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Finding Home: Immigrant Life in Japan

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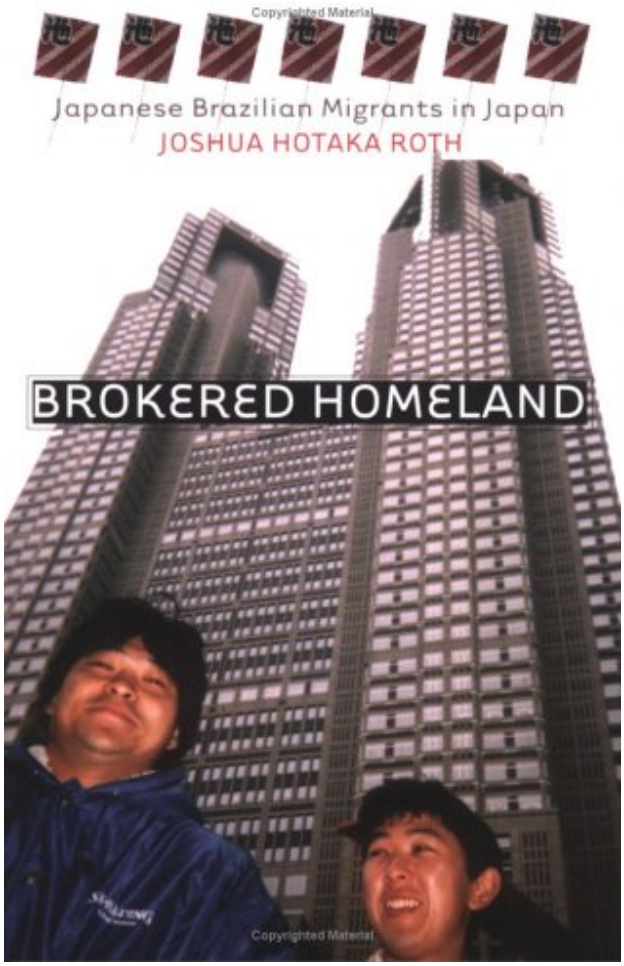
Finding Home: Immigrant Life in Japan

By Sharon Noguchi

More than a decade ago, Joao Masuko seized an opportunity. With the burgeoning Latin American migrant population in Hamamatsu hungering for a taste of home, he opened a small grocery.

"A lot of Brazilians wanted Brazilian food. So I learned how to bake," said Masuko. Then he stepped in to fill other needs, and branched into auto supply, computers, money exchange and more, all catering to Latin American immigrant communities.

Masuko demonstrates the possibilities in immigrant life, but his is not, of course, the typical immigrant story. More common are his customers, those living on the economic and social margins. They weld wheel rims, pack fish and assemble electronics. Others prepare lunchboxes or provide sex for pay. Like migrant laborers elsewhere, they earn low wages enduring conditions that sometimes range from bad to horrific. Mostly, they fall outside Japan's corporate and social safety net. Japan expects many of them to return to their home countries when they're too old or sick to work.



It's likely that economic necessity will eventually force Japan to revise its laws and allow large numbers of foreigners to settle permanently. But in the long run, an "us vs. them" attitude toward foreign labor hinders progress toward what is in Japan's interest—cultivating a stable workforce and social harmony. Of more immediate importance is whether the Japanese state, the media, and society can rethink their attitudes toward outsiders and allow immigrants to integrate into society.

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A Need for Workers—and Consumers

As its population shrinks, Japan needs workers, as well as consumers and contributors to the social safety net for its graying society. And that need is growing, quickly.

Last year, the nation's fertility rate in this nation of 127 million rose slightly, after dropping to a record low of 1.25 in 2005. The fertility rate measures the number of children the average woman is expected to bear over her lifetime. In 2005, for the first time, births fell below deaths, beginning what demographers predict will be an accelerated population decline.

Although marriages and births also rose last year, Japan is on track to fall below 100 million people by year 2042. And even if countermeasures like building daycare centers and encouraging paternity leave succeed, they won't fill the immediate need for workers to take "3D" jobs—the dirty, difficult and dangerous work that young and relatively affluent Japanese shun.

So Japan either must downsize and retool its economy or follow the path of other industrialized countries and import labor. Either would require seismic shifts in social, economic, political and cultural arenas.

Developed and developing countries alike wrestle with these issues. The European Union, which accepts migration as a given, has adopted a common immigration policy that both facilitates movement within member states and secures borders. Labor-importing states have become preoccupied with how to absorb newcomers. Austria requires would-be immigrants to sign an "integration agreement" that includes passing a German language course. Germany also requires cultural orientation for non-EU migrants.

In the United States, as the immigration debate intensifies, President George W. Bush this year proposed in his State of the Union address creating a "legal and orderly path for foreign workers to enter our country," as well as ways to assimilate immigrants and adjust illegal status. Responding to calls in newspapers and from advocacy groups, Congress may tackle comprehensive immigration reform this year.

Not so in Japan. Immigration has been conspicuously absent from the agenda of prime ministers—including Abe Shinzo—and the Diet. That leaves government ministries jockeying to impose their will on the issue. The National Police Agency, for instance, calls attention to crimes by foreigners; in reports about crimes, the suspect's nationality often is prominently mentioned, promoting notions of immigrants as criminals.

In fact, it seems that fear of change still guides Japan's stance. Although Keidanren, the Federation of Economic Organizations, pushes for acceptance of more foreign labor, and a handful of NGOs advocate on immigrants' behalf, there appears to be scant momentum to forge a forward-looking immigration policy. As a result, even some of those who would embrace immigration are wary.

"Japan has done nothing to accommodate immigrants. If it doesn't put a system in place, then it shouldn't invite lots more people," said Alberto Matsumoto, an attorney and immigrant from Argentina.

Lessons from the Present

The side and back doors Japan opened to immigrants in the past two decades could offer some lessons in crafting new policy.

As a percentage, the foreign population remains low. In 2006 Japan's foreign residents exceeded 2 million—but still only 1.57 percent of the total population. Nearly two-fifths of "foreigners" are registered as Koreans. But the

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vast majority of these are the so-called old-comers whose families have lived in Japan for two or three generations, and who culturally and socially are nearly identical to Japanese. Koreans, however, have become a shrinking minority, as they are naturalizing more rapidly than before and thus disappearing from census records that note nationality but not ethnicity.



Immigrants arriving in Japan

While Japan had welcomed migrants at the height of empire, mostly Korean, Taiwanese and mainland Chinese, in the decades following defeat in the Pacific War and the loss of its empire, Japan strictly regulated immigration. Not only did it deprive former colonial people of citizenship, it also pressured Korean residents to migrate to North or South Korea. During the bubble economy of the 1980s, however, to feed its humming industrial machine, Japan opened the door to descendants of its citizens who had emigrated abroad, particularly to Peru and Brazil.

Hundreds of thousands came. In a pattern common in the West, many returned home with savings for a house or business; some migrated back to Japan again.

Migration continued even after the bubble burst. As in other G8 nations, farms, factories, and small and medium businesses value immigrant labor, even if the public and officials resist it.

Today more than 370,000 Latin Americans, mostly Nikkei like Masuko and their families, are living in Japan, making up the largest group of recent legal migrants. The influx has slowed, in part because the migration pipeline has already tapped most Nikkei in Brazil and Peru willing to work in Japan.

They are clustered in towns like Oizumi, Gunma Prefecture, and Toyota City, Shizuoka Prefecture, where automotive and other manufacturers have plants and suppliers. In the national policy void, cities have taken the lead in accommodating immigrant communities. Several have convened political advisory boards of immigrants, or even extended non-citizens the right to vote on local issues. Kawasaki City, among the most pro-active, adopted a policy in which the city serves as a housing guarantor, key to helping foreigners rent apartments.



Nikkei Brazilian children

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In that sense, Japan is not dissimilar to the United States, where cities and states—with varying political agendas but frustrated with federal government immigration policies—have taken steps to welcome or bar migrants. In liberal areas like the San Francisco Bay Area, municipalities forbid police from cooperating with immigration authorities; after raids in Redwood City, California, in February, school and city officials convened a meeting to tell fearful residents that local officials will not report them and their children will be safe from federal agents.

At the other end of the spectrum, Hazleton, Pennsylvania last fall required landlords, employers and businesses to verify the immigration status of tenants, employees and customers. In the face of litigation and nationwide criticism, the city agreed not to enforce the ordinance.

Such public policy debates haven't yet reached Japan.

On the Outside

In everyday life in Japan, foreign laborers remain outsiders, typically working for labor contractors rather than directly for employers.

Torn by difficulties that beset migrants everywhere, immigrants' approaches to resolving many problems are distinctive to Japan. "It's hard to find jobs if you're not Japanese and if you don't speak or read Japanese. You have to rely on a contractor," said Enrique Sakaguchi, a Nisei or second-generation Japanese-Peruvian, who moved to Japan 18 years ago.



Kanagawa City Union, which represents foreign workers in Japan, stages a spring 2005 protest in Tokyo demanding better protection of worker rights.

While public employment centers do serve legal migrants, those who can't speak, much less read or write Japanese find few offerings. In contrast, a labor contractor can find a job not requiring fluency, and will provide, at a cost, housing, furnishings and transportation. For employers, the contract system offers a flexible workforce.

But the system also opens up opportunities for exploitation. "The factory wouldn't provide gloves or other safety equipment," Sakaguchi said about a Kanagawa plant where he worked making auto wheel rims. When workers' uniforms got burnt—as he said they often did in workplace accidents—the contractor refused to replace them.

Sakaguchi and other migrant laborers can recount incidents showing how their second-class status leaves them vulnerable. Some contractors illegally skim a percentage of pay. Sakaguchi recalled one man who chopped off his finger on a workplace machine, but was forced to tell hospital staff that he had caught it in a door—because his employer feared being investigated and fined for safety violations.

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Foreign contract laborers feel they have no recourse: unable to appeal to bosses and held hostage by contractors. In fact, while many migrants resent their supervisors, their hatred often is reserved for labor contractors, the men who speak their language, deal with the company owners, dole out salaries—and may or may not follow the law.

Workers "are exploited because they want to be exploited," said Akira Sakata, a labor contractor who manages 800 workers throughout Japan. A Peruvian immigrant and former migrant laborer himself, he believes migrants need to learn the language and adapt to the culture if they are to succeed. And, he said, they need to be more assertive. "They have a fear of submitting a claim against the company."

Migrants and labor officials laugh at such assertions. People fear asking even for what's rightfully theirs—like vacation days—because they will suffer repercussions, said Augusto Tamanaha of the Kanagawa City Union, which represents foreign laborers across several industries.

Even when they're not paid overtime, tax refunds or holiday allowances as required, workers say they cannot afford to protest for fear of losing their jobs, their homes or their ability to stay in Japan and support their families. Illegal immigrants feel the fears even more acutely.

And as foreign workers age, they face retirement without pensions and health insurance. "People here work hard, seven days a week. They don't even have time to get sick," said Hamamatsu attorney Ishikawa Etsuo, a Brazilian immigrant. Because they've spent years in hard jobs and ignored their health, many have serious medical needs, he said.

A former head of an advisory group of foreign residents, he knows of many compatriots whose retirement dreams have been crushed by an accident, an emergency or declining health.

Schooling Concerns

The longer migrants stay, the deeper the roots they put down. Their children may not know the parents' native language—and yet remain shut out of the Japanese mainstream. Schools like the Okubo elementary school in Tokyo, that offers bilingual education and outreach to newcomers, are rare. Instead, a significant portion of immigrant children don't attend school at all, because of bullying, language difficulty or parental indifference. Fearful illegal immigrants also keep their children home.

Escola Brasileiro de Hamamatsu opened in 1995 when director Benedito Garcia, then a factory worker, noticed that his coworkers' kids were hanging out, not attending school. "Everybody thinks they're coming (to Japan) for one or two years, but it's usually 10 years," said student Thiago Haruo Santos. But the private schools taught in Portuguese—or any other foreign language—don't get Japanese government funding, and not all migrant families can afford even the modest tuition. Critics fear, moreover, that education in a foreign language consigns students to the same lives their parents lead on the economic fringes, at least as long as they remain in Japan.

The extent of the school problem is unknown. Compulsory education laws don't cover foreigners, and the Education Ministry doesn't count foreign children not attending school.

The city of Hamamatsu, with a sizable Brazilian population, has started special schools for at-risk immigrant children. It has adopted other supportive policies for foreign residents. But "the Japanese government probably won't learn from local government," said Tanaka Hiroshi, a professor at Ryukoku University in Kyoto, who

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played a pivotal role in the fight two decades ago to stop the mandatory fingerprinting of foreigners as part of the process of registering for residency. "All they think about is that foreigners commit crimes."

The problem of migrant children not attending school is incubating one of the largest challenges posed by both legal and illegal immigration: a generation of illiterate, unsocialized children in one of the world's most literate, socially demanding societies.

The lack of attention to such problems stems partly from the Japanese view that foreigners come to work—and then go home. It's the thinking behind the trainee-internship program, ostensibly designed to help Japanese firms abroad and workers in China or Southeast Asia. Japan offers visas to trainees who take up demanding jobs and supposedly learn skills to take back home. But labor unionists say the program, which exempts workers from coverage under many labor laws, facilitates exploitation. Employers can pay as low as 300 yen an hour for long shifts under oppressive conditions. Trainees often have gone underground to continue working after their visas expire.

While businesses and the Health, Labor and Welfare Ministry want to continue the program, the Justice Ministry, taking aim at migrant crime, hopes to abolish visas for trainees and for Japanese descendants as well.

Illegal Immigration

Eliminating such programs could create a worker vacuum that likely will draw in more illegal immigrants. Both the national and Tokyo governments have cracked down on visa-less foreigners, with occasional high-profile raids in the entertainment districts or at train stations. But law enforcement can't keep pace with the inflow. Other factors besides the labor market have facilitated undocumented immigration. Eliminating visa requirements for Chinese, Taiwanese and Koreans in a bid to spur tourism opened the door not only to citizens of those countries, but also to residents of third countries using laundered passports. Private language schools became a cover to some entering on student visas with the intention of working. And restrictions and reality cause so-called entertainers, many of whom work in the sex industry, to go underground when their sponsors disappear or visas expire.

Rodel Rosario del Galvez was arrested one August afternoon at Akihabara Station, near Tokyo's discount electronics zone, on his way to the hospital. He had broken his arm while working as a painter, but his employer declined to pay the medical bill. It offered him 300,000 yen to quietly go back to the Philippines.

"They are just harassing me," said Galvez, who is supporting his wife, two daughters and a niece in Balakau, the Philippines. "If you are an overstayer, the employer thinks you have no rights here."

Labor laws apply to all workers, regardless of legal status, and officials insist that they enforce them. If employees work more than 40 hours a week, they must sign an agreement with the employer. It is a condition, however, that is so widely violated as to make the law seem ludicrous.

And if the labor standards bureau discovers employers illegally withholding pay, "we urge employers to pay back pay," one Labor Standards Bureau official said. "In some cases, it is settled naturally, through discussion between the employee and employer."

But only a fraction of alleged violations ever reach labor bureaucrats' desks. The ministry has only 3,000 inspectors covering all of Japan. And migrant workers in particular fear retribution if they claim legal rights.

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"The Japanese government hasn't really thought about how to handle migrant workers," attorney Ishikawa said.

Luz Martinez works several shifts a week cleaning rooms of "love hotels," where rooms are rented hourly. It's barely enough to live on, but it's the best she could find after being fired from the production line packing fruit for a Dole Japan affiliate. After 16 months, she said, she had taken a sick day and was told not to show up again.

Martinez (which is not her real name) held more than 13 jobs in a dozen years in Japan. She arrived from Lima, Peru, after paying $1,000 to a broker referred by a friend of a friend promising her a "good job." The job never materialized—a stroke of luck, she later found, because it involved sex for sale—and she found work packing frozen fish in Nagoya.

Like other illegal immigrants, she relied on word of mouth and eventually cell phone messages to find jobs with employers willing to risk fines by disregarding workers' legal status. Martinez has worked in auto-parts factories, chemical processors, box-lunch assembly lines, hotels, and food processors.

She's never benefited from the nationalized health insurance scheme. After she scalded her hand in a vat of broth at a soup plant, or when chronic exposure to paint fumes immobilized her, she paid her own medical expenses.

After being fired by the fruit packing company, she asked for a refund of wages that had been withheld for taxes. The company still owed her about 220,000 yen, or nearly $2,000, she said, in withholdings that should have been returned because she had not earned the taxable minimum. "But there was no form in the envelope, and when I asked the contractor, 'Where is the tax refund?' he pretended to be surprised and said, 'The factory didn't include it?'"

Martinez, a streetwise woman, sought legal advice and considered filing a claim to recoup her money. She backed off, however, when warned that her former employer could report her to immigration officials. She calls such contractors and companies "unscrupulous thieves." Like other foreign laborers, she has quietly endured humiliation and intimidation: "The psychological abuse is worse than the physical hardship," she said.

As the government seeks to find nurses and care givers for its aging population, Japan will find that more and more immigrants are women.

Martinez considered accepting a friend's offer to broker a paper marriage, with a man selling his name so she could become a legal resident. But she refused. It seemed dishonest, said Martinez, who registers annually with her ward office. Local governments do not report legal status to national authorities.

To Legalize or Not

People like her, who have worked years in Japan, are the best candidates to legalize and help fill Japan's labor needs, immigrant advocates say. Besides language skills, many have children and community ties.

But the government, even in the face of severe demographic challenge, refuses to allow such workers to stay permanently or to naturalize.

So furtively, hopeful immigrants arrive, most from Asia.

In Tokyo, the streets of Shin Okubo and Takadanobaba bustle with the energy of "newcomer" migrants, whose first stop in Japan often is within an immigrant enclave. Many find their first job in small businesses owned by compatriots.

Zhu Zongli, 53, moved to Tokyo from Beijing in

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1994 to cook. After five years at a friend's Chinese restaurant, he said, a customer helped him finance his own restaurant near Shinjuku, specializing in Peking duck. A few years ago, Zhu naturalized as a Japanese citizen; his daughter graduated from college and found a job working at a trading company. Such success stories, however, remain rare.

In contrast to immigrants from other parts of Asia, Chinese immigrants as a group adapt quickly. Not only can many pass as Japanese, but they also have an advantage in learning the written language, drawing on knowledge of Chinese characters that stymie most foreigners. Zhu's family, like many immigrants, is split over whether to stay in Japan or eventually return to China. Unlike most, however, their decision is not forced by economic necessity.

For those like Martinez with few options and no cushion, the choice is clear. "I just want to work," she said. But it's not clear if Japan will let her.

Sharon Noguchi is a staff writer at the San Jose Mercury News in California. She researched this article in part while on a Fulbright fellowship in Japan two years ago. She wrote this article for Japan Focus. Posted on February 9, 2007.

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