able to have a possible explanation of why the Japanese immigration policies are strict: Japanese harmony and immigrants cannot fit together.

### **1.3 THE LAND OF THE RISING SUN**

Japan will be referred in this thesis also as *Nihon*, *Nippon*, or *the Land of the Rising Sun*. *Nihon* and *Nippon* are both the Japanese way to say “Japan,” and they both mean “the sun’s origin.”<sup>17</sup>

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<sup>17</sup> Taj Mohammad - Hanken Breseeg, "Heterogeneity and the Baloch Identity," *Annual Research Journal from the Department of Balochi, Faculty of Languages Literature, University of Balochistan, Quetta* 1 (2009).

2.

## METHODOLOGY AND METHODS

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*Figure 1 Japanese Script of "Kata" - The Way of Doing Things*

## 2.1 INTRODUCING THE METHODOLOGY

The project of this thesis started with the wish to investigate a unique Japanese issue; and a research conducted with a solid and valid methodology should produce a good research. However, before explaining what the methodology of this project is, the author would like to chronologically follow the various steps had in this thesis. Therefore, the focus will first be on some common issues that were encountered at the beginning of the research, when the methodology was not yet decided. Since the beginning, some challenges about the role and risks of the researcher were encountered. In order to proceed and to continue the research, the author had to face and solve the problems of bias, which raised from the fact that the research was about to be conducted from a place geographically disconnected from the subject matter. The first step taken was analyzing why and how this issue would attack my research. Thus, this chapter will start giving a detailed overview of how the author managed to solve bias. The rest of the chapter will focus, instead, on the description and explanation of the methodology and methods chosen after having solved the issue of bias. There will be seen that the methodology of *Phenomenology* will embrace this issue as positive reinforcement for the research. Therefore, a deeper analysis of the connection between the issue encountered at the beginning and the methodology will be conducted in this chapter. Methods such as *Historicity*, and *Interpretation* with its *de-* and *re- contextualization* process will make sure to produce a solid and valid literature review for a successful result of the thesis.

### 2.1.1 Bias

During the analysis of *Peaceful Japanese Nationalism*, some common obstacles that social scientists face were encountered. Social research has the objective to produce works that contributes to improving the knowledge of a specific field. Bias can be one of the most known issue a scholar can face, which can compromise the aim and validity of the study. Certainly, bias is a matter that usually concerns the social scientists because these investigate human behavior and their actions. It is precisely in this human factor that the objectivity of an analysis could be challenged. Studying the social, thus the human behavior, means that the researchers do not start his/her analysis with quantifiable cold data, but with qualitative data coming from the real life of humans; the scientist has to see and interpret facts in order to create hypothesis

and conclusions, which could be seen as a reflection of a subjective perspective. For these reasons, social science has been often challenging itself in order to give a more objective and valid contributions to science, knowing that the subjective side of the researcher can easily influence the research without notice. Thus, the initial fear of this research was based on the fact that the researcher is based far away and she would be able to just use online sources and academic records in order to carry out the research. This way of researching could bias the result because there would not be a direct contact with the real world of the matter studied. Therefore, not having the possibility to prove facts with interviews, observations, or focus groups, the choice of sources could produce an unintentional bias. However, the next sections will explain deeper why and how this issue can be solved.

#### 2.1.1.1 VALUES IN SOCIAL SCIENCE

In order to see how to reduce and solve the problem of bias, it is interesting to consider some useful factors that can explain better in what it is necessary to pay attention in the research process. They are called *values* the special information given from particular settings. Depending on what kind of values the researcher chose, there can be less or more problems with bias. Important is therefore to define which ones are the ones to be used and which ones are the ones to eliminate. *Values* are different depending on what they focus on and on what they relate to. There are the *context values* that refer to the environment around a research project. This means that all the events happening around a research could have an effect on the research itself. Therefore, the *context values*, or special information received from a situation, are unconsciously able to lead the attention to different directions or to different matters.<sup>18</sup> Thus, these values will make the ground of the research a bigger and wider path that includes different aspects taken from the surroundings. Instead, there are also the *non-epistemic values*, which are the personal moral and political values that each human being has. These values are known to produce a bias in the research, because personal beliefs are taken into the decision and production of the project. Moreover, non-epistemic values can interfere in the choosing of both methodologies, hypothesis, or even conclusions.<sup>19</sup> The *context values* have been considered in this project as a worthy aspect and even as an important tool for a good and valid research. These values allow the researcher to get other information and inspirations from the surround environment. With *surroundings*, it is meant to signify these other matters found in connection to the original topic studied. Thus, if the original topic is immigration, and in here there could be found some hints about the connection with

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<sup>18</sup> Risjord, "Philosophy of Social Science: A Contemporary Introduction." P. 17-20

<sup>19</sup> Ibid. P. 17-19

society beliefs and religion, also these latter topics will be eventually explored and analyzed. If these topics will be discovered relevant to the analysis, they will be used in the thesis. Thanks to context values, a research can result incorporating multiple aspects in which there can be found useful, important, and essential information. Thus, the approach taken in this thesis is to have an *inclusiveness of context values*.

Instead, an opposite approach has been taken with *the non-epistemic values*. The latter values can produce excessive and misleading results, while the *context values* can be crucial and useful. Therefore, inter-subjectivity has been chosen as the method to overcome possible *non-epistemic values*. Inter-subjectivity embraces more people's perspectives and analysis,<sup>20</sup> which do not facilitate the intrusion of the personal moral and political of the researcher (*non-epistemic values*). Moreover, inter-subjectivity will help to have more inclusive viewpoints, which will help the work of the *context values* in finding the right surrounding facts.

#### 2.1.1.2 INTRODUCING VALUES TO PHENOMENOLOGY

Phenomenology is a methodology that gives the opportunity to set the study around all the circumstances of the life of humans, from their beliefs to their actions. This methodology gives the opportunity to work around multiple human phenomena and to incorporate/connect them with each other. Phenomenology looks at the *context values* as indispensable components for a research in social science, as they are the evidence of the fact that phenomena are and can be linked to other phenomena.<sup>21</sup> A phenomenologist will always try to understand meanings of certain social facts. As professor of Politics<sup>22</sup> Sunil Khilnani expresses in his book,<sup>23</sup> "there are important aspects of phenomena that are hidden from other perspectives."<sup>24</sup> Thus, the scientist will have the role and power to dig into phenomena and find the hidden perspectives that other methodologies would neglect.

Having considered these context values in the research process gave me the opportunity to receive more inputs, perspectives, and ideas. It gave to the research a bigger ground to work on, but also made it possible to make stronger hypotheses and conclusions.

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<sup>20</sup> Ibid. P. 23

<sup>21</sup> Ibid. P.14-33

<sup>22</sup> King's College London, "King's People," <https://www.kcl.ac.uk/people/sunil-khilnani>.

<sup>23</sup> Sunil Khilnani, *Arguing Revolution: The Intellectual Left in Postwar France* (Yale University Press, 1993).

<sup>24</sup> Martyn Hammersley and Roger Gomm, "Bias in Social Research," *Sociological Research Online* 2, no. 1 (1997). Paragraph 1.4



## 2.2 PHENOMENOLOGY

### The Answer to the Issue

#### 2.2.1 Evaluating the Social

Social science cannot be considered an objective science, as it is for example with natural science. The latter studies molecules, atoms, or even planets, which are free from any social connection and influence; instead, as the word says, 'social' science is involved into something called social facts, facts that are created by the social human environment.<sup>25</sup> A social fact is the single part in what a society, a nation, a group, is constructed in. Therefore, it is significant to give importance to the social life and to try to understand the meaning beyond an action. For this reason, phenomenology has been chosen as the methodology of this research, as the study of the phenomenon of the Japanese Immigration System. Phenomenology studies the real meanings and understandings of things generated and produced by ideas, behaviors, and actions of people;<sup>26</sup> it tries to view an act in its whole comprehension, without excluding any subjectivity. All the personal perceptions of a social fact are called, by the Austrian philosopher and social-phenomenologist Alfred Schütz, *first order* constructs. Instead, when a scientist considers the *first order* construct and try to give his/her own understanding and interpretation, he/she will produce a *second order* constructs.<sup>27</sup> Therefore, understood will be both the "social construction of knowledge" and the "construction of social reality,"<sup>28</sup> which represents the comprehension of the first order through the second order. Hence, a social science research that uses phenomenology will take the common-sense objects constructed by man and give to the researcher the power to analyze and understand them. The objective is to create a final general meaning that will wrap-up all the ones found earlier in the common-sense objects. Therefore, the scientist will create a new construct based on the understanding of a previous conglomerate of constructs taken from the society. However, it is essential that the researcher pays attention not to get lost in other deceptive meanings distant from the object of the research. For this reason, following Schütz's approach will make a study complete and valid, from the base to the structure: first, "an explanation in the social sciences should be connected to the meaning structure of real people,"<sup>29</sup> and

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<sup>25</sup> Seale, *Researching Society and Culture*. P.14-15

<sup>26</sup> Helene Starks and Susan Brown Trinidad, "Choose Your Method: A Comparison of Phenomenology, Discourse Analysis, and Grounded Theory," *Qualitative health research* 17, no. 10 (2007). P.1372-1380

<sup>27</sup> Seale, *Researching Society and Culture*. P. 15

<sup>28</sup> Vincent Pouliot, "'Subjectivism': Toward a Constructivist Methodology," *International Studies Quarterly* 51, no. 2 (2007). P.361

<sup>29</sup> Aspers, "Empirical Phenomenology: A Qualitative Research Approach (the Cologne Seminars)." P.5

second, the researcher should be able to make his/her study communicable and understandable to both other scientists and first-order constructs.<sup>30</sup>

This philosophy tries to give explanations to the events that are taken for granted in our modern life. Thus, it is in the understanding the meaning of why and how of life's practices, that this philosophy is founded, with the attention on the subjective experiences of real people.<sup>31</sup> The daily actions are the core elements to understanding certain general and common behavior, which are important and they should not be left behind.

It is in the finding of *common-sense objects* that this research will use both sources from author books and newspaper articles, which represents the voice of common people, and also from academic papers and governmental articles. This will help to give to the researcher a tactile overview, based on a literature review of multiple kind of sources. Common people are the key of this project; therefore, in order to give a realistic interpretation, it has been necessary to also include common texts, which will be used to have a better understanding of a social phenomenon.

However, in order to carry out this kind of research it is needed to set some more structure in order to organize the analysis part of the research. Therefore, next sections will focus on the methods used, which allow to gain a good result from the phenomenological approach.

### **2.2.2 Interpretative Approach**

The methods of this research will support the hermeneutic approach of phenomenology, which uses an interpretative and historical approach. This section will present the importance of interpretative approach in both social science and in this research, instead, next section will focus on the elucidation of the historical approach.

Emanuel Adler, Professor of Political Science, states that "interpretation is an intrinsic part of the social sciences,"<sup>32</sup> which enable the understanding of meanings, simultaneously with the comprehension of the social life.<sup>33</sup> Interpretation means being able to activate a process of de-contextualization and of re-contextualization, which reflects the parallel analysis of Schütz's first and second order constructs.

Thus, it is the task of this methodology to interpret facts through coding patterns, reducing data to a neutral idea, and then through re-organizing the findings into a general perspective, or better, a general

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<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> Pouliot, "'Subjectivism': Toward a Constructivist Methodology." P. 365

<sup>33</sup> Ibid.

interpretation.<sup>34</sup> It is in the coding, writing, and re-writing process that a researcher would find meanings and understandings. As Helene Starks and Susan Brown Trinidad well described, “phenomenological analysis is primarily a writing exercise, as it is through the process of writing and rewriting that the researcher can distill meaning.”<sup>35</sup> Thus, from the readings of books, newspapers, and academic articles, the work focused on the first order constructs, and in these the author started coding patterns. Thanks to both inter-subjectivity of these multiple sources and the process of de-contextualization and re-contextualization, the author managed to produce a neutral and general perspective of the matters seen in this thesis. The key of this process is the writing and re-writing part, which has the power to reduce information to its minimal core, which results to be the more objective and neutral one.

Likewise, the best known hermeneutic phenomenologist, Martin Heidegger, focused his works in understanding how interpretation has not only its own significance in its approach, but it eventually has influences and intersections with an individual’s background and historicity.<sup>36</sup> He states that “nothing can be encountered without reference to a person’s background understanding.”<sup>37</sup> According to hermeneutics, social research would not be fully satisfying if the background and history are neglected. Thus, this project will undertake both an interpretative approach as epistemology and an historical approach as a tool to dig into the finding of the meanings of social facts. These methods are used firstly to try to validate the study as much neutrally as possible, and secondly to produce a better result without excluding any explanation and detail.

### 2.2.3 Historical Approach

The hermeneutic phenomenology has always evaluated historicity as an important factor in interpretation, and for this reason historicity will be used as the method that completes this research. Historicity means the exploration of the historical background of facts and events. As Heidegger thought, the author also believes in the importance of person’s history and background when it comes to a study or analysis of social facts. A historical approach allows the scholar to see the culture and the understanding of the world that a particular person has.<sup>38</sup> A researcher in Hermeneutic Phenomenology, Susann Laverty, highlighted an important essence of this method: “through this understanding, one determines what is ‘*real*’;”<sup>39</sup> this explains what a phenomenologist researcher aims to have: a concrete understanding of the *real*. *Real*

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<sup>34</sup> Starks and Brown Trinidad, "Choose Your Method: A Comparison of Phenomenology, Discourse Analysis, and Grounded Theory." P. 1376

<sup>35</sup> Ibid.

<sup>36</sup> Susann M Laverty, "Hermeneutic Phenomenology and Phenomenology: A Comparison of Historical and Methodological Considerations," *International journal of qualitative methods* 2, no. 3 (2003). P.24

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid. p.24

refers to what a human being feels, thinks, and lives, as part of humankind on this planet. It is with the sum of all these variables that the *real* in a research becomes a final interpretation and a conclusion. The historical approach includes all the necessary information about a person's or society's background and history. As historian Professor Michael Moissej Postan claims, what "history can do for social science is to go on studying individual situations, [...] ask questions and look for answers capable of revealing the action of social causes."<sup>40</sup> Therefore, the study of the background of social facts has the power to demonstrate and understand a general or theoretical problem of an entire society.

Moreover, a historian has the ability to make facts abstract, and this is what this study will do. This means that by analyzing social facts in its historicity, grouping them into classes and types,<sup>41</sup> it will then be possible to discover a generic understanding of a phenomenon. Having an *abstract fact* eventually means to have been able to produce a generic understanding of meanings of a social fact. Therefore, an historical approach can give concreteness to phenomena,<sup>42</sup> in a way that explains facts in the more objective way. However, it is also significant to bear in mind that there is never an imperative law or conclusion that explicates facts; indeed, everyone might give one possible interpretation of a phenomenon, which will be one general understanding of a particular case. "The path of science is that progressive reduction in the choice of expectation, and the further the choice is reduced the nearer is thought to the ideal of science and the further it is from primitive ignorance."<sup>43</sup> Thus, any interpretation based on historical approach of this study might give nevertheless an incentive to further social science research regarding the restrictive immigration policies of Japan.

#### **2.2.4 The Research Holistically**

This research focuses in finding historical and social meanings that will possibly explain the strictness of Japanese Immigration Policies. Thus, through phenomenology it will be possible to discover the first order constructs, to analyze them in their pure meanings, to understand their role and to explain them through the process of re-contextualization. However, not possible would be the process of de- and re-contextualization without interpretation, which plays the important role on the method of the analysis. This because "to de-contextualize" means to take a text and try to extract concepts and ideas, which should be taken in their more neutral way. Instead, "to re-contextualize" means to take these concepts found in different sources and try to recompose a general idea. In these two processes, however, there is first of all

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<sup>40</sup> Michael Moissej Postan, *The Historical Method in Social Science* (Cambridge: Cambridge University Press, 1939). P. 33-34

<sup>41</sup> Ibid. p.37

<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

the personal understanding of the concepts by the researcher and then there will be an interpretation from the researcher's side. As hermeneutic Hans Georg Gadamer says, it is difficult to separate understanding and interpretation; without the one or the other, a final interpretation would be almost unmanageable.<sup>44</sup> The understanding of meanings comes through interpretation of both single first order constructs and the interpretation of all the constructs together. Frequently, social researchers are judged as subjective, full of bias; but Gadamer found an interesting compromise that gives value to the approach of interpretation in a social research. He describes interpretation as the objectification of meanings,<sup>45</sup> as a "fusion of horizons."<sup>46</sup> This will be possible when the first order constructs are taken in their more neutral meanings. The method will categorize the social facts of Japanese society and history into groups of interpretation, which permits me to build a second order constructs upon these initial ideas. Being able to focus on specific behavior and ideas of religion, historical events, political choices will capture vast data based on people's real life, which allows me to achieve a more objective result. Multiple sources are the result of intersubjectivity, and they also give more validity. Moreover, an historical approach method will give the final authenticity and validity to this social research. Historicity is as important as interpretation, which both give a better objectivity to the facts. Because of the involvement of both interpretation and historicity, there will be the possibility to analyze the history and the background of Japan, in the following areas: religion, traditions, and immigration.

Summing up, having phenomenology as methodology will answer to the issue of bias; this include the use of both interpretations of the first order constructs into the second order constructs, and the use of historical approach to prove and verify facts and meanings through time. A literature review will be successful in this project when both interpretation and historical approach will be used in order to provide an understanding of the connection of the societal and political perspective over the matter of the Japanese Immigration Policies.

#### 2.2.4.1 PROVING METHODOLOGY AND METHODS

The Seven Steps of Empirical Phenomenology theorized by Patrik Aspers,<sup>47</sup> are useful in order to prove the methodology and methods of this research. Following, there will be presented The Seven Steps to take in order to have a clear and well-done structure of a project:

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<sup>44</sup> Laverty, "Hermeneutic Phenomenology and Phenomenology: A Comparison of Historical and Methodological Considerations."

<sup>45</sup> Ibid.

<sup>46</sup> Ibid. p.24

<sup>47</sup> Aspers, "Empirical Phenomenology: A Qualitative Research Approach (the Cologne Seminars)."

1. *Define the research question.*
2. *Conduct a preliminary study.*
3. *Choose a theory and use it as a scheme of reference.*
4. *Study first-order constructs (and bracket the theories).*
5. *Construct second-order constructs.*
6. *Check for unintended effects.*
7. *Relate the evidence to the scientific literature and the empirical field of study.*<sup>48</sup>

Point one, *defining the research question*: the research question has been shaped around the understanding of why Japanese immigration policies are so strict and restrictive. Thus, a *preliminary study* (point 2) has been conducted over the case study of the Japanese Immigration System. Point 3 analyzes the theory chosen for the research; in this project, there will be two theoretical frameworks that will give a deep comprehension of the two theoretical aspects of this thesis: society and immigration policies. The areas studied include history, religion, and traditions in the first, and immigration history and immigration policies in the second. These two frameworks are considered the main pillar of this thesis, in which the final analysis will be found. The methodology, *Phenomenology*, will give the possibility to discover the different social facts that compose the cultural and political side of the theoretical frameworks. Hence, with point four and five of the steps, *first- and second- order constructs*, the study will encounter the main centerpiece of this research: the understanding and the final interpretation of Japanese social facts. These phases cover the main and deep analysis of the findings of social constructs that make up the strict and rigid immigration policies in Japan. Therefore, these two points of the scale are the description of the process of coding and writing and re-writing of the thesis, which allowed to build a final hypothetical conclusion. For this reason, both interpretation and historicity are the tools (methods) used in order to build the content of this study. Hence, this research will see an analysis and consideration of social facts through time (religion, traditions, and immigration). Certainly, important in any social research is to prevent any possible accidental actions in the analysis of facts, for example bias. Bias can be the *unintended effects* (point six) of the Seven Steps of Empirical Phenomenology, which should not cause problems if there is a strong structure built upon methodology, methods, and theoretical frameworks. With step seven, the spotlight is on the role of the understanding the process of the research's interpretations and ideas. In here, important is the ability of the researcher of being able to produce a project that can be communicated to both the common people from the first order constructs and to other social scientists. It is, thus, essential

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<sup>48</sup> Ibid.

to be able to create a study that is valid and understood by both academics and the common people studied. The general understanding of this matter should produce a final effective contribution to social science.

### **2.2.5 Understanding the Project**

*Phenomenology* is the methodology chosen for this research, which takes all the analytical methods (inter-subjectivity, historicity, and interpretation) under its wings.<sup>49</sup> With the inclusion of *context values*, it has been discovered the necessity in this project to include also other information found useful in understanding the matter. The new information included is the societal study of the Japanese people. The decision of enhancing the *context values* gave to the research the possibility to discover interconnected studies not considered in other researches. Thus, this project will find a new and original interpretation of why Japanese Immigration Policies are strict, thanks to the connection of immigration policies to the societal study.

The new information found relevant to the final hypothesis about the matter are: Japanese purity, the meaning of *kata* (The way of doing things), *harmony* (an important manner of the Japanese society), Japanese beliefs, and religion. To understand and deeply explicate these latter Japanese concepts, it has been useful to go back through history and to analyze present and past Japanese events and actions. What is visible in the nowadays society is actually a sedimentation of old and ancient custom. Therefore, useful is to dig in the past and discover the meanings of phenomena, and to give possible explanations of social facts.

To sum up, the initial interest over the Japanese immigration polices conducted to the discovery of relevant *context values* that made constituent parts of the study. Therefore, the project of *Peaceful Japanese Nationalism, A Case Study of Japanese Immigration Policies* will find a final interpretation and analysis based not just on theoretical understandings about immigration policies, but also on all the social aspects of this society: history, religion, and traditions, which cover the societal side of the first theoretical framework of this thesis.

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<sup>49</sup> Carole Pateman, "Political Culture, Political Structure and Political Change," *British Journal of Political Science* 1, no. 3 (1971). P. 293-295





3.

## JAPANESE SOCIETY

### A Theoretical Framework

日本

*Figure 2 Japanese Script of 'Ni-hon' (Japan)*

### 3.1 INTRODUCING THE THEORETICAL FRAMEWORKS

*Are there historical events that brought Japan to carry such strong decisions regarding immigration?*

This chapter will examine Japanese history and culture in its most significant events and facts in order to eventually give an answer to this sub-research-question. Therefore, in here it will be possible to build the first theoretical framework, in which some aspects of the Japanese society will be interpreted and understood. However, this chapter represents the first theoretical framework of two. This first will cover a theoretical understanding of the Japanese societal meanings, and the second will instead elucidate Japanese Immigration Policies.

These two theoretical frameworks will be used in carrying out an historical analysis of both the private/society and public/state sphere. An historical background will create a theoretical structure in which there will not left behind “histories of contestation, transformation, and social relationships.”<sup>50</sup> The reflexivity of going back to the phenomena itself proves a better validity of social facts. The historical sociology of concept formation<sup>51</sup> analyzes deeply social interests derived from knowledge, theories, beliefs, and interests over the time of norms and institutions. Therefore, the coverage of both the public (in this chapter) and the state (in chapter 4) will make possible to have a more fruitful conclusion of the matter of the strictness Japanese Immigration Policies.

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<sup>50</sup> Margaret R. Somers, "What's Political or Cultural About Political Culture and the Public Sphere? Toward an Historical Sociology of Concept Formation," *Sociological theory* (1995).

<sup>51</sup> Ibid.

## 3.2 JAPANESE HISTORY

“*[The Japanese] will surprise the world!*”<sup>52</sup>

-*Captain Henry Holmes.*

The first exploration of the Japanese history is dated back to ancient but important chronicles (Nihongi), which are considered “the standard native history of Ancient Japan.”<sup>53</sup> Ancient Japanese chronicles tell us that Izanami and Izanagi were the two gods appearing after the creation of the universe.<sup>54</sup> These are known to be the one creating the first and only land on earth: Japan. With this legend, it was believed that the world had its borders within the Japanese soil.<sup>55</sup> The legend survived through the decades given its majestic description of Japan as the first land created on Earth. Prince Shōtoku, in the 6<sup>th</sup> century, was writing letters to China with written in the headers “From the sovereign of the land of the rising sun.”<sup>56</sup> This shows the determination of considering the land still as the first and only land to see the sun first, as unique factor of the first land created on earth. This legend is a symbol of the consistency of the Japanese people throughout their history. It denotes their endurance in believing in things that were established in the ancient past. A lot of other thoughts and beliefs have been carried from the past to the nowadays, thus, it is extremely important to analyze important events in the history of this land, in order to understand better the population and its modern behavior.

### 3.2.1 THE PRINCE

The Japanese have a few important legends, and the second oldest most important one is *Nihon Shoki*, which tells the story of the famous and distinguished Prince Regent Shotoku Taishi<sup>57</sup> (574-622).<sup>58</sup> The legend is based on the story and deeds of the Prince in the 6th century. The Prince’s early days were spent learning the art of Buddhism from a Korean monk. Later, he

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<sup>52</sup> Boye Lafayette De Mente, *The Loss of Japan’s Secret Weapon! The Kata Factor* (Phoenix: Phoenix Books, 2014). p. 8

<sup>53</sup> William George Aston, *Nihongi: Chronicles of Japan from the Earliest Times to Ad 697* (Routledge, 2010). P.V

<sup>54</sup> Dario Fabbri, "L'importanza D'essere Giappone," *Limes* 2/2018 (2018). p.34

<sup>55</sup> Ibid. p. 34

<sup>56</sup> Ken Mogi, *The Little Book of Ikigai. Live a Happy and Long Life the Japanese Way* (London: Quercus Editions Ltd, 2017). p.26

<sup>57</sup> Kenneth Doo Young Lee, *Prince and the Monk, The: Shotoku Worship in Shinran's Buddhism* (SUNY Press, 2012). p.1

<sup>58</sup> Bruce, "Statesmanship and Sainthood: The Legend of Prince Shotoku in the Founding of Japanese Buddhism".

became intrigued by learning more from all the Chinese and Korean refugees entering Japan due to the civil war in these countries.<sup>59</sup> During this period, a lot of Chinese scrolls were imported in Japan and these would in the future become great treasures for the country. Eventually, when China re-woke from the civil war and consequently entered the Golden Age, Prince Shotoku, started to investigate the new success of China. The Chinese Golden Age, under Tang Dynasty (7<sup>th</sup> - 10<sup>th</sup> century),<sup>60</sup> was seen from the Prince as the climax of a great empire, in which he believed to find universal answers in how to organize a successful nation.<sup>61</sup> Therefore, as the years go by, the Chinese scrolls became more interesting to all the Japanese people, as sources to study in order to achieve a great nation. Shortly the Land of the rising sun began to acquire imported Chinese Confucian ideologies and Buddhist theology,<sup>62</sup> and to make them its own principles and foundation for a new Japanese empire.

### 3.2.1.1 THE NEW BELIEF: JAPANESE BUDDHISM

With the example of the Chinese Great Empire, Prince Shotoku started to structure an inspirational formation of a new Japanese Empire. However, in the plan the old Shintō beliefs were left behind.<sup>63</sup> Shintō was believed to be a weaker credence because it did not empower the role of the emperor as such to give him absolute authority. Instead, the idea of having Buddhist emperor<sup>64</sup> would have meant having more power among all the people in the reign, consequently, more dominance. To understand better, the emperor in Shintō religion had a lot of limitations of power; the emperor himself was not allowed to act on behalf of people outside his own families, which means that his power would embrace just his family and not the whole country.<sup>65</sup> In the contrary, the position of a Buddhist emperor had an extended power to everyone, and not just to his family.<sup>66</sup> Therefore, Prince Shotoku made himself a new religion that incorporates the old beliefs of Shintō into Buddhism.<sup>67</sup> He had called himself the “Father of Japanese Buddhism,” as the introduction of Buddhism as the new religion in Japan that comes from Chinese Confucian ideologies but shaped into Japanese old beliefs.<sup>68</sup> Therefore, a

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<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

<sup>67</sup> Hyman Kublin, *Japan: Selected Readings* (Houghton Mifflin Company, 1968). P. 31-34

<sup>68</sup> Ibid.

new religion was founded, and this was made with the integration of principles of multiple beliefs (Shintō, Buddhism, and Confucianism), known as *Japanese Buddhism*. Certainly, Prince Shotoku included in the new beliefs all kind of people coming from different beliefs, which made himself loved from all the parties. *Japanese Buddhism* have been thought as the inclusive religion that empowers the role of the emperor. It seems the right move to do when there is a wish of power and control over all kind of people: inclusiveness of all people in order to get consents and approvals from all.

### 3.2.1.2 FIRST JAPANESE CONSTITUTION

More than that, the Prince continued structuring the new Japanese Empire and created the first Japanese Constitution: The Seventeen Articles Constitution of Prince Shotoku. In there, there are the maxims and principles of how a Japanese should behave and of what the common and personal beliefs have to be. It is a direct explanation of how to be Japanese, and how a Japanese should be: an instruction manual for the Japanese.

In this section, it possible to explore some of the articles of the constitution, in order to see the attention given on the explanation of precise details. It is of particular interest how the articles made every single concept clear and transparent in their doctrines:

*“The three treasures, which are Buddha, the (Buddhist) Law and the (Buddhist) Priesthood; should be given sincere reverence, for they are the final refuge of all living things. Few men are so bad that they cannot be taught their truth.”*<sup>69</sup>

This was included in the first Japanese reform in which Prince Shotoku announced the new Japanese Buddhist religion, incorporating all the beliefs of the old Shintō but also of Chinese Confucianism. Instead, the second reform gave Japan a centralized emperor:<sup>70</sup> an emperor with state and religious power; the result was a powerful Buddhist emperor. Article 3 of the Seventeen Articles Constitution meticulously explains the power of the emperor and the duty the inferiors have to take:

*“Do not fail to obey the commands of your Sovereign. He is like Heaven, which is above the Earth, and the vassal is like the Earth, which bears up Heaven. When Heaven and Earth are properly in place, the four seasons follow their course and all is well in Nature.*

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<sup>69</sup> Ibid. p.31

<sup>70</sup> Bruce, "Statesmanship and Sainthood: The Legend of Prince Shotoku in the Founding of Japanese Buddhism".

*But if the Earth attempts to take the place of Heaven, Heaven would simply fall in ruin. That is why the vassal listens when the lord speaks, and the inferior obeys when the superior acts. Consequently when you receive the commands of your Sovereign, do not fail to carry them out or ruin will be the natural result.”*<sup>71</sup>

Even if these articles show a rigid and strong inclination of control and submission of the population, Japanese Buddhism praises a long and devoted perseverance to such a degree that these beliefs are still ingrained nowadays in every Japanese.<sup>72</sup> However, even if certain events and histories will leave an important influence for the future of a nation, it is also important to analyze what the successive periods brought to the country and the people. Thus, the next sections will introduce shortly two periods of time in which a lot of other changes were made in Japan. These periods are known as the Shogun and the Meiji Restoration.

### **3.2.2 The Shogun**

Far away from any land, situated in the middle of the Pacific Ocean, Japan has been isolated for a long time. In 1545 a typhoon<sup>73</sup> brought the first ship of westerners to reach Japan, the sword-wearing warrior land.<sup>74</sup> The “silver island,”<sup>75</sup> abundant of precious metal, shined in the eyes of possible new trader. The vertical ranking Japanese society immediately revealed at its base the kindness and politeness of the common people, most of them rice and vegetable farmers.<sup>76</sup> Instead, the warriors were the shoguns and so the power of the feudal Japan, portraying the arrogant and rigidly imposed etiquette personality.<sup>77</sup> In this structured society, visitors arrived and brought with them Christianity, guns, tobacco,<sup>78</sup> and general trade. However, this first glimpse of openness of the Japanese to foreigners has eventually transmuted into another closeness. When the population understood the eager of these foreigners to make fortune<sup>79</sup> in the land of the rising sun of the rising sun, it closes up again in order to prevent any control and exploitation from the wicked foreigners.

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<sup>71</sup> Kublin, *Japan: Selected Readings*. P.32

<sup>72</sup> John Tucker, Japanese Confucian Philosophy, (The Stanford Encyclopedia of Philosophy, 2018).

<sup>73</sup> De Mente, *The Loss of Japan's Secret Weapon! The Kata Factor*. p. 8

<sup>74</sup> Ibid. P.9

<sup>75</sup> Michael S Laver, *The Sakoku Edicts and the Politics of Tokugawa Hegemony* (Cambria Press, 2011). p.5

<sup>76</sup> De Mente, *The Loss of Japan's Secret Weapon! The Kata Factor*. p. 9

<sup>77</sup> Ibid. p.9

<sup>78</sup> Ibid. p.9

<sup>79</sup> Ibid. p.9

### 3.2.2.1 SAKOKU AND THE SHOGUNATE

The island closed every possible entrance to the foreigners in 1630, a date known as the starting of the *sakoku* phase.<sup>80</sup> *Sakoku* is a term that has been translated by a famous German physician and traveler, Engelbert Kaempfer, in his book, *History of Japan*, as “closed country.”<sup>81</sup> This closure can be seen with different eyes: either as a closure to the world or a closure to the ones that Japanese people did not want to let enter. Thus, either perspectives see the Tokugawa shogun closing the international relations that were opened in the previous times. This decision was made because Tokugawa saw the break of the agreement by the foreigners in keeping religion and trade two separate entities.<sup>82</sup> This showed a disrespectful behavior, but also a danger to the people of Japan, which are keen believers in protecting their traditions and beliefs. Certain powers such as the English, the Spanish, and the Portuguese were banned from Japan, together with their trade and religions.<sup>83</sup> Nihon (Japan) had rejected and outcaste these actors that were attempting any type of colonization and/or control over the country.<sup>84</sup> For these reasons, Tokugawa instituted *The Sakoku Edicts* in which no foreign populations could enter Japan, and no Japanese could travel to any country, besides an unofficial trade in Nagasaki with the Dutch.<sup>85</sup> The latter people represent the example of the willing of the Japanese of trading with just the ones they want, and closing up to the ones that eager to conquer. This example of privileging certain people compered to others will be of extreme importance in the final analytical framework.

As this time era shows, the Japanese were a population that were predisposed to have new trade and new waves of modernization, but they always wanted to make sure that their ideologies were respected first. Especially, they always wished that no one would change their ideologies and custom with other from strangers. They knew themselves; they were Japanese: unique people with their own culture, traditions, and rules.

The *sakoku* lasted for centuries, carrying with it also strict and rigid behavior of the Tokugawa Shogunate against the Japanese. The population started to be extremely controlled like the foreigners.

It “*restricted mobility and limit potential instability amongst the general population included:*

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<sup>80</sup> Laver, *The Sakoku Edicts and the Politics of Tokugawa Hegemony*. p.2

<sup>81</sup> Ibid. p.2

<sup>82</sup> Ibid. p.2

<sup>83</sup> Ibid. p.2

<sup>84</sup> De Mente, *The Loss of Japane’s Secret Weapon! The Kata Factor*. p.10

<sup>85</sup> Laver, *The Sakoku Edicts and the Politics of Tokugawa Hegemony*. p.2

- *checks on land travel, with officially approved travel documents having to be obtained and shown at the barriers between domains:*
- *a curfew system that prevented people moving around at night without proper authority, especially outside their own town wards:*
- *the destruction of most bridges, thereby channeling movement and making it more manageable;*
- *the effective banning of wheeled transport;*
- *the use of secret police to report on any suspicious movement or happenings.”<sup>86</sup>*

The punishments for the transgressors were cruel and harsh. The collective responsibility was a principle forcefully respected, in which the heads of social groups were “held responsible for their members.”<sup>87</sup> For this reason, the Japanese became cautious in welcoming stranger in their member circle.<sup>88</sup> In this analysis it will be important to see also what the sentences to infractions were, because they will generate an important idea of the significance of transgress rules. A Frenchman and an Italian, which were able somehow to visit Japan during the Tokugawa Shogunate, reported the measures taken against the transgressors:

*“roasting, burning, crucifying both waives, drawing with fours Bulls and boyling in Oyl and Water,” and moreover, “[..] (‘trial cut’), samurai tested the efficiency of their swords on the corpses of executed criminals until the wretched body is chopped into mincemeat [..].”<sup>89</sup>*

This latter consideration about punishment of the Japanese shows the importance to make a penalty if someone acts against the law. This topic will be of extreme importance in the final analysis of how the Japanese perceive criminals nowadays.

### **3.2.3 The Importance of Shintō**

However, a new phase arrived in Japan with the chauvinistic movement in mid 17th century. At this time, many commentators began to revisit old traditions, and a lot of facts of the buried past of the Japanese people were discovered.<sup>90</sup> This movement marked the end of the Shogunate, and a lot of people with the power of criticism and with the determination for a new

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<sup>86</sup> Kenneth G Henshall and Kenneth G Henshall, *History of Japan* (Springer, 1999). P.55

<sup>87</sup> Ibid. P.56

<sup>88</sup> Ibid.

<sup>89</sup> Ibid. P.56

<sup>90</sup> Percival Lowell, *Occult Japan: Or, the Way of the Gods; an Esoteric Study of Japanese Personality and Possession* (Houghton, Mifflin, 1895). p. 17



Japanese restoration were able to originate a new era: the Meiji Period. From 1868 Japan has seen a great modernization and also revival of many past traditions, such as the cult of Shintō.<sup>91</sup> Shintō was supposed to be part of the *Japanese Buddhism*, as analyzed in the previous sections; however, this credence had instead been obscured by the other major belief of Buddhism. Therefore, from Prince Shotoku period, Shintō has been a vanished shadow in the Japanese society until the end of the Shogunate. The Meiji Restoration brought the renaissance of these old beliefs that were cut off from the Japanese “new” Buddhism, and so the re-flowering of hidden and concealed Shintō principles.

Shintō is the Way of the Gods, and it is the oldest religious belief of the people of Japan,<sup>92</sup> and the chauvinist movement wanted it back as main credence of Japan. It represents to the Japanese their birthright, the one religion that belong to them since their birth and over their ancestors.<sup>93</sup> An interesting comparison between Shintō and Buddhism sees the former believing that the dead are spiritually living, instead, the latter considering that the living are spiritually dead.<sup>94</sup> Therefore, a conclusion of these two concepts can be sum up with the idea that “Buddhist they are by virtue of belief; Shintō by virtue of being.”<sup>95</sup>

The Restoration marked the purification of all the Shrines<sup>96</sup> that Buddhism had taken under the *Japanese Buddhism* founded by Prince Shotoku based on the Seventeen Articles Constitution of the sixth century. This marked the re-opening of these sites of cult, finally, for these people believing in this religion.

Eventually, even if it has not been possible to have Shintō as the main religion, it had the chance to be more considered and to be raised its importance. Shortly after, it was collocated back as the integration to Buddhism, but with a stronger and more vital consideration from the population. Hence, even though Shintō beliefs were again put in the shadow, it was from that period that Shintō started being considered the Japanese virtue of being.

This step back of Shintō was caused by the predominant Buddhist government and by the arrival of the new prophet Herbert Spencer.<sup>97</sup> It has been called *Spencerian influence* what this

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<sup>91</sup> Ibid. p.18

<sup>92</sup> Ibid. p.16

<sup>93</sup> Ibid. p.19

<sup>94</sup> Ibid. p.21

<sup>95</sup> Ibid. p. 20

<sup>96</sup> Ibid. p.16

<sup>97</sup> Ibid. p.18

British philosopher and socialist brought to Japan in the late nineteenth century.<sup>98</sup> His social and political theories were one of the only ones translated into Japanese, and the one assimilated by the country for the country. Meiji Japan started basing its society and politics on Spencer's evolutionary sociology,<sup>99</sup> which connects to Social Darwinism that will be talked about later in this research.

Next section will introduce the typical and classic concepts of Japanese Culture which will eventually connect to the explanation of the evolutionary sociology of Herbert Spencer/Social Darwinism.

### 3.3 JAPANESE CULTURE

#### 3.3.1 Harmony

*“Harmony should be valued and quarrels should be avoided. Everyone has his biases, and few men are far-sighted. Therefore, some disobey their lords and fathers and keep up feuds with their neighbors. But when the superiors are in harmony with each other and the inferiors are friendly, then affairs are discussed quietly and the right view of matters prevails.”<sup>100</sup>*

This is the first Article of the Seventeen Articles Constitution of Prince Shotoku. The articles, even if old and ancient, have been followed and trusted since then. It was seen in the previous sections how Prince Shotoku tried to integrate two religions and aspects of Confucianism into one cult, which later on in Japan's history this has been challenged by criticism and movements. Instead, the concept of *harmony (wa)* displayed in the first article of the first Japanese Constitution is still a model or/and a maxim implanted and instilled in all Japanese, as Shintō's virtue of being. Even the name of the country was originally Yamato, which it was written in the Japanese characters of “Great Harmony” (Dai Wa).<sup>101</sup> Hence, this symbolizes the prominence of the idea and especially the importance of the obedience to this way of being. If both personal and public harmony is maintained in each person of the population, all of society can live in peace, and so in harmony.

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<sup>98</sup> Julia Adeney Thomas, "Naturalizing Nationhood: Ideology and Practice in Early Twentieth-Century Japan," *Journal of American Studies* 34 (2000): 116-117.

<sup>99</sup> Ibid.

<sup>100</sup> Kublin, *Japan: Selected Readings*. P.31

<sup>101</sup> Boyé Lafayette de Mente, *Japan. A Guide to Traditions, Customs and Etiquette. Kata as the Key to Understand the Japanese*.

*Harmony* has been the distinctive characteristic of the Japanese society in which many laws and customs were built in both the ancient and modern society.<sup>102</sup> Indeed, the promotion and maintenance had been strictly conducted in both private and public relationships.<sup>103</sup> For example, Emperor Hirohito, which reigned until 1989, is known as the Showa Era that means “Age of Enlightenment and Harmony.”<sup>104</sup> Instead, his successor and former Emperor Akihito, which reigned until 2019, is known as Heisei: Achieving Peace.<sup>105</sup> These two examples give an idea of the importance of harmony, so of peace, for the country, which comes from the name of the emperor itself.

Therefore, harmony should be seen in both familiar environments and also in situations of everyday life, when there are interactions with other people, both acquaintances and strangers. Harmony is integrated to the asset of the nowadays society.

In these last sections, it has been possible to see how the Japanese culture has been shaped around the ideology of preserving ancient beliefs and behavior. All the people of Japan are making no effort to pursue this life style because it seems these ideologies are part of their souls. For example, harmony has the power to generate certain customs that the society now has integrated as solid behavioral concepts. *Kata*, the way of doing things, is an example of how every possible action has its own way to be done, known as *the Japanese Way of doing things*. And this concept is also taken from the idea of *Harmony*. Therefore, next section will focus the attention on all these new ideologies that came from harmony and started being basics of Japanese Culture.

### 3.3.2 Kata

*Kata* is the way of doing things. It is possible to distinguish it from *Shikata* because this latter refers to the general concept of doing things. Instead, *kata* is the specific way of realizing one thing, one action, one product. There is only one way of doing something, and this is the Japanese way. The right way of doing things incorporates both the physical and spiritual laws of the cosmos.<sup>106</sup> An interesting comparison between Japanese and the Westerners would be

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<sup>102</sup> Ibid.

<sup>103</sup> Ibid.

<sup>104</sup> Arthur F Findeis and Sandy Kawano, "Onr Far East Scientific Information Bulletin. Volume 14, Number 1. Heisei, Achieving Universal Peace," (Office of Naval Research Asian Office APO San Fransisco 96503 1989); *ibid.* P. IV

<sup>105</sup> Ibid.

<sup>106</sup>

that the latter would say “ I don’t care how you do it, just get it done,” instead, the Japanese would say “Don’t do it unless you can do it right (the right way).”<sup>107</sup> As this is the Japanese way of thinking, it is correlated to the Japanese way of evaluating individuals: “attitude first, effort second, and result third.”<sup>108</sup> This explains how much this culture measure better how much of yourself and of your knowledge you put into something, rather than the result you accomplish. Anyways, this outcome will see a perfectionist society, as the Japanese are also known for.

The assiduousness of *kata* in every day’s action will make sure the maintenance of harmony in the society. Harmony, as seen in the previous section, is the indispensable maxim of the Japanese behavior and essence that has been stipulated in the first Japanese Constitution (the Seventeen Articles Constitution) in the 6th century. Thus, this explains why *kata* covers every possible action: The Way of the Gods, the Way of Wet-rice Farming, the Way of the Samurai, the Way of the Swords, the Way of the Ritual of the Tea, or the Way of Sumo, of Poetry, of Beauty Cult, of Bowing, of Art of Ambiguity, of the Mind, of Big Brother, of Groupism, or even the Way of Suicide or the Way of being Japanese (and many others).<sup>109</sup>

For example, the Way of Dressing Japanese can take the tradition back to the past when there was a rigid and firm rule on how to dress, depending on the rank and depending on the day of the year.<sup>110</sup> Even the day of the start of one season was marked by a strict change of clothing with an official announcement.<sup>111</sup> Nowadays misbehaving to this tradition would not result as an offense anymore, however, the idea of being sensitive on apparel and on the quality of texture still remains an important factor on the Japanese culture.

This way of living and thinking will introduce also another important ideology in this society. The Japanese culture has been shaped around the idea that anything you think or do has to be decided with the consent of others and not just by yourself.<sup>112</sup> For this reason, *kata* system implies the generalized process of everything, which will make almost nothing not covered by the way of doing things; therefore, that is the reason why everyone has to discuss collectively

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Boyé Lafayette de Mente, *Japan. A Guide to Traditions, Costums and Etiquette. Kata as the Key to Understand the Japanese.* P.19

<sup>107</sup> De Mente, *The Loss of Japane’s Secret Weapon! The Kata Factor.* P.26

<sup>108</sup> Ibid. p. 27

<sup>109</sup> Ibid. P. 5-6

<sup>110</sup> Ibid. p.92

<sup>111</sup> Ibid. p.92

<sup>112</sup> Boyé Lafayette de Mente, *Japan. A Guide to Traditions, Costums and Etiquette. Kata as the Key to Understand the Japanese.*p.22

whatever is not included in the traditional Japanese way of doing things. Hence, Japanese society would never stand individually against something, but if there would be a shame, all the collectivity would take the shame. Individualism is prohibited and envy eventually will be eliminated.<sup>113</sup>

Harmony can be understood, therefore, as the main methodology of Japanese life, and *kata* as one of the multiple tools used to succeed in this methodology.

### 3.3.3 Uniqueness and the Pure Race

As seen in the previous sections, some ancient chronicles disclosed the story of the formation of Japan by Izanami and Izanagi. Since then, it is believed that the land of the rising sun was the first land formed in the world, and so the Japanese has been the first humans residing on Earth.<sup>114</sup> Hence, the Japanese people have in their blood this sentiment of uniqueness of being the first and only race on Earth and nowadays it is still possible to see they are still honoring their Japaneseness. *Kata*, for example, is the expression of the unique ways Japanese decided to live their lives, having their own way of doing everything. The *kata*-ized culture is therefore an imminent factor of the way of living compared to the other societies, which to the Japanese eyes might result inferior.<sup>115</sup> Being Japanese is an innate symptom, and Japanese system has been trying to protect since the Shotoku Era. Even now that Nihon is becoming more international, every people are making sure to carry their traditional asset and never losing their Japaneseness even if they speak other languages and they have to deal with foreign market.<sup>116</sup> Another characteristic of the Japanese uniqueness could stand on the term “*Kodawari*.” *Kodawari* means the commitment or insistence a person put in some work. This is a personal and natural trait, and this distinguishes the result obtained by the work of a Japanese compared to another person of the world.<sup>117</sup> They do things precisely and meticulously. Therefore, they are known for been unique in their professionalism and perfection of things.

#### 3.3.3.1 CONFUCIANISM

Japanese perfectionism and uniqueness come with the practice of *kata*, as explained earlier. However, it is important to not forget that this concept come from the idea of *harmony*

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<sup>113</sup> Ibid. p.22

<sup>114</sup> Fabbri, "L'importanza D'essere Giappone."

<sup>115</sup> De Mente, *The Loss of Japan's Secret Weapon! The Kata Factor*. P.95

<sup>116</sup> Ibid. p.98

<sup>117</sup> Mogi, *The Little Book of Ikigai. Live a Happy and Long Life the Japanese Way*. . 39 - 40

imprinted in the Japanese society in the 6th century. Hence, interesting is to make a step back and see more specifically why this perfection arrives in Japan that time.

The first Japanese Constitution was based primarily on the theology of Buddhism and philosophy of Confucianism. The latter gave to the people the push to integrate in their life a pursuing of “moral and intellectual perfection,”<sup>118</sup> and of “harmony and order.”<sup>119</sup> These are high-minded ideal that Confucianism reserved for the Japanese, which is still challenging themselves to “the highest state of ethical perfection and self-realization.”<sup>120</sup> Therefore, this society has its own uniqueness rooted back the period of Prince Shotoku when Buddhism and Confucianism were imported from both China and Korea, and eventually made these fundamentals their own.

### 3.3.3.2 Nihonjiron And the Eugenic

*Nihonjinron* is related to the concept of Japaneseness, and means “the theories of Japanese.”<sup>121</sup> This notion educes the values that every Japanese have and should share with the world in order to show themselves. There is a passage of an article that explains perfectly the concept that *Nihonjinron*

*“advocates share the fundamental assumption that Japaneseness, which every single Japanese supposedly possesses, has existed indefinitely, that Japaneseness differs fundamentally from ‘westernness’, namely western orientations, and determines all aspects of Japanese ways of life.”*<sup>122</sup>

Therefore, there is a glorification of how Japanese behavior is superior and greater.

However, the ardent support of Japanese traditions can be related to the support of Japanese nationhood,<sup>123</sup> which could be understood as a nationalistic approach. For this reason, radical movements find their core in these traditional concepts. In fact, radical and nationalistic campaigns can be seen in Japan at least since the early 19th and 20th century, a time in which Eugenic Theories were first introduced thanks to the wave brought by the translations of

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<sup>118</sup> Tucker, *Japanese Confucian Philosophy*. P.2

<sup>119</sup> Ibid.

<sup>120</sup> Ibid. P.1

<sup>121</sup> Yoshio Sugimoto, "Making Sense of Nihonjinron," *Thesis Eleven* 57, no. 1 (1999). P.81

<sup>122</sup> Ibid. P. 82

<sup>123</sup> Ibid.

Herbert Spencer.<sup>124</sup> Therefore, *pureblood* theory has been adopted by the government firstly to sterilize “criminals and people with perceived genetic disorders.”<sup>125</sup> Since then, people with certain illnesses not recognized by the Japanese were put in isolation into colonies in order to not contaminate the *pure* Japanese.<sup>126</sup> Sterilization started in 1915, but especially during the Second World War, Japan had started a campaign of purification and sterilization of the Japanese race.<sup>127</sup> For example, women that had an intercourse with foreign soldiers during the war were put to work at the center of sterilization and considered a low class or poor people, because not anymore *pureblooded*.<sup>128</sup> In 1948, the Eugenics Protection Law passed and it included the sterilization also of those having mental illnesses, until 1996 when the law was abolished.<sup>129</sup> However, “Japan says forced sterilizations merit no payments, no apology,”<sup>130</sup> so it is well understood in this statement that Japan had justified its action by the fact that the law was legal at the time of the happenings, so there are no apologies needed.

In here, as in the section regarding punishments during the Tokugawa Shogunate, it is possible to have another example of the Japanese behavior against the one breaking the rules and the one not considered belonging to the Japanese identity. Thus, the final analysis will re-connect to this thematic, which will have to have a better hypothetical conclusion over the matter of strict Japanese Immigration Policies.

As of now, this research has a solid ground formed with some important information from the ancient past, the more imminent past, traditions, beliefs, and culture of Japan and of the Japanese. Therefore, now, it will be possible to eventually make a step ahead towards the examination of the other theoretical framework: Immigration Policies. In the next chapter, immigration history and policies will be studied, which will take the research closer to the final analysis.

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124 Colette Leung, "Japan - Eugenics Archive," <http://eugenicsarchive.ca/database/documents/51c279d197b8940a54000010>.

125 Ibid.

126 Ibid.

127 Ibid.

128 Ibid.

129 Ibid.

130 Ibid.





# 4.

## IMMIGRATION POLICIES

### A Theoretical Framework



Figure3 Kanji that means "hafu". Coming from the English word "half," it symbolizes all the people coming from a Japanese and non-Japanese parent.

<http://zoomgiappone.info/2018/01/societa-hafu-laltro-giappone/>, 03 March 2019

## 4.1 INTRODUCING THE THEORETICAL FRAMEWORK

The previous chapter focuses on the deep understanding of important aspects of the Japanese society, directing the attention to both the history of Japanese beliefs, but also to the ideologies of the society. Having had this kind of chapter made sure to have a solid understanding of the strong and cohesive Japaneseness of the Japanese people. Therefore, the discourses about the society help to build following distinguished matters, which will contribute to the final understanding of the main core of this project: finding an interpretation regarding the reason why Japan has strict Immigration laws. Therefore, this chapter will focus on the process of immigration in Japan, which will successively help to the final finding. The question that will be answered in this section is:

*What are the limitations, advantages, and disadvantages of these immigration policies for and against Japan and the immigrant?*

## 4.2 IMMIGRATION

Immigration has been an important topic in Japan since its important flow of immigrants during the second World War. Japanese have an exclusive interpretation and approach towards foreigners, which will make them shape their own and distinguished immigration policies. In here, there will be a clarification and elucidation of why and how Japan is lacking an “open-door migration policy.”<sup>131</sup> Its closeness towards new comers, consequently privileging their national identity will eventually lead to have a final comprehension (in chapter 5) of the reasons why this thesis has been named *Peaceful Japanese Nationalism*.

In this chapter, there will be an introduction of the short history of immigration to Japan, of the immigration policies, and there will be also introduced the main concepts and ideas of how foreigners can enter Japan. Thus, this chapter, together with the previous one, will help to consolidate a well-based theoretical framework, which will help to then have a final analysis based on solid grounds.

### 4.2.1 Japanese Migration History

Immigration has been always a taboo in the Japanese society. Seeing through history of immigration in Japan it is possible to understand that this phenomenon can be considered as one of the major factor of the nationalistic identity of Japan.

During the Second World War, many workers from China and Korea were brought to Japan to fulfil the sectors that were left free by the Japanese soldiers.<sup>132</sup> The foreigners reached 3.3 percent<sup>133</sup> of the total population in Japan. However, with the end of the war the foreign population has been reduced by the coming back of Japanese nationals from war. Therefore, millions of Koreans and Chines that were introduced to Japan had to return to their home countries, after having helped the Japanese economy to survive.

It is since early ages that it can be seen that Japanese have never been so much inclined to be open to migration and to foreigners; so, as the example of the Chinese and Koreans shows, this foreign population were sent back to their homeland as soon as the Japanese did not need them anymore. For this reason, Japan considers the Korean and Chinese immigration during the

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<sup>131</sup> Gabriele Vogt, "Friend and Foe. Juxtaposing Japan's Migration Discourses," in *Governing Insecurity in Japan: The Domestic Discourse and Policy Response*, ed. Wilhelm Vosse, Reinhard Drifte, and Verena Blechinger-Talcott (Routledge, 2014). P.50

<sup>132</sup> Yasuo Kuwahara, "Japan's Dilemma: Can International Migration Be Controlled?," in *Temporary Workers or Future Citizens?* (Springer, 1998). P. 355

<sup>133</sup> Demetrios G Papademetriou and Kimberly A Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, vol. 10 (Carnegie Endowment for International Peace, 2000). P.9

Second World War just an “residual of Japan’s military history,”<sup>134</sup> because it does not want to describe it as a real migration era.

Nevertheless, some events had happened in the history of Japan that made Japanese revisiting some important issues about immigration, and also made them finding other compromises towards foreigners. Next sections will help to understand better the events that changed the Japanese perspective and will also examine the history of migration in Japan in order to see what has changed and also how the migration policies are arranged now.

#### 4.2.1.1 HEISEI BOOM

With the awakening of Japan after the loss of the World War II, the land of the rising sun saw its golden age with an astonishing economic growth.<sup>135</sup> This episode is known as the “Heisei boom”<sup>136</sup> (from *Heisei Era* meaning “achieving peace”),<sup>137</sup> or the Japan’s bubble economy of 1980s.<sup>138</sup> This period set up new changes: Japanese became more sensitive regarding to job-choices and Japan saw an “influx of global workers”<sup>139</sup> entering the country. What this means is that with the economic growth in the 1980s, certain jobs became less interesting and especially less appealing to the more rich and ambitious standard Japanese. Blue-collar jobs were considered not adequate to them anymore because believed to do not give a high status to a person. Hence, the personal status became more important than job security.<sup>140</sup> A new name was given to these jobs that were not in the standard-status of the Japanese, and these are the “3K” jobs. *Kitanai* (dirty), *kitsui* (demanding or difficult), and *kiken* (dangerous)<sup>141</sup> are the explanation of the “3K.” This new job-asset, in which 3K jobs were shunned by most of the Japanese, provoked a stagnation. In fact, in the early 1990s<sup>142</sup> Japan had seen its economic bubble failing toward a decline, it had experienced a crisis (*kikikan*).<sup>143</sup>

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<sup>134</sup> Ibid.

<sup>135</sup> Ibid.

<sup>136</sup> Ibid. p.10

<sup>137</sup> Findeis and Kawano, "Onr Far East Scientific Information Bulletin. Volume 14, Number 1. Heisei, Achieving Universal Peace." P.IV

<sup>138</sup> Vogt, "Friend and Foe. Juxtaposing Japan’s Migration Discourses." P.51

<sup>139</sup> Keiko Yamanaka, "Increasing Gaps between Immigration Policies and Outcomes in Japan: The Responsibility of Researchers in International Migration Studies," *Social Science Japan Journal* 14, no. 2 (2011). P. 247

<sup>140</sup> Papademetriou and Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, 10. p.11

<sup>141</sup> Ibid.

<sup>142</sup> Ibid. p.14

<sup>143</sup> Vogt, "Friend and Foe. Juxtaposing Japan’s Migration Discourses." P.51

What happened next was the finding of a solution that would make a lot of companies survive and not falling into bankrupt or failure. Therefore, one of the easiest option the small companies had in order to survive the economic decline was to hire foreign workers.<sup>144</sup> Immigrants, especially from other Asian countries, which have labor surpluses or a high labor force rate, were much more incline to accept “3k” jobs in Japan than Japanese people and were also less paid. Nihon can be considered a popular destination for Asians because even a “3k” job can have a higher wage compared to their home countries’ high ranked jobs,<sup>145</sup> even with a lower Japanese standard wage. For this reason, Japanese small firms viewed again the foreigners as a solution to fulfil working places, as the major labor force in blue-collar works, as the boost of the national economy.<sup>146</sup>

However, the Immigration Control Law did not make the way to Japan easy. The Immigration Bureau has established laws that would permit an easier entrance to skilled workers but would not permit an easy entrance to unskilled ones (blue-collar workers).<sup>147</sup> The revision of Japan’s Immigration Control and Refugee Recognition Act (known as *Nyūkanhō*)<sup>148</sup> in 1990s will be explained in the next section together with an overview in how Japan has dealt with the stagnation of the 90s.

#### 4.2.1.2 ILLEGAL IMMIGRATION

This section will examine why illegal immigration to Japan started being a big issue during the stagnation, and also why this phenomenon can also be considered at the same time a relief to the Japanese. First, it was a problem for the fact that a lot of people started arriving in Japan illegally because there were not visas for unskilled workers; hence, a lot of illegal people were living in a country without permission and working dangerous jobs. Moreover, the living condition of these people were scarce and precarious, and, of course, without national insurance that could cover health or personal security. The jobs taken from illegal people were “3k” works, so dangerous ones, as for example constructions or manufacturing sectors.<sup>149</sup> In addition to that, usually the employees were exploiting the workers in the working hours and

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<sup>144</sup> Papademetriou and Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, 10.

<sup>145</sup> Ibid. p.22

<sup>146</sup> Vogt, "Friend and Foe. Juxtaposing Japan's Migration Discourses." P.51

<sup>147</sup> Kuwahara, "Japan's Dilemma: Can International Migration Be Controlled?." P.356

<sup>148</sup> Vogt, "Friend and Foe. Juxtaposing Japan's Migration Discourses." P.50-1

<sup>149</sup> Papademetriou and Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, 10.p.29

also on the salary.<sup>150</sup> Extra hours often were not paid and human rights conditions were not respected. Therefore, illegal immigrants were obliged to obey to the proprietor in order to not get expelled by the country if a misbehavior by the employer would have been testified.<sup>151</sup> In 1993, it has been reported the highest peak of clandestine migration in Japan, and the number reached 300.000 unauthorized immigrants.<sup>152</sup>

However,

*“not surprisingly, local government authorities seem far more willing to accommodate immigrants than their national government counterparts, especially in ‘company towns’ where the health of local business is heavily dependent on the continued availability of foreign labor.”<sup>153</sup>*

This explains how the employers of small companies were actually finding the foreign labor really useful for the health of their activities. These people helped Japanese small firms to survive and continue their activities. This can be considered a relief to these Japanese because it has been thanks to the illegal and foreign labor force that Japan could rise again, letting the economy re-stabilize.

#### 4.2.1.2.1 Migration Theories

The flow of illegal people had its highest peak after passing the immigration law in 1990. This means that the Immigration Control Act of 1990 was merely considered by the local firms that were sinking in their collapse, due to the stagnation. The Act imposed the impossibility of unskilled people to enter Japan as labor force, therefore, because both the small company's employer needed low-wages workers and illegals needed work, they both just decided to risk and take the journey to the illegal state of being. Luckily enough, Japan received these people willing to increase their household situation. Often, sociologist and economist studying migration would refer to the push-pull theory in order to clarify the reasons of migration to dangerous and risky work-places.

*“‘Push’ factors are those that compel people to leave the country of origin (or the place in which they currently live) and include political oppression, poor living standards, and low economic opportunities. ‘Pull’ factors attract them to a different place, and include*

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<sup>150</sup> Ibid. p.35

<sup>151</sup> Ibid.

<sup>152</sup> Kuwahara, "Japan's Dilemma: Can International Migration Be Controlled?." P.355

<sup>153</sup> Papademetriou and Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, 10. P. 32

*a demand for labour, the opportunity for higher living standards, and political freedom.*"<sup>154</sup>

Since the push-pull theory focuses more on pull factors more distant from the reality of the immigration to Japan, the *New Economics of Labor Migration (NELM)* studies will be used instead. This approach looks at the labor migrant as a risk taker that tries to maximize and advance the quality of life of his/her household of origin.<sup>155</sup> Therefore, a member of a family that migrates to a riskier situation in order to provide income insurance for their family means that he/she has invested "in access to higher earning streams"<sup>156</sup> in order to produce a remittance. NELM is seen as the theory that evaluates the role of remittances in the context of motives for migrating.<sup>157</sup>

However, even if a lot of foreigners were seeking a place where to increase their household of origin, after the Act, in Japan, 1800 officer corps were hired from the government to investigate and to condemn these illegal immigrants.<sup>158</sup> But, this system had not worked properly from the beginning because often both the officer corps and the population would feel ambivalent to the unauthorized worker.<sup>159</sup> They, the Japanese themselves, realized that these people were simply taking the jobs that Japanese would never work, which were extremely necessary to the functioning of the country. If the illegal unskilled movement would not have happened, all small companies would have fallen much more in the abyss, and this would have taken Japan into a catastrophe. This is a simplistic explanation of why during the first years of the Immigration Act many Japanese broke the rule and hired undocumented people, risking sanctions,<sup>160</sup> imprisonment,<sup>161</sup> and other control measures imposed by the law (1990). Even though these were illegal, at least the country could survive. This is a case in which it is clear that Japan was looking at its economic security rather than at its immigration laws.

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<sup>154</sup> Karen O'Reilly, "International Migration and Social Theory," *International migration review* (2013). P.30-31

<sup>155</sup> H. de Hass, "Migration and Development: A Theoretical Perspective," *International Migration Review* (2010).

<sup>156</sup> Ibid. P. 243

<sup>157</sup> Ibid.

<sup>158</sup> Papademetriou and Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, 10. P.32

<sup>159</sup> Ibid.

<sup>160</sup> Kuwahara, "Japan's Dilemma: Can International Migration Be Controlled?." P.355

<sup>161</sup> Papademetriou and Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, 10. P. 38

#### 4.2.1.2.2 Measurement against Undocumented Immigration

The strategy of protecting the Japanese security with illegal immigrants has not last long. The Ministry of Justice (MOJ) is an institution that provides the numbers of non-Japanese entering, living, and exiting Japan.<sup>162</sup> MOJ implemented some measure in 2004 against illegal foreign nationals, founded on the “Plan to Reduce the Number of Illegal Residents by Half within Five Years.”<sup>163</sup> In addition, MOJ introduced a new campaign in the same year (2004), which sees a call of cooperation of the population to identify and capture unauthorized immigrants.<sup>164</sup> The campaign includes the distribution of large-scale posters and flyers around the city, especially of Tokyo and Osaka, with written the laws for immigration and with the fine that an employer can get if he or she employs an undocumented immigrant.<sup>165</sup> This shows how important is for the Government to involve the population in the process of keeping immigration control and legal. The involvement of the population in this process would mean receiving consents from the people in order to spread the idea that illegal labor immigration is not well seen. In addition, this strategy will enforce the idea that breaking the rules, so being illegal, is a stereotype of the foreigners, which will result as a crime act. Therefore, easy to understand is that the population might have started seen the foreigner as a potential transgressor. In the next chapter, there is going to be a deeper focus on these concepts of *foreigner-as-criminal*.

However, thanks to the implementation of both the plan and the public campaign in 2004, the number of undocumented immigrants has declined drastically. On January 2010, the illegal nationals were circa 92,000, and on January 2015, the number dropped to circa 60,000, considering the initial number of 300,000 on May 1993.<sup>166</sup>

What these sections would like to pass to the reader is the great importance and stir that immigrants have had in Japan over the centuries. Both during the World War II and in the 90s with the Japanese stagnation, there was an extreme need of foreign workers for the Japanese Economic Security. Unskilled people seemed to be necessary to Japan, because no more Japanese were (and are) willing to take these “3k” works. However, as seen in the last part of the section, Japan had instituted new immigration laws, which made illegal unskilled immigrant being a problem to Japan. Hence, how will Japan face the economic security if the

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<sup>162</sup> Matthias Hennings and Scott Mintz, "Toward a Comprehensive Estimate of the Number of Foreign Workers in Japan," *Social Science Japan Journal* 21 (2017). P.104

<sup>163</sup> Ministry of Justice Japan, "Basic Plan for Immigration Control " [http://www.immi-moj.go.jp/seisaku/2015\\_kihonkeikaku\\_honbun\\_pamphlet\\_english.pdf](http://www.immi-moj.go.jp/seisaku/2015_kihonkeikaku_honbun_pamphlet_english.pdf).

<sup>164</sup> Vogt, "Friend and Foe. Juxtaposing Japan's Migration Discourses." P.56

<sup>165</sup> Ibid.

<sup>166</sup> Japan, "Basic Plan for Immigration Control "; *ibid*.



population do not want to have unskilled immigrants? Next section will be able to answer to this question.

## 4.3 IMMIGRATION POLICIES

### 4.3.1 Trainee

Besides the campaign started in 2004 issued by the MOJ, also other laws were implemented earlier in the days in order to control the flows of illegalities to Japan. Thus, in 1993 some other laws passed in order to regulate the constant increasing number of clandestine people that the land of the rising sun saw in the '90s. The new immigration policy is called "Trainee and Technical Intern Program" (TITP) and it focuses on the employment of unskilled foreign people mostly in manufactory companies, metal work, textiles, agriculture, or food processing fields.<sup>167</sup> However, the conditions in which these legal immigrants work are not a lot different from the ones of the clandestine ones. First, the jobs are always related to the "3k" works, in which the human and work conditions are also precarious. Glenda Roberts, professor at Waseda University, states:

*"the workers are heavily surveilled, work under many restrictions, and are not allowed to change employers of their own accord. Indeed, if they flee from their employer or abscond they will be rounded up and deported when they are caught."*<sup>168</sup>

It is understood from this how similar the human conditions are to the previous undocumented migrants, with a slightly different difference: they have health care and they are labeled "legal," which gives no worries of being identified illegal and deported. However, because they are trainee and not workers, they are not protected under the Labor Standard Law and so they also will receive low-paid wages.<sup>169</sup> A critical assumption can be made in here. The TITP might be considered as the legalization of these people that Japan cannot stay without. Previous illegal un-skilled workers could equal to the un-skilled Trainee; understood it that Japan is still seeking to protect its economic security through the un-skilled foreign labor.

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<sup>167</sup> Roberts, "An Immigration Policy by Any Other Name: Semantics of Immigration to Japan." P.95

<sup>168</sup> Ibid. P. 95

<sup>169</sup> Yamanaka, "Increasing Gaps between Immigration Policies and Outcomes in Japan: The Responsibility of Researchers in International Migration Studies." P.248

In November 2017, some changings of TITP policy finally came into effect with the new “Technical Intern Training Act.”<sup>170</sup> Some important points in the respect of both employer and employee have been finally established and, therefore, the conditions of the legal migrants could be distinguished from the clandestine ones. Figure 4<sup>171</sup> better explains the improvements had with the Technical Intern Training Act, after twenty-four years of TITP.

<b>Appropriate implementation of technical training</b>	① Establishment of basic principles for technical intern training and responsibilities of and basic policies for involved persons
	② System of accreditation for technical intern training plans
	③ Notification system for implementing organizations
	④ Licensing system for supervising organizations
	⑤ Establishment of Organization for Technical Intern Training as an approval organization (Website of the Organization for Technical Intern Training) (in Japanese only)
	⑥ Establishment of rules on requests for cooperation and so on to ministers with authority over businesses, and creation of regional councils by relevant administrative agencies and other bodies
<b>Protection of technical interns</b>	① Creation of penalties for violations of human rights and so on
	② Creation of new system for technical intern trainees to submit notices to the competent ministers
	③ Creation of consultation and reporting services for technical intern trainees
	④ Enhanced support for changing training sites
<b>Expansion of program</b>	① Extension of training period for excellent supervising organizations and implementing organizations (from three years to five years)
	② Increased technical intern trainee quotas for excellent supervising organizations and implementing organizations
	③ Expansion of approved occupations (regionally limited occupations, occupations unique to companies, and simultaneous training in multiple occupations)

Figure 4 New Program under the Technical Intern Training Act by JITCO (Japan International Training Cooperation Organization)

The most important points in the Technical Intern Training Act are the ones in the section “Protection of Technical Interns.” Point 1, 3, and 4 have been of extreme importance on the respect of personal human rights of the trainee, or better of the unskilled immigrant. Moreover, with the three points of the section “expansion of program,” it is possible to see that the program had a progress in term of length of the stay, from three to five years. However, there is a limitation still, and this refers to the families of the trainee. It is not included and therefore not allowed to bring the family along in Japan with a Trainee Visa,<sup>172</sup> which appositely let the migrant stay in Japan even more temporarily since the family cannot enter with the spouse. The goal of having temporary visitors in Japan can succeed with this immigration law, therefore not having them integrated with the society. In this section, it can be recognized the Japanese strategy in keeping the foreigners away from a possible long-term stay in the country, so to

<sup>170</sup> JITCO - Japan International Training Cooperation Organization, "What Is the Technical Intern Training Program?," JITCO, [https://www.jitco.or.jp/en/regulation/index.html#section\\_1](https://www.jitco.or.jp/en/regulation/index.html#section_1).

<sup>171</sup> Ibid.

<sup>172</sup> Papademetriou and Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, 10.

reduce the risk of integration. This is a strategy that protects the societal Japanese security from foreign low-skilled people.

#### 4.3.2 Nikkeijin

Another group of people has a similar, but incisive story respect to the one of the Trainees. This group is the *Nikkeijin*. They are “descendants of Japanese emigrants,”<sup>173</sup> that for a long time (up to three generations)<sup>174</sup> have lived in different part of the world, especially in Brazil or Peru. With the new laws in 1990, *Nikkeijin* have the rights to enter with a long-term visa to Japan.<sup>175</sup> The number of *Nikkeijin* continued to increase at the beginning of 21<sup>st</sup> century, from 300,000 in 200 to 377,000 in 2007,<sup>176</sup> with a constant decreasing of unauthorized immigrants. However, with the crisis started in the United States in 2008, all the world was affected and so was Japan. Therefore, the wage shortage had its worse impact especially on the foreigner workers. Hence, *Nikkeijin* decreased in number and flee back to Brazil or to their country of origin, because there was no less than 40% unemployment between this category of people, compared to 5% of the national Japanese.<sup>177</sup>

*Nikkeijin* had the privilege of staying for a longer period in Japan and, again, giving to the country the possibility to cover these work places that indigenous Japanese would never do. In fact, they have the same job profile as the trainees: unskilled immigrants. However, the only difference from the common trainee is that *Nikkeijin* are allowed to bring spouse and family along. Having the possibility to stay with that family, and not having restriction about that will make easier for them to have more motivation to stay more permanently in the country.<sup>178</sup>

A justifiable question could be *why is there a distinction between the common Trainee and Nikkeijin?* A possible answer can be found in the high significance for the Japanese people of *being Japanese*. Since *Nikkeijin* have Japanese roots in their ancestor, this means that they might have a higher Japaneseness in their blood, compared to the common un-skilled foreigner. However, the *Nikkeijin* is still not enough Japaneseness to be let to stay for an unlimited time and for more qualified jobs. Therefore, understood is the fact that Japan needs unskilled

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<sup>173</sup> Ibid. P.37

<sup>174</sup> Yamanaka, "Increasing Gaps between Immigration Policies and Outcomes in Japan: The Responsibility of Researchers in International Migration Studies." P.247

<sup>175</sup> Ibid.

<sup>176</sup> Ibid. P.248

<sup>177</sup> Ibid.

<sup>178</sup> Papademetriou and Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, 10. P. 40

immigrants in order to boost its economy, and to do so they privilege first Japanese descendants and then common trainees.

Besides the categories of trainee and *Nikkeijin*, there is also another category, which designates the most privileged ones: Highly-Skilled Foreign Professionals. Next sections will see more in detailed the reasons why there are privileged individuals, and in how they are privileged.

### 4.3.3 Preferential Foreigners

In this section, there will be an analysis of a category of foreigners that are known as preferred ones in Japan. Before going in deep and see why these people are denoted in this way and what kind of people they are, it is necessary to introduce briefly a major problem in Japan: Aging Population. This “new” issue emerged in the 2000s and gave the nation an extremely important decision to take in order to protect their national and societal growth. Therefore, after the presentation of this issue, it will be seen how the aging-population is connected to migration, and in more specific to the preferential foreigners.

#### 4.3.3.1 AGING POPULATION

Starting slowly from 1990, but mostly from 2000s, Japan’s demography started changing towards an unusual trend. The population started to shrink and so to age.<sup>179</sup> Japan has started to have low birth-rate, which means fewer future taxpayers, and increasing number of old people, meaning higher financial support from the state.<sup>180</sup> The Japanese elderly-children ratio shows the drastic change: from 14% in 1950 to 140.3% in 2004.<sup>181</sup> Numerous can be the motives of the aging and shrinking of population, which can be found in the “improved birth control technologies, increased affluence, and higher female participation in the labor force.”<sup>182</sup> However, in this project, it is important to understand the *whys* and *hows* the aging- and shrinking- population is relevant to immigration.

There are some people that have been elected by the present Prime Minister Abe Shinzō to solve the problem of aging-population.<sup>183</sup> The solution has been found in “*Gaikoku Jinzai*.” *Gaikoku Jinzai* are the foreign talent, and these are the elected ones. Japanese government decided to solve the fact that the population is shrinking and becoming old by introducing new

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<sup>179</sup> Vogt, "Friend and Foe. Juxtaposing Japan's Migration Discourses." P.52

<sup>180</sup> Ibid.

<sup>181</sup> Ibid.

<sup>182</sup> Ibid.

<sup>183</sup> Roberts, "An Immigration Policy by Any Other Name: Semantics of Immigration to Japan." P.90

foreigners in the country, and the foreigners chosen are the talented ones. This shows the compromise the Japanese had to come through; in order to save their people, they needed to choose how to do so, without losing their Japaneseness. This means that they needed to be sure that the people chosen to continue the Japanese class are sufficiently worthy to the high Japanese standard. The Japaneseness indicates the Japanese pureness and uniqueness, that can be summarized in their attitude to things (harmony) and their way to do things (kata). With this latter observation, it can be understood how much Japanese had struggled to mix themselves with other cultures and societies in the past and nowadays. Japan has its own Japaneseness, which do not see other cultures unique enough to relate to the Japanese. Even if Japan is a modern democratic country, still the Japanese interpersonal relationships are still preserved into the Japanese borders. This can explain the conservative rules for unskilled migrants.

Therefore, the talented people are the only one considered more accessible to the high Japanese standard of Japaneseness. This selected group of people can have access to more privileged positions and also to a better life in Japan, which facilitate a better inclusion with the society and maybe a possible more permeant future in the Japanese society. The decision of having highly-skilled foreign professionals might be seen in the wish of not reproducing lower-skilled Japanese individuals. With all this, in 2014, Abe announced to the world that Japan will follow the strategy of “making an Open Nation,”<sup>184</sup> whose reasons were related to the issue of again- and shrinking- population.

#### 4.3.3.2 HIGHLY-SKILLED FOREIGN PROFESSIONAL

The group of people under the name of “Highly-Skilled Foreign Professionals (HSFP)” have its own criteria of entering Japan. The professionals are considered those people that can work jobs related to “advanced academic research activities,” “advanced specialized/technical activities,” and “advanced business management activities.”<sup>185</sup> In 2012 there have been the introduction of “preferential immigration treatment” in order to promote the talented ones to enter and join Japanese nationals, however still not in a permanent way.<sup>186</sup> First of all, there is a scale of points that a person has to fulfil otherwise it will be labeled “not qualified.” If a

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<sup>184</sup> Ibid.

<sup>185</sup> Immigration Bureau of Japan, "Point Evaluation Mechanism," Ministry of Justice, [http://www.immi-moj.go.jp/newimmiact\\_3/en/](http://www.immi-moj.go.jp/newimmiact_3/en/).

<sup>186</sup> "Points-Based System for Highly-Skilled Foreign Professionals," [http://www.immi-moj.go.jp/newimmiact\\_3/en/system/index.html](http://www.immi-moj.go.jp/newimmiact_3/en/system/index.html).

person reach 70 point enters in the category of “preferential immigration treatment,” therefore can follow the next steps closer to the admission.

Figure 5<sup>187</sup> demonstrates the points to check in order to see if a person can be considered a highly-skilled foreign professional. This figure represents the point of a HSFP for Advanced Academic research activity.

Item	Criteria	Check	Points	Documents			
Academic background Note 1	Holder of a doctor's degree (excluding professional degrees)	<input type="checkbox"/>	30	①			
	Holder of a master's degree (including professional degrees)	<input type="checkbox"/>	20				
	Holder of a bachelor's degree or acquisition of an education equivalent thereto(excluding holders of a doctor's or master's degree)	<input type="checkbox"/>	10				
	Holder of doctor's degrees, master's degrees or professional degrees in multiple areas (Note 2)	<input type="checkbox"/>	5				
Note 1. The most recent educational qualification will apply (for example, 30 points if the foreign national has both a master's and a doctor's degree). Note 2. Regardless of the combination of degrees, materials which show the degrees were for different majors should be submitted. (Please submit an academic transcript if the differences in the majors cannot be confirmed through the diploma or degree certificate.)							
Professional career	Experience related to the research, research guidance or education in which the applicant intends to engage			②			
	7 years or more	<input type="checkbox"/>	15				
	5 years or more	<input type="checkbox"/>	10				
	3 yaers or more	<input type="checkbox"/>	5				
Annual salary	Aged 30 years or below	30 to 34 years	35 to 39 years	40 years or above			③
	10 million yen or more	10 million yen or more	10 million yen or more	10 million yen or more	<input type="checkbox"/>	40	
	9 to 10 million yen	9 to 10 million yen	9 to 10 million yen	9 to 10 million yen	<input type="checkbox"/>	35	
	8 to 9 million yen	8 to 9 million yen	8 to 9 million yen	8 to 9 million yen	<input type="checkbox"/>	30	
	7 to 8 million yen	7 to 8 million yen	7 to 8 million yen	—	<input type="checkbox"/>	25	
	6 to 7 million yen	6 to 7 million yen	6 to 7 million yen	—	<input type="checkbox"/>	20	
	5 to 6 million yen	5 to 6 million yen	—	—	<input type="checkbox"/>	15	
	4 to 5 million yen	—	—	—	<input type="checkbox"/>	10	
Age	Age at the time of the filing of the application						/
	Up to 29 years of age				<input type="checkbox"/>	15	
	Between 30 and 34 years of age				<input type="checkbox"/>	10	
	Between 35 and 39 years of age				<input type="checkbox"/>	5	
Research achievements	Have made at least one patented invention		<input type="checkbox"/>	20	④		
	Have conducted projects financed by a competitive fund, etc. by a foreign national government at least three times		<input type="checkbox"/>	25 points will be awarded in cases where the applicant comes under two or more of the above	⑤		
	Have published at least three papers in academic journals listed in the academic journal database		<input type="checkbox"/>		⑥		
	Have made other research achievements recognized by Japan's Minister of Justice		<input type="checkbox"/>		⑦		
Special additions	Contracting organizations						/
	I Work for an organization which receives financial support measures(measures provided for separately in a public notice) for the promotion of innovation		<input type="checkbox"/>	10	⑨		
	II The organization is a company that comes under I, and constitutes a small or medium-sized enterprise under the Small and Medium-Sized Enterprise Basic Act		<input type="checkbox"/>	10	⑩		
	The applicant's organization is a small or medium-sized enterprise under the Small and Medium-sized Enterprise Basic Act and its total experiment and research costs and development costs exceed 3% of the amount remaining after deducting the amount of revenue from the transfer of fixed assets or securities from the total revenue (total sales)		<input type="checkbox"/>	5	⑩ ⑪		
$\frac{\text{Research cost, etc.}}{\text{Total sales}} = \frac{\text{yen}}{\text{yen}} = \text{\%}$							

<sup>187</sup> "Point Evaluation Mechanism".

Special additions (Continued)	Holder of a foreign work-related qualification, etc	<input type="checkbox"/>	5	⑫
	Either graduated from a Japanese university or completed a course of a Japanese graduate school	<input type="checkbox"/>	10	⑬
	Japanese language proficiency			⑭
	I Either graduated from a foreign university with a major in Japanese-language, or have passed the N1 level of the Japanese-Language Proficiency Test or its equivalent.	<input type="checkbox"/>	15	
	II Have passed the N2 level of the Japanese-Language Proficiency Test or its equivalent ※ ⑬ Excluding those who "graduated from a university or completed a course of a graduate school in Japan", and those who come under I.	<input type="checkbox"/>	10	
	Work on an advanced project in a growth field with the involvement of the relevant ministries and agencies	<input type="checkbox"/>	10	⑮
	Have Graduated from one of the following universities (see Note)			⑯
	I Universities ranked in the top 300 in at least two of the following university rankings <input type="checkbox"/> QS World University Rankings (QS Quacquarelli Symonds Limited (UK)) No. <input type="checkbox"/> THE World University Rankings (Times (UK)) No. <input type="checkbox"/> Academic Ranking of World Universities (of Shanghai Jiao Tong University (China)) No.	<input type="checkbox"/>	10	
	II Universities receiving subsidies through the Top Global Universities Project implemented by the Ministry of Education, Culture, Sports, Science and Technology	<input type="checkbox"/>		
	III Universities designated as "partner schools" in the Innovative Asia Project implemented by the Ministry of Foreign Affairs	<input type="checkbox"/>		
Note. ⑬ Points may be awarded in duplicate together with "Graduated from a university or completed a course of graduate school in Japan".				
Have completed training conducted by JICA as part of the Innovative Asia Project implemented by the Ministry of Foreign Affairs (see Note)	<input type="checkbox"/>	5	⑰	
Note. Applies to persons who have completed training of one year or more implemented by JICA as part of the Innovative Asia Project. If the foreign national submits JICA's certificate of completion of training, in principle, materials proving the academic background and employment history, etc. need not be submitted, but in cases of seeking additional points for ② Employment History, additional materials of proof are required. When participating in training conducted using the classes of a university or graduate school in Japan, points will not be added in duplicate with ⑬ "Graduated from a university or completed a course of a graduate school in Japan".				
		Total		

\* Only check the applicable part when applying for permission for permanent residence.

- This points' calculation sheet has been used to calculate:  Points at the time of this application.  
 Points when calculating with reference to the situation at 1 year before the date of the application.  
 Points when calculating with reference to the situation at 3 year before the date of the application.

I hereby declare that the above statement is true and correct.

Date of preparation, and the signature of the applicant or his/her agent, as specified by a relevant ordinance of Japan's Ministry of Justice issued in compliance with Clause 2, Article 7 of the Immigration Control and Refugee Recognition Act

Date

With this table is possible to concretize the difficulty of being a highly-skilled individual. Seventy points are easier to reach when you are a young, experienced, and talented person that have done (in this example case) a lot of academic career. The procedures are difficult because usually a person can reach high level of professionalism and wages with the years and year-experiences. Instead, Japan is requiring not only average high skilled but the one highest skilled. Already with this glimpse, it is possible to see the restrictive requirements to meet in order to be considered at the first step. As seen so far, Japanese standard are high, and if they want to have people to save their social class, they better choose those high-highly skilled.

However, once an individual enters the preferential category might be offered a position that will unfortunately be just for five years. The following points are the successfully achieved benefits once obtained the visa as HSFP.

- “1. Permission for multiple activities*
- 2. Grant of the “5 years” period of stay*
- 3. Easing of requirements for permanent residence*
- 4. Permission for the spouse of the highly-skilled foreign professional to work*
- 5. Permission for bringing a parent(s) to accompany the highly-skilled foreign professional to Japan under certain conditions*
- 6. Permission for a domestic worker to accompany the highly-skilled foreign professional to Japan under certain conditions*
- 7. Preferential processing of entry and residence procedures”<sup>188</sup>*

As noticed by these points, these individuals have a preferential path both for respected jobs and for personal regulations of entrance. Even this visa will permit a stay no longer than 5 years, it can be extended if other related positions are found. With this example, it is possible to see how still hard is for Japanese people to let a person integrate completely to the Japanese society, letting him or her having a more permanent and longer stay in Japan. Even if the society needs people, they still decide the secure their society; and being strict with immigration

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<sup>188</sup> Ibid.



policies might have been found as the first thing to do in order to preserve Japanese societal security.

The next chapter will be important in the understanding how these latter concepts about Immigration can meld together with the societal framework given in chapter 3. Therefore, there will be an evaluation of these two theoretical frameworks about both Japanese Society and Japanese Immigration Policies, which together will give some important conclusions. For example, there will be a clearer understanding of how the Japanese perceive the foreigner and so why the Japanese can be called *Peaceful Nationalistic* people. Eventually, the analytical and final chapter will explore the initial question of this project: *why Japan has strict immigration laws*.



**5.**

# **PEACEFUL NATIONALISM**

## **An Analytical Framework**

A large, bold, black Japanese character '和' (Wa) is centered on the page. The character is written in a traditional, slightly stylized font, with a vertical stroke on the left and a horizontal stroke at the top that curves to the right. The right side of the character is a square shape with a small opening at the top, resembling the '口' radical.

*Figure 6 Japanese Script of "Wa"(Harmony)*

## 5.1 INTRODUCING THE ANALYTHICAL FRAMEWORK

This chapter constitutes the final analysis and understanding of the research question of this thesis:

*Why and how Japanese Immigration Policies are so strict and restrictive?*

However, it is necessary to first understand why there have been two previous distinctive frameworks. Therefore, in the first part of this chapter there will be answered the last sub-research-question, which will help to connect the previous chapter together:

*Is the Japanese society somehow involved in the decision of having strict immigration policies?*

## 5.2 WE JAPANESE

*“The unique way in which the nation of Nippon is able to change and remaining itself. It has the ability to see without being seen. It offers to the “barbarian” the advantageous face (tatemae), and it will keep for itself the intimacy, authentic thought (hon’ne). It guards harmony (wa), greater good.*

*[...] “here, only the invisible is Japanese.”<sup>189</sup>*

As seen in the previous chapters, Japan has been a nation with a fixed mind-set about immigration. Since the early ages it is possible to notice how the Japanese privileged certain people to enter their land but refused others. Skilled, professional, and educated people are preferred ones, and these are also the one welcomed in the Land of the rising sun; instead, normal and common people are being rejected if not useful to the society. Already in the early sixteenth century, the Japanese had decided to base their first constitution and beliefs on traditions of certain superior cultures: Chinese and Korean.<sup>190</sup> Prince Shotoku, indeed, considered these two societies high ranked people with impressively good traditions and teachings. It is in the introduction of foreign ideas that the Japanese culture was founded. This process of taking the best skills and teachings from foreign peoples is still a method the Japanese are using. A method that is desirable because it gives to the society an important contribution. The way the Japanese do this is: getting new inputs from others, learn it, and make it better in the Japanese way. Thus, this could be seen as a process of getting a new *method* from the outside, learn it, and make the Japanese *methodology* of it. This means that the Japanese are interested in learning new possible methods from other more skilled foreign people but implementing it with their own and unique methodology. This strategy would allow them to get access to richer and better way of doing things but shaping it into their own way of doing things. *We Japanese (wareware Nipponjin)*<sup>191</sup> is the concept in which the Japanese society is homogenous, integrated, unique, and especially mono-ethnic.<sup>192</sup> For the reason that the Japanese are an integrated society among themselves, immigrants might be considered as an uncomfortable intruder in the society. Even if the foreigner gives contribution for a better economy of Japan, he or she will be always being considered an immigrant, or better, a

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<sup>189</sup> GEDI Gruppo Editoriale Spa, *La Rivoluzione Giapponese* (LIMES La Rivista Italiana di Geopolitica 2018).

<sup>190</sup> Murphy-Shigematsu, "Multiethnic Japan and the Monoethnic Myth." P. 63

<sup>191</sup> Ibid. p.65

<sup>192</sup> Ibid.

foreigner. Therefore, the next section will have a deeper understanding of what *immigrant* means to the Japanese people now.

### 5.3 “I” TABOO

Especially with Prime Minister Abe’s administration, Japanese have had issues in pronouncing the word *Immigrant*, *immin* in Japanese. Therefore, instead of pronouncing *immin*, it is said the common people talks about “the I word,” and for this reason, “the I word” became a taboo among the society.<sup>193</sup> Understandable could be the reason, seen all the type of visa and obstacles in entering the country, and the adversity against the foreigners that the government has upheld. “Acceptance of foreigners” is the right term to refer to the people entering Nihon, and not “acceptance of immigrants.”<sup>194</sup> Noteworthy is to see what the word *Immigrant* and *Foreigner* mean. Immigrant refers to “a person who comes to a country to take up permanent residence;”<sup>195</sup> and a foreigner “a person belonging to or owing allegiance to a foreign country.”<sup>196</sup> This shows the will of Japan of not having permanent foreigners (immigrants) but only foreign workers, since this latter people will continue to have their allegiance to their motherland. Therefore, admission to Japan has been extremely strict and impeded to the immigrants, and a little more open to the foreign workers. In these latter elucidations, it has been possible to see why “the I word” became a taboo: because Japan believes it has no immigrants, but only foreign workers.

*“The ministry of Labor has argued that the admission of unskilled immigrant workers could lead to an avalanche of foreigners who would undermine Japan’s labor market and social cohesion”*<sup>197</sup>

In this reference is important to emphasize the word “immigrant” among “unskilled workers.” Reading into the lines, it can be possible to perceive that if there would be immigrant workers in Japan, there could be an “avalanche.” Therefore, Japan is not intended to have immigrants in its country. Moreover, when the reference refers to “foreigner,” it is possible to see how also this other category, even if it is allowed to request visas, is anyways judged as a possible cause

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<sup>193</sup> Roberts, "An Immigration Policy by Any Other Name: Semantics of Immigration to Japan." P.89

<sup>194</sup> Ibid.

<sup>195</sup> Merriam Webster, "Dictionary," <https://www.merriam-webster.com/dictionary/foreigner>.

<sup>196</sup> Ibid.

<sup>197</sup> Papademetriou and Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, 10. P.47

of instability of Japan. Thus, it is believed that foreigners could thereby impair the harmony of the Japanese people. With this latter reference, it is possible to conclude that there are no immigrants in Japan, but just chosen people: the chosen foreigner. Being chosen means to enter the country with a motive and especially with a precise length of stay. These selected people are either *foreign workers (un-skilled trainee)*, *international student*, *Nikkeijin*, or *highly-skilled foreign professionals*. These categories are put in place as policies to enter Japan, used instead of the broader term “Immigration Policy.” Hence, all the category of people entering Japan are under a specific status, which is not *immigrant*, because, as Abe Shinzō said in 2014 at a National Diet session<sup>198</sup> and repeated at a conference in December 2018, no kind of “visa system constitutes an Immigration Policy.”<sup>199</sup> The Liberal Democratic Party (LDP) Committee defines “the I word” as “*those who have no set the length of stay at the time of entering the country.*”<sup>200</sup> If the definition of *immigrant* is based on the one from the LDP, well understood is that Japan has no immigrants; all the people entering the country has a fixed length of stay and visa, therefore, Japan has only *foreigners*.

### 5.3.1 No Obligations’ Society

*Why are the Japanese afraid of “the I word”?* Unfortunately, there are not fixed answers, but there could be some interpretations. My perspective sees the wish of the Japanese to maintain their own spirit, culture, and traditions intact. What is meant by this is that the foreigner might be seen as a dangerous factor to the society, which could cause alteration of the Japanese harmony. In order to prevent that, the Japanese government set strict rules that prevent the unconditional entering of uncontrolled people. These latter people are those who could provoke unbalance and chaos because they have no clear purpose of entering the country. Instead, letting just certain categories to enter would mean having a control of what kind of people are incoming. For example, with the aging of population, new policies were made in order to encourage the entrance of certain foreigners, such as Highly-Skilled Foreign Professionals or nurses to care of the increasing elderly people, and, for the economic growth, constructors of the buildings for the Olympic Games Tokyo 2020, for example.<sup>201</sup>

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<sup>198</sup> Roberts, "An Immigration Policy by Any Other Name: Semantics of Immigration to Japan." P.90

<sup>199</sup> Sugiyama, "Japan’s Denial of Immigration Reality Echoes Germany’s Experience with “Guest Workers”".

<sup>200</sup> Roberts, "An Immigration Policy by Any Other Name: Semantics of Immigration to Japan." P. 88-102

<sup>201</sup> Ibid.

An important observation can be made about the duty that the state usually has towards the immigrant. Not having immigrants in Japan means no moral or political obligations towards “the I word.”<sup>202</sup> Thus, there is no obligation regarding immigration integration services or any development of tolerance towards the *immigrant*, if there are not any.<sup>203</sup> Trainee, international students, or HSFPs are integrated in their own business, inside their tiny society surrounded by their co-workers, and there is no evidence of any effort from the society or government to integrate these foreigners better into the society. The inclusions could be seen perhaps just in the sector where the foreigner works, but not in the entire society. An example can be seen at the moment when the Ministry of Internal Affairs and Communications opened in 2005 a Working Group on Multicultural Coexistence Promotion,<sup>204</sup> which would look for a better integration of the foreigners. Eventually, the project was never being able to be launched by any local government,<sup>205</sup> therefore, *multiculturalism* can be seen as a failure within locals. If multiculturalism could not be implemented, it looks like a starting point towards a possible “politics of anti-multiculturalism” as integral idea of powerful politicians, lawmakers, police officers, and criminal court judges.<sup>206</sup>

The interpretation just seen above might be one among many others; this explanation does not indicate that all the people of Japan pursue this behavior, but it would indicate a possible general understanding of the decisions of governmental authorities taken over and for the country.

In the next section, there is going to be another understanding of why “the I word” is a taboo.

### 5.3.2 National Identity Vs Criminals

In many literatures about Japanese immigration system, it is possible to often read how much the undocumented immigration has decreased in number since the terrorist attacks of 9/11.<sup>207</sup> It is understandable that a lot of policies in most countries have changed due to this event, for example, strengthening the border and changing systems of immigration policies. However, the relevance here is the clamor that the major terrorist attacks of the last two decades brought

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<sup>202</sup> Jackie F. Steele, "Introduction: Ssjj Special Issue on Migration," *Social Science Japan Journal* 21 (2018).

<sup>203</sup> Ibid.

<sup>204</sup> Hardeep Singh Aiden, "Creating the ‘Multicultural Coexistence’ society: Central and Local Government Policies Towards Foreign Residents in Japan," *ibid.* 14, no. 2 (2011). P. 214

<sup>205</sup> Ibid. P.215

<sup>206</sup> Rivers, "Cultural Essentialism and Foreigner-as-Criminal Discourse."

<sup>207</sup> Murakami Wood, Lyon, and Abe, "Surveillance in Urban Japan: A Critical Introduction." Introduction



to Japan. This section will therefore analysis how and why foreigners have started being referred as *criminals* or even as *terrorists*.<sup>208</sup>

The judgmental connotation towards strangers has already been found in this project at the time of the Shogunate and of the Eugenic Law. It seems that the criminal, or the person that breaks the law, has been for all history of Japan considered as the harm of the society. Therefore, there have always been strict rules and punishments again these people. It is possible now to see more easily one of the motivations behind the restrictive regulations of entrance of the foreigners, which is found on the concept of *foreigner-as-criminal*. The word “criminal,” in Japan, might be considered just the person that goes in different directions compared to the harmonious Japanese society. Therefore, maybe just having westerner behavior, or having another way of doing things different from the Japanese way would immediately provoke discomforts in the peaceful Japan.

Therefore, if already in the past foreigners and strangers were not welcomed easily by the population, now, since the increasing of terrorist attacks to civilians, they are seen even more a danger to the national security. With this, it can be understood that the foreigners can undermine the national integrity and safety of the country.<sup>209</sup> The concept of *foreigner-as-criminal* is relevant in here in order to understand deeply the issue of the foreigners in Japan and especially of the strict regulatory laws that Japan uses.

The foreigner seen as a criminal will affect both the possible formation of integration systems for foreigners entering the country, but especially will affect the entrance of the foreigner itself. As seen in the previous chapter, the systems used to enter Japan are unique if not considered “one of the most highly restrictive immigration policies among advanced industrial countries.”<sup>210</sup> The interest of the nation and of the government is to keep the country safe in its both economic and human security. However, the most important task is to protect the national security from criminals. National security often indicates the decisions of border control of the sovereign state.<sup>211</sup> Thus, Japan has worked in order to prevent criminal or terrorist attacks among its population, and so toughen what the world calls “Immigration Policy.”

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<sup>208</sup> David Leheny, "Terrorism Risks and Counterterrorism Costs in Post-9/11 Japan" (paper presented at the Japan Forum, 2010).

<sup>209</sup> Yamanaka, "Increasing Gaps between Immigration Policies and Outcomes in Japan: The Responsibility of Researchers in International Migration Studies."

<sup>210</sup> Rivers, "Cultural Essentialism and Foreigner-as-Criminal Discourse." P.16

<sup>211</sup> Vogt, "Friend and Foe. Juxtaposing Japan's Migration Discourses." P.54

### 5.3.2.1 OTHERNESS

The discourse of national security and *foreign-as-criminal*<sup>212</sup> introduce the idea of *otherness*. Japanese has always been “innocent” in crime and criminality,<sup>213</sup> in the sense that this population is known to be peaceful and with one of the lowest crime rates. Therefore, a criminal is seen as the *other*, not the *us*, the Japanese. The *other* is: the foreigner as a criminal, the foreigner as a rule-breaker, and the foreigner as a potential illegal subject.<sup>214</sup> Thus, the Japanese builds the idea that their identity should be the safety of the country. Their culture is their source for identity,<sup>215</sup> and their identity is the power of their nation. So, the conclusion can simply be seen as the society condemns crime, which is seen as coming from the foreign, which will make Japan intensify its policies in order to prevent it. All these discourses can be connected to the one made in the previous section about the failure of promotion of multiculturalism. The shaming of foreigners as *them* - the criminals will encourage also the politics of *anti-multiculturalism*.<sup>216</sup> What this means is that the situation is a paradox, it is a catch 22. When foreigners are considered as criminal, the Japanese start creating *otherness*, the country start enforcing the borders, and therefore multiculturalism procedures would decrease. Or, another way to see it, if there is no will of multiculturalism because the nation wants to keep its own identity, the government will empower the concept of *foreign-as-criminal*, therefore, following the idea of popular consent, there will be less wish for letting foreigners entering Japan, which equates to poor and strict “Immigration Policies.” A right and/or clear understanding about these matters discussed in this section cannot be made, because these assumptions are purely suppositions based on just limited and vast social facts. However, one idea can be more decisive among the others, and this is the importance of Japanese nationhood<sup>217</sup> for the Japanese people. In the next section, there will be a deeper understanding of what the *Japanese Nationhood* is, related to all the previous discourses made in this project.

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<sup>212</sup> Rivers, "Cultural Essentialism and Foreigner-as-Criminal Discourse." P.15-16

<sup>213</sup> Ibid.

<sup>214</sup> Vogt, "Friend and Foe. Juxtaposing Japan's Migration Discourses." P.56-57

<sup>215</sup> Rivers, "Cultural Essentialism and Foreigner-as-Criminal Discourse." P.15-16

<sup>216</sup> Ibid.

<sup>217</sup> Ibid.

## 5.4 PEACEFUL JAPANESE NATIONALISM

The title of this thesis offers “*Peaceful Japanese Nationalism*,” and, in this section, it will be possible to understand why the author has given to the Japanese society this new adjective. Figure 7 will facilitate the understanding and connections made in this project, which will lead to a better comprehension of *Peaceful Japanese Nationalism*.

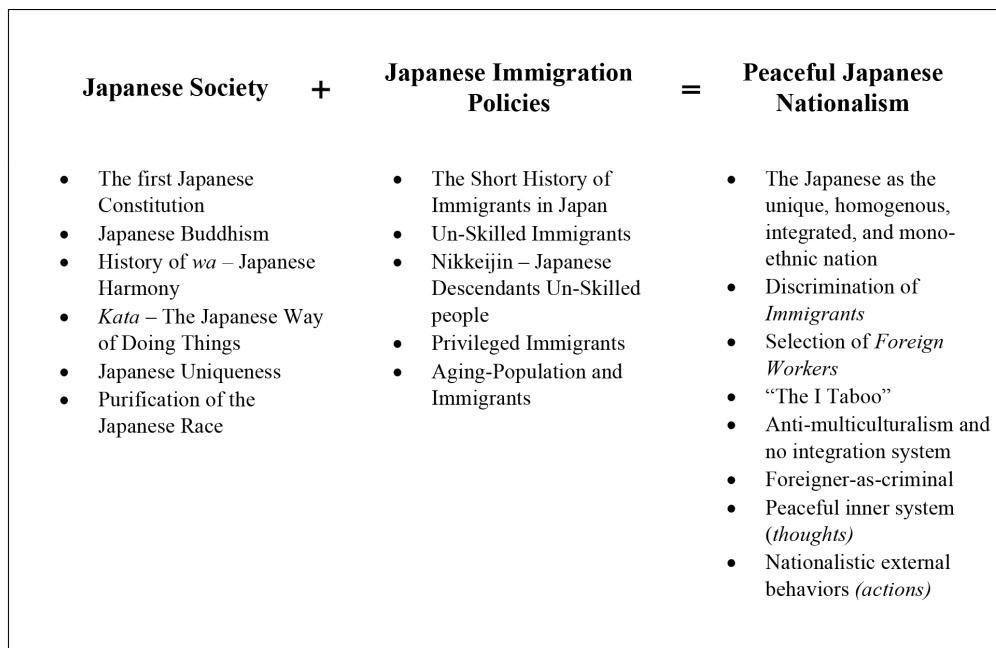


Figure 7 *Peaceful Japanese Nationalism*

So far, it has been seen that Japan has its identity in its history, religion, and traditions. It might be hard for this population to open to foreigners, which are indeed often seen as criminals or as the ones that might undermine Japanese harmony. Japanese seem to follow their own nationhood, found in their human thoughts and actions. *Thoughts* are these ideologies discussed earlier: harmony, *kata*, Japanese uniqueness, Japanese Buddhism; these *thoughts* altogether shape the identity of the Japaneseness, *We Japanese*. Instead, *actions* are all the polices and regulations made to protect the *thoughts*. In this case study, all the policies to prevent the entrance of “the I word,” the implementation of anti-multiculturalism instead of multiculturalism, the use of national traditional rituals, and strict behavior of the society are the examples of the Japanese *actions*. These two concepts of *thought* and *action* can be considered a “conscious experience.”<sup>218</sup> A phenomenological perspective will encourage the analysis of these conscious experiences, which, in this study on Japan, are found in the Japanese *thoughts*

<sup>218</sup> Harry D Harootunian, "Commentary on Nationalism in Japan: Nationalism as Intellectual History," *The Journal of Asian Studies* 31, no. 1 (1971). P.58

and Japanese *actions*. Hence, a conscious Japanese experience will corroborate a final perception that will answer to the research question of this thesis. However, important is to point that a perception is indeed a personal experience that is also brought from human thoughts and actions. Therefore, following the Japanese thoughts and actions examined in this thesis, Japan can be eventually considered as a Peaceful but Nationalistic nation. All the previous studies about both the society and the immigration system of Japan answered to the initial question: *how are the Japanese Immigration Policies so strict?*

Instead, the new term the author has found in *Peaceful Japanese Nationalism* will eventually explain *why the Japanese Immigration Policies are so strict*.

Next section will thereby be an in-depth examination of this new term.

#### 5.4.1 PEACEFUL

Japan is *peaceful* in the way that the society is constructed upon certain beliefs and traditions that make its people living in *harmony*. Indeed, *wa* (harmony) is the pillar in which the Japanese builds and bases their beliefs. They all live in harmony with each other with respect towards the others (“others” as the other Japanese), showing its own *way of doing things*. This population has a *unique* identity in which the Japaneseness is seen as the right way of being. The Japanese are the chosen people,<sup>219</sup> and that is the reason why they suffer from the idea of mixing their identity with the others (“others” as *them* – the foreigner). Hence, their *harmony*, and so their peace, is carried only if they keep their traditions, beliefs, and identity pure. It can be understood that Japanese society has its own way of living in the world, certainly modern, but with still a lot of traditional and ancient beliefs. Thus, the author would define the Japanese as *Peaceful* people living happily in their harmonic *thoughts*, but with either *Nationalistic* actions.

#### 5.4.2 NATIONALISM

Nationalism is perceived differently from person to person, from society to society. If one considers the idea of the closeness of the Japanese towards the others - *them*, the idea that the Japanese way is the only right *way of doing things*, and the idea that the Japanese are the chosen population, the author’s thoughts and actions will lead me to the idea of nationalism. *Nationalism* is meant to signify in this project the particular and unusual conduction of *thoughts* and *actions* of a given group of people; the individuals that composes the group are following

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<sup>219</sup> Fabbri, "L'importanza D'essere Giappone." P. 34

the same tenacious *thoughts* and *actions* harmoniously. Nippon follows its Japanese Nationhood as the right way to exist, because the vision of the social group with a nationalistic trend tends to the structural homology.<sup>220</sup>

Therefore, all the *thoughts* and *actions* seen throughout this thesis are all the explanations of their unique way of being nationalistic. The national identity and national harmony is more important than any other factor in this society. Keeping their Japaneseness is important, as it is to keep harmony and traditional beliefs alive. The “immigration policies” that are instead called “foreign workers policies” shows the idea of the Japanese willing to preserve their status and their identity, refusing the concept of having immigrants in their land. Even with huge problems about aging and shrinking of population, still this national spirit does not want to carry risks towards its identity. It is called societal security what Japan wish to keep; hence, traditions and beliefs are the safeguard of harmony, and so of the society.

#### 5.4.2.1 Shintō and Article 9

Other *actions* of this nationalistic perception can be seen in the will of Prime Minister Abe to bring Shintō back as the national religion.<sup>221</sup> Shintō is considered the “instrument to praise the national history,”<sup>222</sup> which would call to the concept of patriotism and nationalism. Together with the wish of setting back a national instrument in the society, Prime Minister Abe had started also the project of revising the constitution at Art. 9.<sup>223</sup> This event rattled a shake in both the country and the world. Given the importance of this possible revision to both the Japanese and the rest of the World, Article 9, which is found in the Chapter II Renunciation of War of the Japanese Constitution of 1946, is presented below.<sup>224</sup>

*“(1) Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.*

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<sup>220</sup> Harootunian, "Commentary on Nationalism in Japan: Nationalism as Intellectual History." P.59

<sup>221</sup> Nello Puerto, "Abe Punta Al Cielo Con L' Aituo Della Lobby Scintoista," in *Limes La Rivoluzione Giapponese* (LIMES 2018). P. 81

<sup>222</sup> Translation from Fabbri, "L'importanza D'essere Giappone." P.34

<sup>223</sup> Puerto, "Abe Punta Al Cielo Con L' Aituo Della Lobby Scintoista." P.81

<sup>224</sup> AsianLII, "Constitution of Japan 1946," <http://www.asianlii.org/jp/legis/const/1946/1.html#A009>.

*(2) In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of aggression of the state will not be recognized.*”<sup>225</sup>

The pacifist intention of this article can be therefore put under discussion, and the scenario that the possible revision has created is certainly tense. What is unraveled in all this is that the Japanese are a shame-free population, which means that they are not known for being humiliated or for making themselves looking bad. Hence, the project of revision of Art. 9 from Abe could be seen as a strategy for the future of Nihon. What it is meant in here is that there are going to be Tokyo Olympics in 2020, and a new emperor in 2019. All these changes will probably have discouraged the population to elect a brand-new prime minister with the last election. Therefore, having elected once more Prime Minister Abe signifies a still possible revision of Article 9. This election might suggest two different options: either the Japanese believe that the Article 9 should be revised because it might be believed that their harmony is being under attack somehow, or, given the abdication of the Emperor in 2019, the population decided to maintain at least consistency and harmony with their previous Prime Minister. Thus, since Abe Shinzō will remain in power at least until 2021 and has been the one calling the revision of Article 9, more are the chances that this will happen.<sup>226</sup>

Important is to dwell in the fact that the revision can be seen as a possible intervention in order to protect the *harmony* of the Japanese people. However, once more, the perseverance of their *harmony* by implementing military forces in order to protect the country from outsiders and outside danger can be seen as another step towards an always more nationalistic behavior.

Thus, the possible event of Article 9 and also the wish of having Shintō religion back, will certainly enforce my argument regarding the strong nationalistic inclination of this population. The *thoughts* of keeping their traditions and beliefs as the only identity, and the *actions* seen with Art.9, the wish of having a national instrument (Shintō) back, and the strict immigration policies give to this research a stronger and fresh *conscious experience* of nationalism.

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<sup>225</sup> Ibid.

<sup>226</sup> Puerto, "Abe Punta Al Cielo Con L' Aituo Della Lobby Scintoista."

### 5.4.3 PEACEFUL NATIONALISM

This final analysis of the two concepts *Peaceful* and *Nationalism*, makes the author think of the Japanese as peaceful people that live in their own nationalistic bubble. A bubble in which there is an intriguing perseverance of unique and fascinating traditions. Ancient traditions and beliefs have been carried out perfectly for centuries and still believed. The idea of a past in which criminals were punished, a past in which the Japanese were being careful with allowing strangers in their group/family member due to the collective responsibility seen in chapter 3, and a past in which there have been events of pureblood sterilization, take this project to have a final hypothetical interpretation based on a solid theoretical ground.

Harmony might result to be maintained by the strict and restrictive immigration policies upheld by elected officials. Therefore, *nationalism* can be interpreted as the will to protect the nation from the *other*, which is seen as the one that can damage or change the *harmony* of Japan. What is more, this nationalistic approach has the power to control what kind of people can enter the country and also what kind of beliefs the nation should carry.

Therefore, immigration policies might have been so strict in Japan because it has been from the ancient past that this population believed in certain ideologies, which gave to Japan the etiquette of having protectionist policy against the strangers. These nationalistic ideologies, especially towards the *foreigners*, fortunately have not been aggressive, but either just protective of the Japanese harmony. Therefore, until there is no revision of Article 9, the adjective *Peaceful* can remain besides *Nationalistic*, in the way to define the peaceful intention of being closed and reserved with strangers. The peaceful intentions can be found in the will of pursuing Japanese harmony. The nationalistic intentions, instead, can be found in the will of impeding the entrance of strangers in a country with its own harmony.

Therefore, the author named *Peaceful Japanese Nationalism* the phenomenon in which the Japanese people carry their life in name of harmony and in which, in name of their uniqueness, they prefer to relate to themselves as the only population that is able to conduct harmony in Japan.

In Japan, there are strict immigration policies because there might be a *Peaceful Japanese Nationalism*.





**6.**

# **CONCLUSION**

This thesis had its focus in understanding the reasons why the Japanese people have strict rules on their immigration policies. Thanks to the methodology of phenomenology it has been possible to analyze the matter in a deep and valid way. Phenomenology allowed the author to include *context values*,<sup>227</sup> known as the useful information coming from the surroundings of the research, which resulted to give an important contribution to the final understanding. These values were found in the interest of engaging other aspect of the Japanese people, such as religion, traditions, and costume. It has been discovered that the society follows the ethic of *harmony (wa)*, which carries all the population to live a peaceful and serene life. How to preserve *harmony*? For example, one way is to follow *the way of doing things (kata)*, which gives the direction of how to do and make all single, simple, and daily things in the Japanese life. Harmony is the principle in which the Japanese society is founded since its ancient roots, and kata one of the multiple ways these people try to balance and maintain harmony. These concepts have been found to not be modern ideas, but they are instead connected to ancient historical events, thus to Japanese history. Hence, thanks to the belief on *context values*, it has been feasible to encompass a new method in this analysis: *historicity*. Historicity, as a method to phenomenology, gave to this research another important input with its ability to dig into past events and understand meanings of certain actions and decisions taken. Interpretation and historicity have had an enormous role in the comprehension of fact of both the past and the modern Japan. Thus, *interpretation* incorporated the active process of de-contextualization and re-contextualization of the analyst, which helped to find meanings in social facts of the past, such as in *harmony* and in *kata*;<sup>228</sup> *historicity*, instead, allowed to have a wider comprehension of why and how this population carried out a life with the central idea of harmony and other principles. Hence, this first part of the project has been based on giving a theoretical framework over the origins of Japanese society. In harmony, Prince Shotoku (in the 6th century) founded the first Japanese Constitution, called The Seventeen Articles Constitution.<sup>229</sup> Among all the maxims written, harmony was the one in which all society was supposed to be founded; from then until now, this has not changed.

Other events happened in Japan have been analyzed. For example, the Tokugawa Shogunate showed the rigid restriction the population had already in the past towards strangers, connected to both the closure of Japan to international trade and to the fear of consequences due to the

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<sup>227</sup> Risjord, "Philosophy of Social Science: A Contemporary Introduction." P.17-20

<sup>228</sup> Pouliot, "'Subjectivism': Toward a Constructivist Methodology." P.365

<sup>229</sup> Bruce, "Statesmanship and Sainthood: The Legend of Prince Shotoku in the Founding of Japanese Buddhism".

collective responsibility. The Shogunate demonstrates the inclination of the ancient Japanese to have harsh punishments against the rule breaker, which can be either considered people that misbehaved the rules of Japan or criminals. Moreover, in more recent times some laws were implemented in order to maintain the Japanese *pureblood*. Therefore, in the 20<sup>th</sup> century, Japan has conducted many *sterilizations* among the population in order to purify the Japanese race from people believed being contaminated by either mental illnesses, foreigners, or even from criminal actions. Both the Shogunate and the Eugenic Period will be used as strong and important sources in the last chapter, in which there will be found a possible comprehension of why the Japanese Immigration Policies are strict.

This first theoretical framework illustrates the Japanese society, in which it is shown the Japanese uniqueness in doing things and believing in things in their own ways. The importance of having had this first section has been built upon the idea of combining the theoretical understanding of both society and immigration policies, in order to obtain a more valid and inclusive analysis. Hence, the second part of this project will cover the theoretical understanding of the immigration law of Japan.

Immigration have been studied in both its history, regulations, and also in the perception of both the Japanese and the immigrants over the phenomenon. It has been found that in Japan, the history of migration is dated back just to the second World War II, when Koreans and Chinese were called to help Japan in these job positions left free from the soldiers that went to the battle field. Even if immigration is a recent phenomenon to the country of the rising sun, already from the 90s new laws have been passed in order to regulate the entrance of people.<sup>230</sup> Since the first immigration law in 1990, both the sensation about immigrants and the immigration policies became stricter and more severe. Thus, with these new laws, the illegal immigrants were banned, and, instead, a trainee program (TITP – Trainee and Technical Intern Program) became the new way to enter the country. It has been found that these two groups of immigrant (the illegal and TITP) are sharing some similarities: long working hours, bad living conditions, difficult and dangerous jobs, and restrictive health care.<sup>231</sup> Therefore, in this it was possible to understand that Japan has legalized these illegal workers that previously were filling the dangerous jobs that no Japanese wanted. These occupations are known as 3K jobs: *Kitanai* (dirty), *kitsui* (demanding or difficult), and *kiken* (dangerous).<sup>232</sup> Therefore, this can be

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<sup>230</sup> Papademetriou and Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, 10. P. 14

<sup>231</sup> *Ibid.* P. 29-32

<sup>232</sup> *Ibid.* P.11

considered as a strategy of Japan in order to still have these brave workers which will be able to maintain the Japanese economy stable.

This second theoretical framework continued with the explanation a group of people that are more privileged by the Japanese immigration policies. The *highly-skilled foreign professionals (HSFP)* are considered the high-level standard of people<sup>233</sup> that have the potential to be part of the high Japanese ranking system. Various are the motives of this policy decisions: to help to the problem of aging-population, to make Japan more international, or to booster the economy of the country. All these aspects are, however, all connected to the fact that the Japanese prefer the entrance of certain people respect to others. Preferred people are the HSFP, which can give a higher contribution to this society than the unskilled ones (trainee), because they are more educated and higher ranked.

With chapter 3 and 4, both the societal aspect regarding how the Japanese think and act, and the immigration system part regarding how the Japanese regulate the immigrants have been successfully covered. These chapters gave an overview of how the society structure and immigration policies are strict and rigid; however, still not explained is the whys of this strictness. The last chapter gave a comprehensive analysis of the whole.

The Japanese might consider themselves as the only people that should live in their country, as the original people of Nihon. Therefore, it is hard for them to see the foreigner as an inclusive element of their society. In Japan and Japanese, the immigrant is referred as the “foreigner.” The word “immigrant,” *immin* in Japanese, has become a taboo for the society,<sup>234</sup> to such an extent that they do not pronounce the word *immigrant* but they refer to it as “the I word.”<sup>235</sup> The factor that makes the Japanese to be concerned of the immigrant is the fear of undermining Japan’s harmony and social cohesion.<sup>236</sup> Hence, the foreigner, “*a person belonging to or owing allegiance to a foreign country,*”<sup>237</sup> is considered the only plausible candidate for the country. The foreigner, for the fact that he or she is not an immigrant (“*a person who comes to a country to take up permanent residence*”) would provoke less changings, minor deployments of integration system, or even spare policies of multiculturalism compared to a new permanent foreign residence.

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<sup>233</sup> Japan, "Point Evaluation Mechanism".

<sup>234</sup> Roberts, "An Immigration Policy by Any Other Name: Semantics of Immigration to Japan." P.89

<sup>235</sup> Ibid. P.89

<sup>236</sup> Papademetriou and Hamilton, *Reinventing Japan: Immigration's Role in Shaping Japan's Future*, 10. P.47

<sup>237</sup> Webster, "Dictionary".

The main idea behind this Japanese restrictive choice of actions towards the strangers can be found in *harmony*. Harmony is the main ethic of the Japanese, and every possible factor that could attack harmony has been pushed away. Often, the foreigners are seen from the Japanese as criminals, especially after the event of 9/11.<sup>238</sup> A mix of beliefs about the immigrant as criminal made Japan freeze even more against the allowance of permanent foreigners in the country. The Japanese try to preserve their integrity and their harmony just among the people with their same ethics: the Japanese. For this reason, the Japanese can have both the adjective of being *peaceful*, but also being *nationalistic* in the way they pursue their identity or beliefs. The nationalistic ideologies can sometimes lead to being aggressive against other countries and groups within the country; however, in modern Japanese history, Japan has not been involved in violent aggression, but rather it had a protectionist approach. The Japanese unique way of doing things made it clear that the Japanese population has its own unique way of being Japanese. However, this reflects the idea of “us” and the “them.” “Them” the foreigners, the immigrants, are judged and excluded by the concept of not being Japanese and not being able to conduct harmony for the country. “Us” are instead the Japanese people, which have in their sense of being the perseverance of harmony and integrity. Therefore, it is comprehensible to think of this phenomenon of having strict immigration policies in order to not let strangers attack the nation’s harmony, as a nationalistic approach towards the international environment. This approach somehow excludes the possibility to integrate new people or being socially open to the world. Nationalistic behavior is seen in their perseverance in carry out their national and rigid ideologies, in which their identity is protected undoubtedly, knowing they (the Japanese) are the first,<sup>239</sup> mono-ethnic, unique,<sup>240</sup> and superior<sup>241</sup> people. For these reasons seen above, the author would describe Japan as having a *peaceful nationalistic* identity. An identity that has as aim its peaceful progress and status.

To sum up, this project has been able to develop two theoretical frameworks in which it has been answered *how strict are the Japanese Immigration Policies*. Instead, the final analysis (chapter 5) has eventually found a possible explanation to the initial research question: *why are Japanese Immigration Policies strict and restrictive?* The final elucidations have been achieved thanks to the previous understanding of both societal history, religion, and traditions, and Immigration history and policies.

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<sup>238</sup> Murakami Wood, Lyon, and Abe, "Surveillance in Urban Japan: A Critical Introduction." Introduction

<sup>239</sup> Fabbri, "L'importanza D'essere Giappone." P.34

<sup>240</sup> Murphy-Shigematsu, "Multiethnic Japan and the Monoethnic Myth." P.63

<sup>241</sup> De Mente, *The Loss of Japan's Secret Weapon! The Kata Factor*. P.95

*Peaceful Japanese Nationalism* is considered in this thesis the adjective that describes the reason why the Immigration Policies are strict: because Japan implements a policy of peaceful nationalism.

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