

On the Fringes

By Hiroshi Komai

Whatever their legal status—whether they are illegal entrants or whether they have come under some ruse—it is estimated that there is an underclass of between 200,000 and 300,000 fringe foreign workers in Japan. This includes nearly 100,000 in the sex and entertainment industry, more than 50,000 in manufacturing, over 50,000 in construction, and about 30,000 in services.

For most of these foreign workers, their employers are on the bottom rungs of the industrial structure and they themselves are in the pits. Operating at the lowest level of the subcontracting pyramid for construction and manufacturing or working in the least financially sound segments of the service sector, these employers are struggling to survive in the face of falling prices and a labor market in which Japanese laborers are increasingly shunning those tough jobs with onerous working conditions, jobs that involve dirty, difficult or dangerous work, and jobs with late-night or early-morning hours.

In the construction industry, foreign labor is hired by the bosses at the lowest level of the subcontracting pyramid; in manufacturing they are employed by the smallest of the small subcontractors. There are also signs that foreign labor tends to cluster around certain jobs within these two industries. In construction, for example, they usually do the heavy work at construction sites and perform other unskilled chores. In manufacturing, they are most often doing metalwork, operating presses and stamping machinery, making car parts or working for printers and binders.

Foreign labor in the service industry is mainly employed at restaurants and does much of the dirty work and staffs the graveyard shifts. The sex industry, despite being an indispensable part of Japanese society, also lies outside the "legitimate" industrial structure.

While there is an interminable turn-

over at the individual level, on the whole, foreign labor is a constant and increasing presence in these industries and occupations. As such, these people have become very much a part of the Japanese economic structure. However, there is as yet no segment of the labor market that draws exclusively on foreign labor, and Japan has yet to develop the kind of dual labor market seen in Western Europe and North America.

For the most part, fringe foreign workers are treated on a par with Japanese housewives, student part-timers and employees at the smaller companies. On the surface, this seems to support the argument that they are not discriminated against. It must be remembered, however, that the Japanese working in these conditions themselves occupy the lowest ranks of the labor force, and that being treated the same as these people actually means that foreign labor is relegated to the lowest levels.

Japan has started using foreign labor to compensate for the misalignments in the labor market, as seen in the severe labor shortages in certain sectors. Not even the arrival of large numbers of foreign workers, however, has been able to rectify the misalignment between labor supply and demand.

Labor migration

Yet just as Japan exerts a strong pull on these people, conditions at home exert a strong push, and the flow of labor is encouraged from both sides. The tremendous wage gap between Japan and the home countries, the large numbers of unemployed workers spawned by population explosions, the sluggish-at-best economic development and other factors are all well known, and there is no doubt that these are major catalysts for the outflow of labor. Yet even though some of the causative factors may be new, this is not a recent phenomenon, and Asia has a long history of such labor migration.



Photo: Asahi Shinbun
Laborers from the Philippines at a Japanese construction site. The number of foreign workers in the construction industry is estimated at 50,000 or more.

Looking only at the post-World War II flows, there are three clearly identifiable periods. The first period was mainly a movement of workers from former colonies to suzerains. For example, labor emigrated from the Indian subcontinent to Britain and from the Philippines to the United States. For a number of reasons, however, outstanding among them the fact that it was reeling from defeat, Japan did not experience an influx of workers from its former colonies, except for a trickle from Korea.

The second period took place after the oil crisis of 1973 and was marked by the flow of workers to the oil-rich countries of the Middle East in search of jobs in the booming construction industry. At one point, transient labor accounted for 60% of the construction labor force in these countries. It was especially during this stage that the various Asian countries embarked on systematic efforts to provide such labor—both to reduce the pressures of high unemployment and hidden unemployment and because the money these people sent back home helped to improve the country's international balance of payments.

The third period began as the Middle Eastern countries faded as transient labor destinations. Starting in the mid-1980s, the oil-producing Middle Eastern countries implemented policies that called for a switch to local labor and, at the same time, the oil boom fizzled out and sent construction demand plummeting. This meant that the Asian economies, having institutionalized such overseas labor, needed an alternative destination for their workers once the Middle East market was lost. Inevitably, Japan was a prime candidate.

Given these circumstances on both sides—in Japan the recipient country and in the Asian home countries—there was a strong increase in the pressure for this labor to seep into Japan. Despite this, the

Total Number of Visa Violations by Country

	1983	1984	1985	1986	1987	1988	1989
Philippines	1,041 (29)	2,983 (96)	3,927 (349)	6,297 (1,500)	8,027 (2,253)	5,386 (1,688)	3,740 (1,289)
Thailand	557 (39)	1,132 (54)	1,073 (120)	990 (164)	1,067 (290)	1,388 (369)	1,144 (369)
China	528 (85)	466 (136)	427 (126)	356 (161)	494 (210)	502 (230)	588 (316)
South Korea	114 (24)	61 (34)	76 (35)	119 (69)	208 (109)	1,033 (769)	3,129 (2,209)
Pakistan	7 (7)	3 (3)	36 (36)	196 (196)	905 (905)	2,497 (2,495)	3,170 (3,168)
Bangladesh			1 (1)	58 (58)	438 (437)	2,492 (2,939)	2,277 (2,275)
Others	92 (16)	138 (27)	89 (20)	115 (38)	168 (85)	566 (439)	2,560 (2,165)
Total	2,339 (200)	4,783 (350)	5,629 (687)	8,131 (2,186)	11,307 (4,289)	14,314 (8,929)	16,608 (11,791)

Notes: 1. Figures in parentheses represent the number of males in the total.

2. "Others" includes India and Malaysia.

3. A violation is defined as involvement in an activity other than that permitted by one's visa or this in addition to overstaying the length of one's visa.

Sources: Statistics on Foreigners and Japanese Arriving and Leaving Japan in 1988 (Japan Immigration Association) and *The Immigration Newsmagazine* (Japan Immigration Association, December 1989).

Japanese immigration authorities resolved to defend the closed-door policy.

Cat-and-mouse

The result has been a cat-and-mouse game between the rapidly increasing foreign labor population and the various restrictive policies that have been adopted. Workers slip through the cracks in the laws or regulations until the government finds some way to plug that hole, at which time a new loophole is quickly discovered and the flow comes through it. No matter how much effort goes into cutting off the flow, there is always another loophole and there are always more and more people coming to Japan to work.

Much of the change over the past few years can be seen in Immigration Bureau visa violation data broken down by country of origin (see table). According to these figures, Filipinos still accounted for the majority of violations in 1989, despite stricter visa approval procedures, followed by Pakistan, South Korea, Bangladesh and Malaysia. It should be noted in relation to Pakistan and Bangladesh, however, that the temporary suspension of bilateral visa requirement waivers in 1989 has held the numbers from these countries below what they might have been.

Another influx is people of Japanese descent returning to Japan. The large Japanese outward migrations of the past are now rebounding in massive inward migration by these people's children and grandchildren, many of them from Brazil. At present, it is estimated that there are more than 80,000 of these people, the bulk of them employed in the manufacturing sector. This group includes first- and second-generation Japanese, some of whom have Japanese nationality, and others who are technically foreigners. However, the Immigration Office is said to be relatively indulgent toward people of Japanese descent, and admissions of such people are thus expected to increase.

There has also been a dramatic increase in the number of Koreans entering Japan since the Seoul government eliminated age restrictions on overseas travel

in 1989. Most of these people are relying on relatives and friends already in Japan, and this is expected to continue to be a major route.

Just as there have been major changes in conditions in the home countries, so have there been changes in entry visas and periods of stay. Presently, many people enter Japan on short-term tourist visas and stay on and work after their visas expire.

Another common technique is for people to come on student visas meant for Japanese-language study or on entertainment visas (for singers, dancers, etc.). In 1988, there were 35,000 new entrants on student visas and 48,000 on such entertainment visas. But crackdowns by the immigration authorities are expected to bring these numbers down sharply for 1989. By the middle of 1989, the total number of illegal aliens in Japan who entered in one of these guises was almost 110,000.

In addition, more and more workers are starting to enter on technical training visas that include permission to gain on-the-job experience. People entering on this visa status are designated trainees, but the category has been much abused in the absence of more than perfunctory screening of their training sites. In their on-the-job-training, "trainees" are forced to do real work but the company is not legally bound to pay them real wages. They

are, after all, only trainees. As a result, they are generally given allowances of up to ¥60,000 a month. There were over 23,000 technical trainees in 1988, and this number is on the increase.

Difficult and dangerous

Being branded as illegal workers has substantially worsened the working conditions for foreign workers. One of the biggest concerns is work-related accidents. Since these fringe foreign workers do the dirty, difficult and dangerous jobs, there is a very high likelihood that they will be injured.

While foreigners working legally are eligible for relief under the Workmen's Accident Compensation Insurance Law, it is nearly impossible for illegal workers to receive any benefits under this program. If they apply, the Labor Standards Inspection Office, which reviews applications, is required to report the illegal worker to the immigration authorities and the applicant will be deported. Thus there are very few applications filed except in the case of very serious accidents. Employers, not wanting to get tangled up with the immigration authorities or the police for employing illegal aliens, make every effort to cover up workplace accidents and do not apply for insurance benefits.

The unfairness evident in the handling

of labor accidents is accentuated by problems with wages and job security. As illegals, they have little protection against arbitrary employers, as borne out by their inability to effectively resist sudden dismissals, the persistence of low wages, and the increasing difficulty they have collecting even those wages due to them. Besides the wretched working conditions, they are also subject to the whims of underground brokers. It is not easy to evade the immigration checks, and professional organizations have cropped up to profit from this trade. Brokers have been implicated in numerous cases of failing to pay wages, demanding kickbacks, and virtually imprisoning their charges.

The Immigration Control and Refugee Recognition Law was revised in late 1989 in response to the rapid increase in the numbers of foreign workers coming to Japan. The new law includes penalties (up to three years' imprisonment or a fine of up to ¥2 million) for people who employ or arrange work for illegal aliens. In its attempt to clamp down, this law reinforces Japan's closed-door stance.

Flawed options

The choice looks so simple: either open the door to foreign labor or close it. But looking at the way things are developing, it is clear that there are inherent limits to both of these approaches. The closed-door approach is not palatable because attempts to deport people ultimately end up violating their rights. Furthermore, attempts to prevent the inevitable influx of labor will cost society more in the long run than letting them in would.

Yet there are also problems with the open-door policy. This policy is based on the economic argument that the door should be left open to let in the labor needed by the leading industrial countries. Such a need, however, will always only be for low-wage labor. The developing countries have already seen their people exploited locally by the multinationals from the leading industrial countries, and encouraging an outflow of labor can only mean further exploitation.

Besides the harm done to the individual worker, the outflow of workers also

has a deleterious impact on the families and communities they leave behind. For one, the absence of male heads of households puts a heavy psychological burden on the wife and children. And for another, such laborers also tend to come from the same region, meaning that the outflow of some of their best people cripples the local community and society.

Probably the biggest disadvantage of the open-door policy for Japan is that the influx of low-wage workers means that there is less pressure on business to modernize and improve the industrial structure. The present labor shortage has already triggered moves toward better wages and working conditions for construction workers, and wages for part-time workers in the service industry are also edging up. Subcontract prices have also begun to increase. The ready availability of low-wage workers, however, impedes these trends and encourages the persistence of the old industrial structure.

The most convincing argument put forth in support of the open-door stance is that the presence of more foreign workers can do much to make Japanese culture less insular. However, this cultural role is dramatically undercut by the fact that these people are treated as "cheap labor"—which label evokes images of exploitation and feelings of sympathy and pity. How can people in such a position have the personal stature which is a prerequisite to true cultural exchange?

Euro-American experience

There are thus problems with both the open-door and closed-door policy options. Any attempt to come up with a compromise, however, should take the Euro-American experience into account. Some points of comparison are listed below.

1. The Euro-American countries accepted considerable numbers of workers both as immigrants and as temporary employees, and it was only after these people had put down roots that efforts were made to block new immigration. Japan, on the other hand, has no real experience here (excepting, of course, those people brought to Japan from

Korea before and during the Pacific War). As a result, much attention has been paid to the social problems associated with guest workers in Western Europe, and this has become a potent closed-door argument.

2. While the Euro-American countries have a wide range of civil rights and other laws preventing discrimination against workers from overseas, Japan lacks this basic structure and foreigners, from whatever country, are still considered suspect and subjected to compulsory fingerprinting and other legal scrutiny.
3. The country-of-origin cultures are respected in the Euro-American countries. Whether it be the United States (which sees itself as a multicultural society) or France (which defends the right to cultural differences), these countries honor the concept of a multi-racial society drawing on the cultural variety of its people. Different cultures are shunned in Japan, however, being either ostracized or Japaneseized.

Comparing the Euro-American experience of the past and the Japanese present, it is clear that there should be neither an ambitious effort to import labor nor a full-scale attempt to turn back the tide. The most important issue at this point is that of protecting the civil rights of those who are already gainfully employed in Japan, as well as those who will arrive in the future. Japan has to be prepared for the inevitable.

Yet when all is said and done, the only real solution to this problem lies in creating conditions in the home countries that enable them to employ their populations productively and reduce their dependence on labor exports. It is only when Third World people are accorded their full respect as individuals and not simply seen as a source of cheap labor that the interpersonal relations these people have with the Japanese around them will be truly beneficial for both sides. ■

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