

**JAPAN'S POLICY TOWARDS REFUGEES
1945-2002**

*Dissertation submitted to the Jawaharlal Nehru University
in partial fulfillment of requirements
for the award of the Degree of*

MASTER OF PHILOSOPHY

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2004**



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Certified that the dissertation entitled "JAPAN'S POLICY TOWARDS REFUGEES 1945-2002" submitted by me in partial fulfillment of the requirements for the award of the degree of **Master of Philosophy** has not been previously submitted for any other degree to this or any other university and is my own work.

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I hereby declare that dissertation titled, **Japan's Policy Towards Refugees 1945-2002**, being submitted to the Centre for East Asian Studies, School of International Studies, Jawaharlal Nehru University in partial fulfillment of the requirements for the award of the degree of **Master of Philosophy** has not been previously submitted for any degree of this or any other university. Further, analysis and interpretation are my own and I take responsibility for the same.



D. Gnanagurunathan

Dedicated to...
my parents, grand parents,
brother, sister
∫
Ganga and Mano

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PREFACE

In the globalised world, refugees are orphans in search of shelter. Regardless of wealth and vanity, there are no takers for them. This poses several questions to be answered. Why there are no takers for refugees? What makes countries to shun refugees? Plethora of theories and expositions has come to stay. But there is hardly any work that focuses on Japan's attitude towards refugees.

This study focuses on Japan's policy towards refugees from 1945-2002. This time period gains relevance as emerged from the disaster caused by Second World War in 1945 and the fall out of September 11 on refugees. This study is analyzed against the theoretical background on the factors that influences a country's policy towards refugees.

Japan is a small country with the total land area of 377,812 sq km and a population of 125,030,000. Japan is the second largest industrialized country in the world and enjoys high per capita income. It assists developing countries through official Developmental Assistance (ODA) and aids various humanitarian and relief measures.

Despite this, Japan lags behind most developed countries regarding refugee recognition, asylum rendering and refugee resettlement in Japan.

This study raises the following questions:

1. why the Japanese society is unfriendly towards the refugees?
2. what are the economic factors that determine Japan's refugee policy?
3. How do interest group politics in Japan shapes its refugee policy?
4. to what extent foreign policy considerations affect its refugee policy?

This study intends to test the following hypotheses:

1. economic imperatives determine its refugee policy
2. foreign policy objectives condition Japan's refugee policy.
3. interest group politics influence Japan's refugee policy.

The present study is divided into five chapters. Chapter I constructs a theoretical framework by providing a historical account of refugee flows, their causes, international community's efforts to deal with them. Chapter II chronicles Japan's interaction with foreigners at different stages of its history. Chapter III analyses the factors that determine Japan's refugee influx. Chapter IV describes Japan's foreign policy objectives and how they affect its refugee policy and an assessment of Japan's commitment towards various refugee and human rights conventions. The concluding chapter attempts to find out what really make Japan's position towards refugees.

This study employs both inductive and deductive methods. The present study uses both primary and secondary sources. While primary sources consist of UN publications, white papers, diplomatic blue books, legislations etc., the secondary sources include books and journals.

I am privileged and proud to have Dr. Lalima Varma as my supervisor. Throughout my dissertation period she guided me like a pole star. She was always encouraging and motivating me despite my faltering. The kind of understanding and concern she had shown me during my times stress is beyond comparison. My indebtedness to her has

reached Himalayan proportions and I see no sign of repayment. I extend my gratitude to her.

I take this opportunity to thank Dr. Vincent Kumara Doss for opening my eyes to see a new world.

Mano Anna, certainly words have failed. Ganga Anna, from the day one in JNU has been a constant source of support, encouragement and inspiration to me. He has enlightened me with his intellectual prowess, guided me all along, as a philosopher helped me to understand myself better.

Sivasankar, 'General' Dikho, 'Thalaiva' Suresh, 'Tiger' Manoj, all these friends were there for me in times of need. Many a thanks to them. I also thank Sambha Bhaya for his encouragement and support.

A special thanks to Guna for his assistance. And I also thank 'Maddy' Madhan for his 'company' during my times of stress and his intellectual inputs.

I also extend my gratitude my classmates 'Onnano' Kipgen, Ashish and Mahendra for their support.

CHAPTER - I

INTRODUCTION

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Introduction

The increasing incidents of poverty and power politics lead to war, secessionist movements, insurgencies, genocide and ethnic cleansing. They tear apart countries and people flee their homes to save their lives. These people become a disputed point to their native country, the chosen country and the international community as well.

A refugee is a person, who is uprooted, homeless and lacks national protection and status. A refugee is, unlike an economic migrant, an involuntary migrant who is a victim of politics, war or a natural catastrophe.¹ According to the Article 1(2) of the UN Convention Relating to the Status of Refugees a refugee is “any person who ... owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or owing to such fear, is unwilling to avail himself of the protection of that country; or who not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”²

In recorded human history, the fleeing of Jews from Egypt to escape persecution and servitude was the first incident of exodus. The refugee movement originated in Western Europe half a millennium ago. It produced several massive waves of refugees in the period extending from the late 15th century to the late 17th century.

¹ *The New Encyclopedia Britannica*, Vol. 9, Edition 15, 1987, p. 998.

² United Nations Convention Relating to the Status of Refugees, 1951.

The on set of nation building process on the basis of religion, race, culture and language in the 15th century Europe opened the flood gates of refugees. The insistence on adherence to one religion or culture or language alienated the minority groups. The minority groups were either forced to submit or forced to flee to avoid persecution.

The unconverted Jews were the first victims to be expelled from Spain in A.D. 1492. This was the result of Spanish emphasis on religious unity as a foundation for the constitution of a modern state. Muslims and Protestants were next in the line to be expelled following a century of persecution in A.D. 1609. "From A.D. 1597 to A.D. 1609 the total emigration is now reliably estimated at around 115000, approximately 14 percent of the overall population, by far the largest in the relative size of the refugee waves of early modern epoch."³

This political persecution of target groups was by no means unique to Spain, nor was it limited to Catholic powers. The development of the English national state and the formation of British identity created refugee flows well into the 18th century. The Puritans, Quakers, religious and political radicals were exiled. The Irish Catholics were brutally expelled beginning in the late 16th century.

Even though the Protestants consisted 10 percent of the total population and prominent in economic life, they were targeted. As the state consolidated its power, the situation of the Protestants came to be viewed as anomalous. The Edict of Nantes, a political compromise between the Catholic and Protestant nobles was revoked by Louis

³ Aristide R. Zolberg, "The Formation of New States as a Refugee-generating Process," *The Annals of the Academy of Political and Social Science*, No. 467, May 1983, p. 33.

XIV in 1685. An estimated 200,000 of the Protestant population managed to escape over the years.⁴

“From the 18th century onwards states defined their boundaries, rights and obligations of their citizens and provided welfare measures and citizenship. Though the vagabonds were considered a part of the society no the refugees.”⁵ The migrants were considered as assets by the states for their skills, wealth and labour. And since most of the refugees were economically better off, they were seen as least threat by the host nations.

The picture began to change in the middle of the 19th century. Rapid industrialization of Europe brought population explosion, urbanization, and advancement in military technology. Consequently, states began to eliminate the target groups with more precision. The last quarter of the 19th century and the first decade of the 20th century witnessed a large scale exodus of Jews from Russia to America to escape the systematic persecution.

The end of the First World was brought the four last European dynastic empires of Ottoman, the Romanov, the Habsburg, and the Hohenzollern to an end. They were replaced by a series of states and invigorated national self-determination. The recurrent refugees were left in the lurch by the victorious powers.

In the face of huge outpouring of refugees from Russia, the League of Nations established a High Commission for Refugees under the leadership of Fridjof Nansen in 1921. In the following year, at a conference represented by 16 countries, it was agreed to issue a special travel document known as the “Nansen Certificate” or “Nansen Passport”.

⁴ Ibid., p. 34.

⁵ Michael R. Marrus, *The Unwanted: European Refugees in the Twentieth Century* (New York: Oxford University Press, 1985), p. 4.

Though it was not obligatory for the states to receive refugees bearing such certificate, but agreed in principle to recognise them as valid identity papers.

The League of Nations' attempts to solve the refugee problems created by World War I was severely handicapped by the limited conception of its powers and responsibilities. "The Inter Governmental Committee on Refugees (IGCR) was created in 1938 in order to deal with the refugees from Germany and Austria. This was the first international programme for planned and assisted migration."⁶

The United Nations Relief and Rehabilitation Administration (UNRRA) was created on 9 December 1944 in order to provide care and maintenance in camps and displaced persons in Europe during the World War II. To resettle over a million refugees who were stranded in Europe the International Refugee Organisation (IRO) was established outside the UN system in July 1947. The IRO completed its mandate in 1951. The UN High Commission for Refugees was created on 1 January 1951 with a new international framework for assisting and relocating refugees.

The world witnessed major refugee movements in Latin America and Asia subsequent to the Second World War. The prevalence of extreme structural inequality in these largely agrarian societies led to social revolutions. This involved a radical and rapid redistribution of economic, social, and concomitant political power among social classes and groups. In case of successful revolution, the small number of ruling class had to flee. And people also fled who were negatively affected by the exigencies of revolutionary

⁶ Louis W. Holborn, "Refugees," *International Encyclopedia of Social Sciences*, Vol. 12 (New York: Macmillan 1968), p. 368.

reconstruction. Counter-revolutionary military operations and foreign power military intervention also resulted in refugee movements.⁷

Besides this, the formation of new political communities out of the dismantled European colonial empires, mostly in Asia and Africa became conflicting zones. These became major sources of contemporary refugee flows in the Third World. The adoption of nation-state model by the successor states proved extremely difficult. The ethnic and cultural heterogeneity of these countries vastly exceeded that of the countries of Western Europe where the model originated. The imperial politics compounded the differences between the ethnic and racial groups by endowing them with a dimension of social and economic inequality.

The nation formation project required the development of a common culture within a diverse country on the basis of religion, language and to some extent ethnicity and race. In the face of non-compliance, authorities imposed conformity by violent means causing target groups to flee or to be expelled.⁸

The United Nations Relief for Palestine Refugees (UNRPR) was created by the UN General Assembly in 1948. This was the first body for non-European refugees to assume responsibilities for the homeless and stateless Palestinians.

The inadequacy of the 1951 UN Convention became explicit with the increasing number of refugee incidents in the 1960s. The time and geographical restrictions of the 1951 Convention was removed by the 1967 Protocol. In the 1960s and 1970s, the African continent became the focal point of the international refugee system. Unlike the European countries, the African nations were concerned about the monetary and developmental

⁷ Aristide R. Zolberg, Astri Suhrke, Sergio Aguayo, "International Factors in the Formations of Refugee Movements," *International Migration Review*, vol. XX, No. 2, summer 1986, pp. 158-160.

⁸ *Ibid.*, p. 161.

assistance programmes for the refugees. The 1969 Organisation of African Unity (OAU) conference significantly expanded the 1951 UN Convention. It included those persons who are outside their countries "owing to external aggression, occupation, foreign domination or events seriously disturbing public order."⁹

The spreading of the tentacles of Cold War in the Southeast Asian region beginning with the Korean War created social unrest. The resultant refugee flow and the problems of asylum and resettlement gripped not only the international community but also the countries of that region like Japan, Thailand and Philippines. In the last two decades, apart from the African continent, Iran, Iraq and Afghanistan generated major refugee flows.

The response of the countries to the refugee situations varies. And the questions that arise are: How do countries respond to refugee crises? What are the factors that influence a country's policy towards refugees? The main sources of pressure on a government's policy towards refugees are: One, those institutions and individuals in the international community which are concerned with the welfare of the refugees. Second, foreign policy considerations' Third, local community, Fourth, the refugees themselves.

Refugee policy choices can be evaluated by means of a yardstick derived from the United Nation's Protocols and recommendations concerning refugees. This yardstick represents a policy spectrum: on the positive end are positive refugee policies "perfectly" compliant with international recommendations; the other end represents perfect non-compliance, manifest in negative or restrictive refugee policies. Most receiving countries

⁹ Dennis Gallagher, "The Evolution of the International Refugee System," *International Migration Review*, Vol. XXII, No. 3, fall 1989, pp. 583-84.

fall toward the middle of the spectrum, with refugee policies characterized by both positive and negative elements.”¹⁰

There are four broad categories of factors that affect refugee policies.

1. Bureaucratic choices made by the government.
2. International relations.
3. Absorption capacity of the local host community.
4. National security considerations.

Bureaucratic Choices

In refugee policy making prior legal-bureaucratic decisions affect subsequent refugee policy decisions i.e. earlier policy outputs become subsequent inputs. On important legal-bureaucratic decision is the decision to allocate responsibility for refugees to a civilian state agency, usually located within the Ministry of Interior or Social Welfare or some equivalent. In countries where refugee policy is not “high” policy, that is part of national security or foreign policy agenda, creation of such an agency becomes important. In cases where refugee policy is “low”, the refugee agency itself sets policy. Since the bureaucrats see the refugees as a means to their survival and career advancement, they are more likely to set positive refugee policies. On the contrary, when the responsibility to look after the refugees is vested with the army or some other department, more negative policies are likely to be followed. Refugees are more likely to be seen as an extra burden on the existing resources and additional workload. The army sees them as potential threat to security.

¹⁰ Karen Jacobsen, “Factors Influencing the Policy Responses of Host Governments to Mass Refugee Influxes,” *International Migration Review*, Vol. XXX, No. 3, fall 1996, p. 658.

International Relations

The international refugee regime influences host governments for both practical and normative reasons, practically, international assistance increases a country's ability to accept refugees by providing financial assistance. At the normative level, the threat of bad international publicity is used by refugee organisations to pressure host governments towards more positive refugee policies. Most governments desire to be in good international standing and do not wish to appear inhumane. So, the publicity given to refugee abuses is a political consideration that shapes their responses.

Relations with the sending country also influence the host country's refugee policy decisions. Both the sending and hosting countries use refugee flows to settle scores with each other. A country creates or condones refugee flows to destabilize the receiving country, to force recognition of the sending country, or to stop interfering by the receiving country in the sending country's affairs.

In turn, host country can adopt policies in such a way to embarrass or pressure unfriendly sending country or prevent embarrassment to friendly sending country.

Local Absorption Capacity

A host country's absorption capacity is its willingness and ability to absorb an influx of refugees. Willingness is influenced by beliefs and attitudes about refugees by the community's historical experience with refugees and by the perceived permanence of the refugees.

Two factors—economic capacity and social receptiveness—determine local absorption capacity. The economic capacity is determined by the availability of land, carrying capacity of the land, employment patterns, and infrastructure. A refugee influx

affects both land availability and the quality of the land by creating or aggravating shortages of land. Highly populated regions find it hard to accommodate large number of refugees. In sparsely populated areas, the lands often have low-carrying capacity to support huge numbers. Land availability also decreases when the government appropriates it for refugee camps. When the refugees settle on their own, they add extra burden on medical, educational and municipal facilities, on housing capacity and on the job availability. These result in service breakdowns, increased hardship for the local people, and local resentment towards refugees.

Social Receptiveness

A receiving community's reception and response towards refugees depend upon the meaning it ascribes to the term 'refugee'. This meaning is influenced by cultural, historical and religious factors.

Ethnic affinity explains to some extent the acceptance or rejection of refugees. Ethnic variation within a group of refugees sometimes explains variations in the response of a host government.

A community's historical experience both with earlier refugee influxes and as refugees themselves is likely to influence its receptiveness. On the other hand, if the host society itself once were refugees or welcomed by the incoming refugees, the treatment will be sympathetic.

Beliefs about the motivations of refugees also influence the community's receptiveness. Beliefs about the motivations of refugees are influenced by the community's understanding and perception of causes of the outflow. The knowledge of the sending country's condition and its appropriateness for flight add more sympathy.

Negative beliefs about refugees may be motivated by psychological fears. This may be due to the sense of loss of control and fear of being overwhelmed that result from mass influxes. Many receiving communities associate refugees with increased crime and violence. The response of local communities to refugees is important both because the community can assist refugees directly and the community's response is likely to influence the government's refugee policies.

Security Threats

Refugees create or aggravate discontent among local host communities by straining available resources or increase competition for jobs and land. These strains often give rise to demonstrations, strikes and riots that threaten the government's legitimacy. The host governments also perceive refugees as threats when they enter in regions which are afflicted or potential ethnic conflict and change the ethnic proportions in those areas.

CHAPTER - II

HISTORICAL SURVEY OF JAPANESE INTERACTION WITH FOREIGNERS

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Beginning with the influx of Indo-Chinese refugees in 1975, followed by the arrival of political asylum seekers from Iran, Iraq and Afghanistan in 1980s and 1990s into Japan brought it face to face with the problem of refugees, which hitherto it has not encountered.

Despite the signing of the UN Convention relating to the status of refugees and the Protocol and huge contributions made to the UNHCR, the position of Japan remains ambiguous and enigmatic. This behaviour cannot merely be explained by analysing contemporary situation or just by labeling it as xenophobic. This has to be traced historically how Japanese interacted with the foreigners.

It raises several questions to be answered. How did the Japanese state and people interact with other states and their people? What was the nature and condition of interaction? What were the factors that influenced their attitude towards foreigners?

Japan situated to the east of Asian mainland and the 190 km Tsushima strait separates Japan and Korea, while 800 kilometers open sea lie between Japan and China. This geographical isolation from the Asian mainland as well as its nascent stage of development made Japan naturally to look up to China for its advancement. At that time China was emerging as a glorious civilization.

Although over the centuries external contact for Japan only trickled through Korea and China. According to the Chinese historical records Japan had sent emissaries as early as A.D. 57. The flow of Chinese influence into Japan is generally dated around

A.D. 552 with the introduction of Buddhism. The Japanese sent embassies to China at around A.D. 604 and it continued till A.D. 838.

Buddhist monks, scholars, artists and technicians were sent to China along with these missions. On their return, they enriched Japan with their acquired skills and knowledge. Apart from Buddhism, the Japanese borrowed Confucian Superstitions. They also acquired China's advanced technology in textiles, metalwork, bridge building, architecture and painting. Of all, the Japanese adopted the Chinese characters for their writing system.

A century long political and economic reforms took place in Japan from the middle of the seventh century A.D. They created an office of deities to represent the religion functions of the emperor. And also eight ministries and many other bureaus and offices staffed with officials, each with an appropriate court rank, based on the Chinese system of Government were established.

The Japanese also attempted to adopt the Chinese land and taxation system. Accordingly, the State owned the lands and distributed it equally among the peasants. They paid partly by produce and the rest by military or labour to the state.

Japanese attitude towards anything foreign can be explained by using "Hollow Center Balance Model" propounded by Hayao Kawai.¹ Of the three triads in Japanese mythology, each of the three has an inactive God positioned between the other two. Though the important God is at the center, yet it remains inactive. The Gods in either side fight with each other from time to time but in general try to keep the triad in balance and live in harmony. It has the ability to tolerate some degree of confrontation and

¹ Hayao Kawai, "Japan's Self-Image: What Distinguishes the Japanese," *Japanese Review of International Affairs*, Summer 1998, pp. 143-56.

contradiction. It draws the thoughts and views of others into its hollow center, and then examines the degree of harmonization with the whole.

So, the Japanese from ancient days onwards welcomed people from abroad, new ideas, cultures and language. They did it as long as it served their purpose and assisted their development. And the moment they found it is detrimental to their interests they avoided it.

Japanese borrowed Chinese character for their language, apart from literature, poetry, and painting. In the course of the centuries, Japanese not only appropriated but also adopted these according to their way of life.

This can be extended to Buddhism as well. It entered Japan as an essential quality of higher civilization. The native Shinto religion survived the influx of Buddhism due to tolerance for 'partial' or 'alternative' truths and its capacity to synthesise seeming disparate beliefs and manifestations of the divine.

The political relations of Japan with China can be understood in the larger context of Japan's territorial ambitions abroad. The Japanese always construed Korea as a colony. The Yamate rulers had established a colony or a military post called Mimana on the Southern tip of Korean peninsula and engaged in the struggle for supremacy along with the Korean Kingdom of Koguryo, Poekche, and Silla.

In the ninth century China was caught in its own web of problems. And the Japanese reached a stage where there was no need for it to look up to China for everything. All those borrowed from the Chinese were modified and given new forms. Geographical isolation and internal peace helped Japan to develop a distinct culture and identity.

Except the two unsuccessful invasion attempts by the Mongols in A.D. 1274 and A.D. 1281, the Japanese contact with the Chinese and Korean became very minimal in the eleventh and twelfth century. Only the Buddhist monks and scholars continued to travel between the two countries,

The Mongols established themselves in power in A.D. 1230 and the Sung dynasty continued to rule the southern part of China. And Japan had unofficial relations with the Sung provinces. The passengers and Cargoes were usually carried out in Chinese vessels.

The ascendance of Kubhlai Khan to the throne changed the situation. Japanese repulsed the Mongol attacks with the assistance of inclement weather. But the fear of future Mongol invasion remained for the next two decades.

This long-continued expenditure of men and materials, together with the need to reward the warriors for good service to protect Japan from Mongol attack, placed an almost unbearable strain upon the Bakufu and nourished grievances and created animosity against it.²

The war chieftains and the Buddhist monasteries claimed compensation for their service and loyalty. The Bakufu's inability to meet their demands fully discredited the Bakufu in their eyes.

The central government became weaker and Kamakura Bakufu collapsed suddenly in A.D.1333. This resulted in a series of succession struggle with Takauji emerging as victorious. During the Ashigara period or the Muromachi period (A.D.1333 to 1573 AD), Japan plunged in to incessant warfare with the vassal families fighting one another for the domination of the Shogunate or of their own.

² George Sansom, *A History of Japan to 1334* (Stanford: Stanford University Press, 1958), p. 453

Despite this, Japanese economy and technology witnessed an upsurge movement due to population growth and foreign trade.³ The movement of traders and Buddhist monks increased from late twelfth century onwards. The Ashigara Bakufu encouraged trade with China to reap the rich benefits. Between A.D. 1404 and A.D.1547 some eighty-four Japanese ships went to China. Though the Bakufu controlled the trade in the first few years, most of the ships were financed by prominent warrior families or religious institutions particularly Zen monasteries and private merchants.

The lucrative foreign trade enriched the merchants and traders. Trade with China brought a lot of copper coins into Japan. This had changed the exchange system from barter to money economy. This paved the way for the development of internal trade and emergence of guilds known as 'Za'.

The political fragmentation of the country led the feudal lords to establish their own toll barriers on the roads and levy taxes. Thus, foreign trade not only strengthened traders and merchants but also gave birth to new class of people like pawn brokers, money lenders and wholesale merchants. It gave a free rein to the feudal lords to augment wealth through trade.

This explains why Tokugawa Ieyasu who came to power in A.D. 1600 after his decisive victory at Sekigahara, gave so much importance to foreign trade. And his other policy to control the ports and vassals can be understood from Ieyasu's desire to have a highly organized and stable feudal state in Japan.

The Shogun retained more than a quarter of the land and distributed the rest to the Daimyos according to their family position and rank. Though, the Daimyos were given

³ Edwin O. Reischauer, *Japan: The Story of a Nation* (New York: MacGraw-Hill, 1990), p. 55.

autonomy to look after their regions, the Edo government maintained overall administrative, military and supervisory control over them.

The Shogunate had the right to move the Daimyos from one region to another. The Edo government exercised control over daimyo inheritance, marriages, restricted castle construction and military forces. Direct relations between various Daimyos were prohibited and were demanded to pay heavy contribution for castle construction and other public works.

Another most effective method through which the Shogunate controlled the Daimyos was the system of 'Sankin Kotai' or "alternate attendance". According to this, the Daimyos had to spend alternate years at their residences in Edo's court and in their respective domains. Their wives and heirs were kept as hostages at Edo's court. These annual trips had put a heavy financial burden on the Daimyos and were out of touch with the people their own domains. This prevented them from developing a bond with the subject and obtaining their loyalty.

The twelfth century Confucian scholar Chu Hsi's theories of social division came in handy for Ieyasu to control the non-feudal classes. The Japanese society was divided into four divisions: Warrior rulers, peasants, artisans and merchants. The warrior class had little contact with the population and was prohibited from inter-marrying with other class. It was distinguished from the lower classes by its right to bear family surnames, its special dress and the two swords that men wore at all time as their badge of Samurai status.

All these measures were undertaken by Tokugawa to ensure the stability and continuance of the Shogunate. The Shogunate distributed the land to the daimyo's with a

view to share the spoils to meet their personal and administrative expenses. At the same time, the recalcitrant Daimyos were controlled by the Shogunate with its power to make or mar a daimyo.

The financial strength of Daimyos was controlled by making them contribute to various, public works and, by the system of 'alternate attendance'. Apart from restrictions on military forces and recruitment, the tightening of the financial strings prevented the Daimyos from gathering strength against the Shogunate.

The creation of four fold society and injunctions against inter-marriage and intermingling among various classes was done in order to prevent the spreading of any discontentment to one another against the Shogunate and, as a result, rebellion.

The Edo government commanded major ports like Osaka, Nagasaki in order to control over trade and revenue. This was done to prevent the Daimyos from accumulating wealth and obtain Portuguese arms and ammunition. Such powerful weapons in the hands of the discontented Daimyos would brew trouble for the Shogunate. Continuing warfare among the daimyos to dominate one another and the intrigues and conspiracies among the courtiers to capture power forced the Shogunate to undertake such measures.

This is the stage against which the arrival of the Portuguese merchants and Christian missionaries took place. The interaction between the Japanese state and the first westerners to reach Japan, the Portuguese, can be explained in terms of serving mutual interests.

The Shogunate had realised that the development of the country depend on foreign trade. The Shogunate's need for resources to support its territorial ambitions strengthened this belief. The distribution of land among the Daimyos and their families

increased their wealth. The shifting of the economy from barter system to money economy brought about a new class of wealthy people consisting a traders, pawn brokers and money lenders. Both these classes along with the royal families craved for silk, gold, precious stones etc. This increased the demand for trade with the Chinese. Though the Japanese were able to built small boats and ferries, they were not experts in ship building. It was always Chinese ships that came to Japan.

The Portuguese were trading at a depot in Macao with the goods brought from Lisbon via Goa. The Portuguese traders landed first in Tanegashima, an Island off the southern tip of Kyushu in A.D. 1543. The cross followed the flag like everywhere. The Jesuit Father Francis Xavier was the first Christian missionary to land up in Japan on August 15, 1549.

The Japanese were pleased at the arrival of the Portuguese traders. The Shogunate was aware of the revenue accrued from the taxes paid by the foreign ships visiting Japanese ports. The increase in the demand for gold also explains the cordial behaviour of the Shogunate towards the Portuguese. The demand for gold increased greatly due to the political and financial politics followed by Nobunaga and Hideoyoshi. Given the ^{who were they? not explained} volatile political climate i.e., frequent changing of fiefs and fortunes, gold was the handiest and most compact form to keep capital. Gold would be needed the most if the popular expectation of civil war would follow the death of Hideoyoshi turned out to be true.⁴

The Jesuit missionaries used this opportunity and obtained permission from the Shogunate ^{to} the propagate Christianity and establish seminaries. The missionaries

⁴ C.J. Boxer *The Christian Century in Japan – 1549-1650* (Berkeley: California University press, 1967 p.112.

exploited the divisions within Buddhism and the ignorance of the masses. They brought the peasants and merchants first in⁽to their fold and finally the Samurai class.

Despite the conversion of his subjects to an alien faith, and the desecration of Buddhist idols and destruction of Buddhist temples by the neo-converts, the Shogunate remained silent. Because, any attempt to curtail this would result in the killing of the golden goose i.e., lucrative trade with the Portuguese. Christianity in Japan depended first, last and all the time on the Great Ship from Amacao. It was in the Great Ship that the Jesuits came to Japan; it was mainly from their share in the sale of cargoes they supported their promising mission field. It was the wish for the greatship which induced otherwise hostile or indifferent Shogunate to welcome them to their fiefs and to permit the conversion of their retainers. It was the fear that the Great Ship would no longer come if the Jesuits were driven away, which repeatedly caused Hideoyoshi and Ieyasu to hold their hands when they were on the point of expelling missionaries. In short, it was the Great Ship which was the temporal mainstay of the Japan mission; and it is typical of their close connection that the disappearance of the one should virtually coincide with the collapse of the other.⁵

Apart from his commercial interest, Hideoyoshi had his political ambitions to be fulfilled through the help of the missionaries. A delegation of Christian missionaries met him in A.D. 1586 at his palace. There he revealed his intention to conquer Kyushu and reduce the obstreperous Shimadzu of Satsuma to obedience. He wanted to conquer China and Korea as well. In this connection he sought the help of the missionaries to make arrangements for him to charter two large Portuguese carracks. The captains of the crew

⁵ C.J. Boxer, *The Christian Century in Japan – 1549-1650* (Berkeley: California University Press, 1967), p.104.

would be compensated appropriately and the missionaries would be allowed to build churches and convert people throughout the Chinese territory as a reward. Though it sounded like castle in the air, the missionaries agreed to it in order to please him.⁶

The missionaries used this opportunity to obtain a patented letter from Hideoyoshi as a license to preach the Gospel throughout all the provinces controlled by him. And to have the Jesuits exempted from the prevailing street and ward duties, which was mandatory for all according to Japanese Municipal organization for which even the Buddhist monks were not exempt.

Though, outwardly it appears that the missionaries alone depended on the Portuguese traders. It was not so. Majority of the Portuguese voyages and trade ships were financed by the Portuguese Royal family. Apart from the profit they got from the trade, they felt that it was their sacred duty to spread the gospel. They found their flag ships as the best way to do it. Obviously, the traders and voyagers could not antagonize their masters by refusing to help or co-ordinate with the missionaries.

But the dependence of the Jesuit Missionaries on the traders was heavy. The cost of maintaining the churches, schools, training seminaries, printing press and household assistants had wholly fell on the Jesuits. Added to that, the Japanese custom of giving gifts to the guests and entertaining visitors increased the burden.

Unlike the Buddhist monasteries that were funded by different Daimyos and individuals for their sustenance, the Christian missionaries had to rely on the meagre annual papal grant. Even the Christian daimyos of Arima and Omura could not do much due to their maintenance of large state administrative establishments.

⁶ C.J. Boxer, *The Christian Century in Japan – 1549-1650* (Berkeley: University of California Press, 1967), pp.140-142

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Finally finding no saviour to bail them out of their financial distress, the missionaries sought the help of the Mammon i.e. the traders. In 1578, Father Visitor Valignano concluded a contract with the mercantile community at Macao for the formal participation of the Japan Jesuits in the Macao-Nagasaki Silk trade.⁷

Following his successful Kyushu campaign in 1587, Hideoyoshi wanted to see the Great ship which was docked at Hirado. But the Commander expressed Domingos Monteiro his inability with due apologies and Hidoyoshi accepted in good part.

The next day Hideoyoshi reversed his entire earlier stand on Christianity Though no authentic reason or evidence available to support it. In a letter to Cielo, a Jesuit, he questioned the purpose of proselytisation, forcible conversion and destruction of Shinto and Buddhist temples and exporting of Japanese slaves. Cielo's reply failed to convince him and Hideoyoshi issued a decree in the following day. The Jesuits were banished on pain and death, all the symbols of Christianity were removed and the Jesuit's properties were confiscated and the churches were seized or closed. All the Christian converts were ordered to recant, or to take the alternative of exile or death. The Jesuit strongholds of Nagasaki, Mogi and Urkani were taken over by Hideoyoshi's emissaries and the inhabitants Nagasaki condemned to pay a large fine.⁸

Cielo unsuccessfully sought Arima's help to induce the other Christian daimyo to unite in armed resistance against the Expulsion Edict. Then he wrote to Manila, Macao and Goa begging for two or three hundred soldiers and firearms in order to stiffen the Christian Daimyo. Despite the reprimands from the Jesuit superiors of Manila, the Portuguese sent him some weapons without troops. And the plan was dropped.

⁷ C. J. Boxer, p. 117.

⁸ C.J. Boxer, pp. 148-149.



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Hideoyoshi did not enforce it stringently and allowed the movement of padres and the functioning of the Churches.

The Spanish emissaries landed in Japan on 1592. They were permitted to propagate the Gospel. Unlike the Jesuits, these Franciscans conducted mass openly and flouted the dress code to the chagrin of everybody. The need for silk and gold and the continuation of the trade between Nagasaki and Manila and his plans to invade Korea once again with a larger force explain Hideoyoshi's cordial behaviour towards the Spanish.

The admission of the Spanish pilot Major Francisco Olandia about the Spanish overseas conquest and the facilitation by the Christian 'fifth column' formed by the missionary friars before the arrival of the conquistadors, caused concern to Hideoyoshi. In a swift and decisive reaction another cycle of persecution of the missionaries followed on February 5, 1597.⁹

Following Hideoyoshi's death Ieyasu ascended the throne and proved to be more benign towards missionary activities. Ieyasu enthusiastically promoted foreign trade and the number of licenses issued between A.D. 1604 and A.D. 1635 was about three hundred or an average of ten voyages out and home each year. This was a fairly large number in a period of very slow transport by sea.¹⁰

But the arrogance of Spanish navigator Sebastian Valignano and Christianity's connection with criminals and conspirators forced Ieyasu to rethink his attitude towards Christianity. Arima Harunobu, the Christian daimyo family of Arima, misappropriated lands through court intrigues. Learning this, Ieyasu dispossessed and executed him.

⁹ C.J. Boxer, p. 166.

¹⁰ George Sansom, *A History of Japan 1615-1867*, (Stanford: Stanford University Press, 1963), p. 35.

Okubo Nagayasu, another Christian who was put in charge of gold and silver mines to increase their output. He took advantage of this to falsify the accounts and indulged in speculation on a grand scale.

He decided on the expulsion of all the missionaries from Japan, the closing of all churches, and the strict prohibition of the outward or secret practice of Christianity by any Japanese. An Edict in this regard was promulgated on January 27, 1614. On the occasion of execution, lot of Christians demonstrated against it and prayed for the departed souls. This had infuriated Ieyasu and a new wave of confiscation and persecution followed. Four hundred and thirty four persons were killed, or tortured to death, or died of privations suffered in prison during A.D. 1614-1622.¹¹

On the top of all these, the rebellion of Shimabara peasants came as a rude shock to the Shogun. The Shimabara peninsula was part of Arima's fief and the Jesuits had their seminary printing press and found safe haven during Hideoyoshi's persecution here. The peasants broke into rebellion when they were fleeced with high taxes and tortured for non-payment in the year A.D. 1637. Most of them happened to be Christians and their leader as well. The rebels estimated to be 20,000 to 37,000, apart from women and children found refuge in the old castle of Hara. After months of seize, the rebels gave way and a mass slaughter ensued on April, 5 1638.¹²

All these issues contributed to the orders closing the country to foreign trade and travel. These orders, of 1633, 1635 and 1639, are described as three Exclusion Decrees. Their main provisions are:

¹¹ C. J. Boxer, p. 334.

¹² C. J. Boxer, pp. 379-382.

- (i) It is strictly forbidden for any vessel without a valid license to leave Japan for a foreign country.
- (ii) No Japanese subject may leave for a foreign country in any vessel without a valid license.
- (iii) Japanese Subjects who have resided abroad shall be put to death if they return to Japan.
- (iv) All foreign residents were ordered to move to Dejima.
- (v) Any foreign vessel carrying prohibited articles to the priest in hiding or to the converts shall be burnt and the passengers put to death.¹³

The purpose of these Edicts (1633-39) was the suppression of Christianity in Japan. Since the teachings of the missionaries were incompatible with the feudal principles upon which the power of the Bakufu was based, the persecution of the priests and their converts, though morally evil, might be defended on political grounds.

The Tozama Daimyo in western Japan and Kyushu profited from foreign trade. In order to avoid a challenge from them (through Portuguese or Spanish help), the Bakufu banned all foreign trade at ports except Nagasaki. Through this the Bakufu obtained the control of foreign trade and monopoly over the profits. It is evident that the Tokugawa policy was in the direction of creating dictatorship and an authoritarian state by exercising full control over all aspects of national life, economic as well as social and moral.

¹³ George Sansom, *A History of Japan - 1615-1867*, (Stanford: Stanford University Press, 1963), pp.36-39.

The antagonism of the ruling class towards Christianity was mainly political. Socially, Christianity was inconsistent with the feudal hierarchy, and ethically it was opposed to the code of warrior class.¹⁴

After the expulsion of the Portuguese and Spaniards, with a exception to the policy of total Exclusion, the Dutch merchants were transferred to Nagasaki from Hirado and finally to a tiny colony and confined to the artificial island of Dejima in Nagasaki Bay. Except their annual missions to Edo, they were not allowed to leave Dejima. This is the point through which trade and foreign relations conducted for next two centuries. The Portuguese, Dutch and English vessels entering ports did not carry western goods, but articles from other parts of Asia, principally China. Western-Style music and painting were introduced and secular as well as religions paintings in western style were produced by Japanese as well as Portuguese artists. Metal and lacquer works were also made with Jesuit and Western motifs. Western sciences including cartography were introduced in Japan. A number of new words and concepts were imported into the Japanese language such as 'pan' for bread. This Dutch post at Dejima allowed Japan to follow at a distance what was happening in the rest of the world and through 'Dutch Learning', as Japanese studies of Dutch books was called.¹⁵

Hayao Kawai's 'Hollow Centre Balance' model comes handy to explain the behaviour of the Japanese towards Christianity and western learning. The Japanese initially accepted the confrontationist westerners and Christianity which were contradictory to their Shintoist and Buddhist way of life. But once they found that they disturb the harmony i.e. peace or status quo of the ruler, they opposed and avoided it. At

¹⁴ Ibid., p.44.

¹⁵ Collected Writings of Sir Hugh Cortazzi (Tokyo: Japan Library and Edition Synapse, 2000, pp. 277-279)

the same time they seriously took up western science, painting and absorbed them fully. Though these were new thoughts and ideas, their utility value outplayed the tag of foreignness and was able to harmonize or contribute to further Japanese knowledge and learning.

This relative isolation and peace continued till the Russians knocked the doors of Japan in 1793, followed by the English and the Dutch. People like Seishisai and Fujita Toko advocated reculsionist policy. They were of the opinion that foreign trade not only drains Japan of its wealth but also the resultant wealth would induce people to indulge. This would result in moral laxity and social corruption. These radicals were influenced by Confucian economic theory and morality. The foreigners being violent in their action and absorbed in the pursuit of profit, were ignorant of ‘true morality and adhered to false doctrines’ of Christianity, whose beliefs could subvert the whole society.¹⁶

Despite the opposition, the Bakufu leadership yielded to the pressure due to its inability to face the Western military pressure and signed the Commercial Treaty with the American Consul Townsend Harris in 1858. Britain, France and the Dutch followed suit. This Treaty opened a new set of ports and establishment of customs duties. The American traders and other nationals were exempted from being tried by Japanese courts for their crimes.

This had created a stir and reduced the confidence of a section of the samurai class in the Bakufu leadership. The Sonno-Joi (Revere the emperor and repel the barbarians) or Loyalist Movement had begun in the late 1850’s as an anti-foreign movement. The loyalists known to their contemporaries and to history as ‘Shishi’- were men of high purpose.

¹⁶ Peter Duus, *The Rise of Modern Japan* (Boston: Houghton Mifflin Company, 1976), p. 58.

The loyalists thought that the weak posture of the Bakufu toward the foreigners resulted from the long run decline in the morale and moral vigour of the samurai class. They found inspiration in the original samurai virtues of decisiveness, daring and indifference to death, on the top of all loyalty and devotion to the emperor.

The loyalist movement also took a violent turn and a series of assassinations and killing of foreigners and their lackeys followed. It reached its climax when loyalist samurai from Satsuma, Choshu and Josa made an unsuccessful coup at Kyoto in September 1863.

Even though the loyalist movement appears as xenophobic, it is not so. Shishi's background and their grievances give a different picture. Shishi tended to be of modest rank, status and income. Lack of status meant that they were little encumbered by official duty and office, which were reserved for higher samurai rank. They lived in a world that was less structured by ritual than was that of their superiors and communication with men from other domains was also easier for them than it was for their superiors. Because the Shishi were at the outer circumference of the ruling class, frustrations of limited opportunity and ritual humility often made them suspicious and critical of their cautious superiors.¹⁷

Apart from their grievances against their limited opportunities, the Shishi also had problem with the people who involved in foreign trade. The merchants and traders, who were at the lowest of the societal hierarchy, would endanger their social position with the new found wealth. Already the Samurai's economic position was weak. And now when

¹⁷ Marius B. Jansen, Ed., *The Emergence of Meiji Japan* (New York: Cambridge University Press, 1995), p.156.

their social position was threatened, they took up arms against their superiors who were instrumental in signing the treaty and the foreigners per se.

The end of loyalist movement and the Meiji Restoration signaled a new wave of borrowings from the west and westerners involvement in various training activities in Japan. The Japanese showed some enthusiasm as they showed towards China in the eighth and ninth centuries. The government sponsored students to study abroad and to bring back the skills and knowledge. They usually took up military sciences, navigation, ship building and other aspects of technology. And few were allowed to choose law or medicine or education.

The new Japanese army was raised on the French model initially and later on the Russian model. The navy was created on the British model. The decentralised banking system of America was followed first and later shifted to the centralised banking system of Belgium. The Meiji constitution was framed on the German model.

Apart from these borrowings to reshape and create new institutions, the Japanese also hired experts and advisors to Japan to train the Japanese. The Bakufu had employed about two hundred such persons in its closing years, apart from military missions. In the Meiji period as a whole (1868-1912) as many as 4,000 'O-Yatoi', as they were called were employed. Majority of them came from Britain, France, Germany and the United States. They had a specific job to do: building railways, running the lighthouse service, commanding steamships, installing factory machinery, teaching schools. In most cases they were training the Japanese, and in minority cases they were advisers attached to a variety of government ministries as specialists in western way of doing things. All were on tightly drawn contracts; were put unequivocally under the supervision of Japanese

officials; and were dismissed as soon as there were Japanese people competent to replace them.¹⁸

Not only the Japanese learnt about the Western knowledge from Japanese students returning from overseas or provided by foreigners working in Japan but also through a growing range of translations, books about the west and articles in the newspapers which emerged in the 1870's. Samuel Smile's self help and J.S. Mill's *On Liberty*, Bulwer-Lytton's *Ernest Maltravers*, Jules Verne's *Round the World in Eighty Days*, *Robinson Crusoe*, *Aesop's Fables*, *The Arabian Nights*, and *Pilgrim's Progress*, Thomas Moore's *Utopia* and Rousseau's *Social Contract* were some of the books translated into Japanese in the 1870s.

Modern European writers like Turgenev, Tolstoy, Ibsen, Victor Hugo were also taken up a decade later.

Western art was introduced in government schools and western-style architecture for government offices, banks and railway stations. Even though western food remained luxurious to the Japanese, western music became popular. Western music was performed in the 1880's at the Rokumikan, a hall built in Tokyo to provide a place at which Japanese official society could meet diplomats and other foreign residents. It was studied at the Tokyo school of Music, founded in 1887.¹⁹

The ruling elite not only closed their country but also opened their country when their interests were threatened by foreign and internal elements. And these changes were made under the motto of 'Fukoku Kyohei', "a rich country and strong military", because it was clear that until Japan was militarily powerful on the basis of its own economic

¹⁸ W.G. Beasley, *The Rise of Modern Japan* (London: Weidenfeld & Nicolson, 2000), p. 88.

¹⁹ *Ibid.*, p. 91.

strength, it could not expect to “expel the barbarians”.²⁰ So, they realized that to use the barbarian to control the barbarian.²¹

They not only borrowed the superstructural aspects of western knowledge and technology but also their basic civilizational aspects as well to suit their needs. All the changes they brought about in the institutional arrangements were made sense to be in harmony with the existing structure.

But the picture has changed again in the 1930s. The military’s grip over the government got tightened. The ‘Kokutai’ or family state ideology was officially propagated. And all the western things and ideas were considered detrimental to the ‘Kokutai’. Foreigners were forbidden to enter various prohibited areas. Attempts to take most innocent of photographs aroused fury and suspicion.²²

The anti-foreign feeling was extended the official disapprobation of Jazz, of love scenes in Western drama and films and of the American expressions used in baseball.

Persons, who were non-conformists, or spokesmen for unpopular ideas, came under considerable pressure. About 1,800 Christians, chiefly of the less orthodox and amenable kind, like Jehovah’s Witness were arrested.²³

This anti-foreign feeling can also be attributed to the fear of the ruling class about the influence of Western ideas of individuals, communism and other liberal ideas over the functioning of ‘Kokutai’. They were apprehended that these western influences would undermine their whole project of uniting the nation under ‘Kokutai’ for the war purpose.

²⁰ Edwin O. Reischauer, *Japan: The Story of a Nation* (New York: McGraw-Hill, 1990), p. 102.

²¹ W.G. Beasley, *The Rise of Modern Japan* (London: Weidenfeld & Nicolson, 2000), p. 84.

²² Collected writings of Sir Hugh Cortazzi, (Tokyo: Japan Library and Edition Synapse, 2002), p. 285.

²³ W.G. Beasley, *The Rise of Modern Japan*, (London: Weidenfeld & Nicolson 2000), p.185.

CHAPTER - III

JAPANESE REFUGEE POLICY - INTERNAL DIMENSIONS

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The post-war Japan has undergone a sea change in the socio-economic and political spheres, beginning with the reforms initiated by the Occupation Authorities. The lands were distributed among the landless. The 'Zaibatsu' was disbanded. The traditional Japanese family system 'ie' was legally abolished. The Occupation Authorities rewrote the Japanese constitution and rearranged the foreign policy.

The end of occupation coincided with the commencement of the Cold War. The Security Treaty with the United States of America had done away with the threat of external aggression to Japan. The demands of Korean War boosted the economic development of Japan. The disbanded industrial houses reappeared in new forms. The Liberal party and the Democratic Party merged in 1955 in order to form the government.

It is an important event in Japanese politics and policy making. As a result of the Security Treaty, subsequent governments dominated by the Liberal Democratic Party came to see economic development as their primary concern. The industries funded the Liberal Democratic Party in return for favourable policy decisions. The bureaucracy acted as a facilitator. The rise in economic growth rate and increase in standard of living reduced the Japanese focus on foreign policy decisions.

Global and regional aspirations of Japan were in line with the American policy interests. The Nixon Shock of 1971 and the 1973 Oil Crisis reminded the Japanese the need of an independent foreign policy. As an economic power house, Japan aimed to use its strength for a greater role in international politics. The Indo-Chinese refugee crisis and

later refugee influxes led Japan to make changes in its foreign policy as well as domestic policies.

This chapter seeks to address the following questions: What are the factors that determine Japan's policy towards refugees? How does Japan address the issue of refugees?

Japan, like most countries, had no previous experience of facing a refugee crisis. The first group of Indo-Chinese refugees arrived in Japan on 12 May 1975. The Japanese were overwhelmed by it. They were institutionally and infrastructurally unprepared for it. Their initial response was haphazard and not coordinated.

The United Nations, in addition to the International Convention, adopted Resolution No. 3455 (XXX): Humanitarian assistance to the Indo-Chinese displaced persons and commissioned the United Nations High Commissioner for Refugees (UNHCR) to provide relief and assistance. The UNHCR recognised all escapees from Indo-China as refugees and put them under its protection.

The UNHCR appealed for international assistance and cooperation and countries of the regions especially Japan. Although Japan not a signatory to the UN Convention, complied with Resolution 3455 and decided to treat the Indo-Chinese officially as refugees.¹ But, prior to this the Japanese public had little or no understanding of the concept of 'refugees'. And there was no political recognition of the circumstances which give rise to forced migration. This clearly manifests as there was no legal or institutional framework to deal with the granting of permanent residence to large groups or individual foreigners.

¹ Koichi Koizumi, "Refugee Policy Formation in Japan: Development and Implications," *Journal of Refugee Studies*, Vol. 5, No. 2, 1992, p. 124.

The Immigration Law of 1951 used to deal with foreigners and illegal immigrants. The Ministry of Justice, who is authorized to grant special permission for landing to the alien under certain special circumstances (Law No 126 of 1952). In 1963, 758 aliens were granted such permission. The Minister of Justice may also grant permission to reside in Japan to an alien who has received an order of deportation from the immigration control officer. In 1963, 2602 aliens were granted such permission.²

As there was no legal provision or a ministry in charge of refugee affairs existed, it took about two years from the day Indo-Chinese refugees landed in Japan to make a policy decision concerning Vietnamese refugees by the Cabinet on 20 September 1977. And a basic plan for the treatment of refugees was also passed on the same day.³

Conventionally, policy making is done by the bureaucrats and endorsed by the politicians in most countries. Japan is no exception to this. The bureaucracy plays an important role in formulating and implementing policies in Japan. The ministries and agencies are run by the civil servants with minimum control from their political bosses. Bureaucratic solidarity renders control by their political masters relatively ineffective.⁴

This gives bureaucrats the leverage to formulate and implement policies to suit theirs as well as business groups' benefit. As the refugee issue was not a 'high priority' policy matter, they paid least attention. Even the earlier cabinet decisions on 20 September 1977 were made to cope with the refugees rescued by ship and temporarily landed in Japan. But the issue of their settlement was postponed.

² Shigeru Oda and Hisashi Owada (ed.), *The Practice of Japan in International Law, 1961-70* (Tokyo: University of Tokyo Press, 1982), p. 217.

³ Koichi Koizumi, n-1, p. 127.

⁴ Chitoshi Yanaga, *Big Business in Japanese Politics* (New Haven: Yale University Press, 1968), p. 95.

As the Indo-Chinese refugee situation reached a crisis proportion, the Japanese government responded to this situation by approving on 28 April 1978 of the official admission and temporary residence of Vietnamese refugees on Japanese soil. In 1979, the number of Indo-Chinese, especially Vietnamese 'boat people' sharply increased. On 20 July 1979, the international conference relating to the Indo-Chinese refugee problem was held in Geneva. The Japanese government for the first time agreed to provide six million dollars for resettlement and a quota of 500 of its own.⁵

This positive shift in Japan's refugee policy can be attributed to the collusion of interest between the bureaucrats and businessmen where "a 'closed circuit' two-way communication between top administrators and the business community exists."⁶ Despite being an ally of the United States, the Liberal Democratic party politicians, Ministry of Foreign Affairs, economic ministries and private business sector wanted to have relations with Indo-China especially Vietnam for economic reasons and markets.⁷

As the bureaucracy realised that the refugees were the means to their bureaucratic survival and career advancement, they set or brought out a positive policy shift. Once the policies are formulated by the bureaucrats, they are rarely altered or disapproved by the Cabinet. This gives them the edge to apply "policy of regulation as they see fit or not at all."⁸

To facilitate the resettlement of refugees, the Japanese government looked to countries with large refugee population and well developed refugee resettlement policies.

⁵ Koichi Koizumi, n-1, p. 128-29.

⁶ Chitoshi Yanaga, n-4, p. 118.

⁷ Glenn D. Hook et al., *Japan's International Relations: Politics, Economics and Security* (London: Routledge, 2001), p. 183.

⁸ Chitoshi Yanaga, n-4, p. 105

explain.

And the government decided to use the Australian system and adopt it to Japanese conditions.

In order to resettle refugees, the government established Asian Welfare and Education Foundation and a department, the Refugee Affairs Headquarters, in November 1979. The Refugee Affairs Headquarters set up two resettlement promotion centres. One was the Himaji Resettlement Promotion Centre in western Japan in December 1979 with a residential capacity of 106 people, and the other was the Yamato Resettlement Promotion Centre in Eastern Japan in February 1980 with a residential capacity of 147 people.⁹

At these centres, the refugees were provided Japanese language education and vocational training. Of the 13 weeks the refugees spent at the Resettlement Promotion Centres, in each week 24 hours were devoted to the Japanese language study and the remaining nine hours spent on 'orientation to Japan', i.e. an introduction to Japanese culture, history, current affairs, customs, and general survival skills for life in Japan.

Following this programme, refugees were given job training programmes to provide skills needed to get an employment. With the completion of this programme, the Refugee Resettlement Promotion Centres' 'job mediator' would discuss and decide the suitable employment. After contacting the prospective employers, he would negotiate and settle terms and conditions. Most of these refugees were absorbed in mechanical engineering, welding, electrical goods manufacturing and machine assemblage, garment making and plastic manufacturing.

⁹ - Koichi Koizumi, "Resettlement of Indo-Chinese Refugees in Japan (1975-1985) – An Analysis and Model for Future Services," *Journal of Refugee Studies*, vol. 4, No. 2, 1991, p. 184.

The Cabinet decision taken on 13 July 1979 established the Coordinating Committee dealing with Indo-Chinese Refugee Affairs. The Committee, chaired by a Vice Chief Cabinet Secretary consists of representatives equivalent in seniority to the Chiefs of Bureau from the 13 major ministries. But the Committee neither had the powers to implement administrative measures nor to undertake the implementation of the policy.¹⁰

This resulted in adhoc and minimalist measures in a reactive manner. Apart from this, jurisdictional conflicts arose because of the complexity of the problems handled by the administrative agencies whose jurisdictions overlapped and each of which had different interests.

This caused inordinate delay in screening and resettling refugees in Japan. Despite all these limitations, Japan went ahead with its refugee policy reformation. The stability of Indo-Chinese region was not only important in terms of economic advantage to Japan but also to maintain its hegemony at the regional level. One of the reasons for this was Cold War calculations.

At this juncture, Japan realised that with its economic might it should play a greater role in international politics. "Japan perhaps is the only state in the United Nations with a predominantly economic power base that is beginning to wield its economic strength to gain political influence. Japan's economic power is reflected most directly in the volume of financial contributions. Japan's actual contribution to the United Nations system is now second only to that of the United States."¹¹

¹⁰ Koichi Koizumi, n-1, p. 130.

¹¹ Sadako Ogata, "The Changing Role of Japan in the United Nations", in Joshna D. Katz and Tilly C. Friedman-Lichtschein, *Japan's New World Role* (Boulder: Westview Press, 1985), p. 29.

Japan increasingly comes to see mere financial contribution to the United Nations without enjoying any privileges of the permanent Council member as absurd. Japan recognised that the United Nations as a useful body to promote cooperation with Western countries or with Asian countries to fulfill its foreign policy objectives.

“Aside from membership itself Japan’s single most important objective in joining the United Nations was to help guarantee its national security. Such a guarantee was considered particularly important, because Japan, under its post-War Constitution, had abolished armaments and renounced the right of belligerence. Although a degree of de facto rearmament was taking place through the build-up of the Self-Defence Forces.”¹²

Japan had to show its commitment to maintain international peace and security to other members of the United Nations. So, Japan played a major role in humanitarian relief measures for the Indo-Chinese refugees. “In one year (1978 to 1979), Japan’s contributions to the United Nations High Commissioner for Refugees increase by more than six times from 10 million to 65 million dollars.”¹³

Through these relief activities Japan got itself involved in international humanitarian assistance. It became a partner of the United Nations by cooperating in the Asian region. The next logical step was acceding to UN Convention for Refugees in 1981. Japan signed the 1967 Protocol in 1982. After the approval of the Convention by the Nation Diet, the legislation came into force on 1 January 1982.¹⁴

¹² Ibid., p. 34.

¹³ Sadako Ogata, “Japan’s United Nations Policy in the 1980s,” *Asian Survey*, Vol. XXVIII, No. 9, September 1987, p. 968.

¹⁴ Koichi Koizumi, n-1, p. 131.

This was followed by the revision of the Immigration Control Act of 1951 into Immigration Control and Refugee Recognition Act. The Japanese have also adopted the definition of ‘refugee’ stated in the Refugee Convention in the law.¹⁵

The refugee recognition rate and resettlement has been very low in Japan compared to other industrialized countries, though Japan had signed the UN Convention as well as ratified it. Between 1975 to 1985, there were 3073 Indo-Chinese refugees arrived in Japan. But only 500 of them given permanent resettlement in Japan.¹⁶

New asylum applications submitted in industrialized countries, 1982 – 1991

Country of asylum	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	Total
Australia	---	---	---	---	---	---	---	1262	12128	16743	30133
Canada	5000	9400	11000	13000	26000	38000	48000	19934	36735	32347	239416
Japan	530	44	62	29	54	48	47	50	32	42	938
UK	4223	4296	4171	6156	5714	5863	5739	16775	38195	73400	164532
USA	33296	302091	24295	16662	18889	26107	60736	101679	73637	56310	437662

Source: Annex C-1, UNHCR Statistical Year Book, 2001

Recognition of Asylum Seekers under 1951 Convention in Industrialized Countries 1982-1991

Country of Asylum	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	Total
Australia	---	---	---	---	---	---	---	80	91	189	360
Canada	582	1003	1128	1102	1378	1080	1295	4744	10710	19425	42447
Japan	67	63	31	10	3	6	12	2	2	1	197
UK	1727	1185	689	915	543	464	975	3335	1590	800	12223
USA	3909	7125	8278	4585	3359	4062	5531	6942	4173	2108	50162

Source: Annex C-10, UNHCR Statistical Year Book, 2001

The tables above show the number of asylum applications submitted and recognition of asylum seekers under 1951 Convention in select industrialized countries

¹⁵ Ministry of Justice, Immigration Control and Refugee Recognition Act, Article 2 (3).

¹⁶ UNHCR, The State of World's Refugees – Fifty Years of Humanitarian Action (Oxford: Oxford University Press, 2000), p. 98.

from 1982 to 1991. These countries, apart from Japan, are selected on the basis of per capita income, preferred destination for the refugees and countries with more positive refugee policy.

In the period 1982 to 1991, Japan received 938 applications for asylum of which only 197 were recognised. This approximately is 21 percent. In the same period, Australia received 30,133 applications and recognised 360 of them which is 1.19 percent. Canada received 239,416 asylum applications and recognised 42,447 asylum seekers. This is close to 17.72 percent. There were 164,532 applicants to the United Kingdom. Of these 12,223 were recognised, which is 7.92 percent. In the period 1982-1991, the United States received the maximum number of 437662 applications for asylum. It also recognised the maximum number i.e. 50,162, around 11.46 percent of the applications.

Though Japan may have a better record in terms of percentage, by sheer numbers its asylum recognition record is very poor. This poor performance took place despite Japan's active participation in the international peace and security operations and a booming economy at the home front.

New asylum applications submitted in industrialized countries, 1992 – 2001

Country of asylum	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	Total
Australia	6054	7198	6264	7632	9758	9312	8156	9451	73065	72366	89256
Canada	37748	20292	22006	26072	26120	22584	23838	29393	34252	44038	286343
Japan	68	50	73	52	147	242	133	223	216	353	1557
UK	32300	28000	42200	55000	37000	41500	58487	91200	98900	92000	576587
USA	103964	143118	144577	149065	107130	52200	35903	32711	40867	59432	868967

Source: Annex C-2, UNHCR Statistical Year Book, 2001

Recognition of Asylum Seekers under 1951 Convention in Industrialized Countries 1992-2001

Country of asylum	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	Total
Australia	614	992	1031	681	1380	1009	2492	1211	4050	3364	16824
Canada	17437	14101	15224	9614	9541	10031	12884	12964	13989	13336	129111
Japan	3	6	1	1	1	1	16	16	22	24	91
UK	1900	2860	1395	2200	3600	6210	8245	25600	26189	14410	92669
USA	3919	5012	8131	12454	13532	10129	9939	13241	16639	20487	113537

Source: Annex C-11, UNHCR Statistical Year Book, 2001

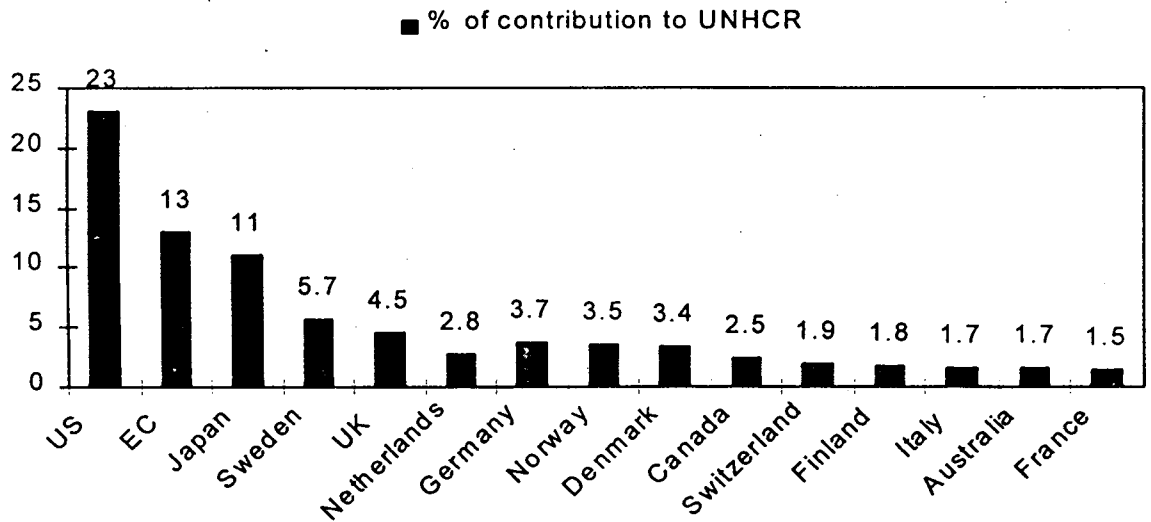
The above tables represent the number of asylum applications submitted and the number of asylum seekers recognised under the 1951 Convention in select industrialized countries including Japan between 1992-2001.

In the period 1992-2001 Japan received 1557 applications of which only 97 of them (about 5.84 percent) were recognised for asylum. Australia received 286343 applications and 16824 of them were recognised for asylum under 1951 Convention. The recognition rate was 18.84 percent. Canada has the highest recognition rate of 45.08 percent. During the period, it received 286342 applications out of which it recognised 129111 as refugees. United Kingdom received 576587 applications of which 92669 were recognised for asylum at the rate of 16.07 percent. During the same period, the United States received the maximum number of 868967 applications of which 113537 were recognised at the rate of 13.06 percent.

However, though Japan had a poor record in terms of asylum recognition of refugees, it had a fairly good record of financial contribution to the UNHCR as evident from the following data:

Top 15 contributors to the UNHCR, 1980-1999

Percentage of contribution to the UNHCR (1980-1999)



Source: UNHCR, *The State of the World Refugees – Fifty Years of Humanitarian Action*, UNHCR, 2000, p. 166.

In the above chart, Japan stands third next only to the United States and European Union in the financial contribution to the UNHCR during 1980 – 1999. Presently, Japan stands second only to the United States.

Japan signed the UN Convention and brought about changes in domestic laws to improve its international standing. Apart from the bureaucratic hurdles the important domestic factor that determines the Japanese refugee policy is the availability of land.

Japan being a rocky and mountainous country, the availability of cultivable and habitable land per head is limited. Of the total land area of 377812 sq km, only 13.9 percent could be used for agriculture. This land is used by 3.75 million people who are

engaged in agriculture as per 2002 figures. And the contribution of agriculture to the country's GDP was two percent in same year.¹⁷

The number of people involved in agriculture is very less compared to the total population. But what makes them a powerful lobby in policy making is their collective vote bank. Nearly every farmer belongs to an Agricultural Cooperative Association, and the associations are vital to the fortunes of individual conservative politician and the Liberal Democratic Party as a whole. The Agricultural Problems Association, operated by leaders of various agrarian organisations collect and disburses campaign funds for the Liberal Democrats.¹⁸

The number of farm households has decreased from 6.06 million in 1960 to 3.03 million in 2002. At the same time, the farmland under cultivation also shrank from 6.09 million hectares in 1961 to 4.76 million hectares in 2002. Despite this, the Japanese farmers are still an important political bloc for the conservative party. They continue to represent the largest socio-economic category of voters. And the percentage of eligible voters who vote is much higher in rural than in urban areas.¹⁹

In Japan, policy making represents more of factional interests rather than the party interests. Japanese agriculture makes one of the major interest group affiliates with the Liberal Democratic Party. They play a major role in both the selection and support of conservative candidates primarily from rural areas. So, all the Diet members who

¹⁷ Ministry of Public Management, *Statistical Handbook of Japan*, 2003, www.stat.go.jp/english/data/handbook/co5cont.htm

¹⁸ Theodore Mcnelly, *Politics and Government in Japan* (Lanham: University Press of America, 1984), p. 69.

¹⁹ Robert A. Scalapino and Junnosuke Masumi, *Parties and Politics in Contemporary Japan* (Berkeley: University of California, 1971), p. 90.

represent rural constituencies have to pay attention to their requests and general agrarian interests.

This gives the farmers or agricultural interest groups leverage over the government in policy making. As Japan industrialized, the agricultural land and labour reduced along with their income. The farmers feared that allowing unspecified number of refugees would jeopardize their very livelihood, because, as the refugees come in, the government would allot lands to those refugees who have not got any employment. Apart from this, government would convert the already shrunken agricultural land for refugee resettlement centres like Himaji Resettlement Promotion Centre in Western Japan.

This fear reflected through their interest group in the Diet and delays in making Cabinet decisions over refugee asylum and resettlement. Even though Japan brought out the Immigration Control and Refugee Recognition Act, most of the decisions were taken in ad hoc and incoherent manner. This clearly echoed in their record of recognition of asylum seekers. In two decades only 288 asylum seekers were recognised under the 1951 Convention. From 1978 to 2001, 10900 refugees were admitted into Japan and it was done gradually from 500 onwards.

Even though the political and economic factors influence the refugee policy making in Japan there are other social factors which influence the acceptance of foreigners in general and refugees in particular. Social receptivity towards refugees is influenced by its perception about refugees, the motive behind the refugee flight, their ethnicity and social conduct.

“Japanese have a preconceived image of refugees. In Japanese, the word “nanmin” (refugee) brings to mind war-scarred starving people and Japanese tend to

forget the original meaning of the word – a person who flees for refuge or safety because of persecution.... Lack of awareness exists that welcoming people fleeing their native lands into one's own community is refugee aid too.... Locals repeatedly oppose the opening of refugee resettlement centres in their neighbourhood.”²⁰

Saving their unawareness about refugees and their problems, the Japanese public is extremely conscious about their homogeneity and a feeling of uniqueness about their culture. “The surrounding ocean ... shielded Japan both from invasion and migration... and there has been very little infusion of other ethnic groups, resulting in a contemporary population that is fundamentally homogenous.”²¹

“Ethnic identities are socially constructed and articulated within specific junctures of historical, material and power relations.”²² The Japanese notion of homogenous single race was built during the Meiji period by the political leaders and intellectuals when they perceived an imminent threat to the security of their country.²³

Notwithstanding the fact that Japan had integrated itself considerably with the world, the Japanese populace continue to hold it firmly. Apart from this, the Japanese give high priority for their language, customs and traditions. And Japanese always tried to identify themselves more with the Western courtiers than Asian countries and had a “feeling of superiority toward the East.”²⁴ As a consequence, refugees from the Asian region are regarded with less favour.

²⁰ Mizuno Takaaki, “The Refugee Quandary”, *Japan Quarterly*, Jan-Mar 1990, p. 93.

²¹ Tessa Morris-Suzuki, “The Frontiers of Japanese Identity, in Stein Tonesson and Hans Antlov (ed.), *Asian Forms of the Nation* (Surrey: Curzon, 1996), p. 41.

²² Richard Siddle, *Resistance and the Ainu of Japan* (London: Routledge, 1991), p. 21.

²³ *Ibid.*, p. 12.

²⁴ Soo-im Lee, “Koreans – A Mistreated Minority in Japan: Hopes and Challenges for Japan’s True Internationalization,” in Ray T. Donahue (ed.), *Exploring Japaneseness* (Westport: Ablex Publishing 2002), p. 187.

Refugees who enter Japan have basically no idea about the language, customs or traditions. This makes their life miserable whether it is during their temporary stay to be resettled in a third country or settlement in Japan following their recognition as refugees.

According to a survey conducted in Nishinomiya, the most relevant criteria for Japanese ness are: Japanese citizenship, Japanese language competency, Japanese name, having both parents Japanese, having a Japanese father, having a Japanese mother and Japanese physical appearance.²⁵ Even after a reasonable period of living in Japan, as most generally foreigners specifically refugees are devoid of these criteria, Japanese society refuse to accept and resist their assimilation.

The rapid industrialization in the post-war Japan resulted in disproportionate number of people settling in cities. This has caused, in turn, a greater tendency for people to guard their private lives carefully rather than seeing themselves as members of a symbiotic community. And the links between neighbours and the desire to cooperate with other in the local community for the common good have grown progressively weaker. In this situation, as new entrants to the community, refugees find themselves culturally isolated.²⁶

Adding to the Japanese indifference towards community life, rising crime rate involving foreigners magnify their misgivings about refugees. Booming economic growth rate and development in the 1980s brought a lot of illegal workers from China, Iran, Brazil and Philippines. When the economic boom got busted in the mid-1990s, most of them were rendered jobless. And the “total number of foreigners staying illegally in

²⁵ Rotem Kowner, “Deconstructing the Japanese National Discourse: Laymen’s Beliefs and Ideology,” in *Ibid.*, p. 176.

²⁶ Koichi Koizumi, n-9, p. 197.

Japan increased drastically from 106,000 in 1990 to 299,000 in 1993.²⁷ The Chinese indulged in arms smuggling and operating theft gangs and the Iranians engaged in illegal drugs trade and the Philipinos in prostitution.

“The rate of alien suspects per all those for offences of special laws was 8.9 percent in 1995; this was higher than 1.6 percent in the cases of the non-traffic penal code offences. These were extremely high rates in the case of both the Immigration Control and Refugee Recognition Law and the Alien Registration Law, followed by the Opium Law, and by the Law to Control Narcotic and Psychotropic Substances. The rate of alien suspects charged with offences of the Prostitution Prevention Law amounted to 21.7 percent.”²⁸

Japan is one of the few developed countries which has low crime rate. The increasing crime rate involving illegally staying foreigners strengthens the Japanese suspicion about foreigners, consequently refugees. This has not only resulted in their refusal to accept refugees and also prevent refugees from entering Japan.

The inherent hindrances in the bureaucratic system, foreign policy compulsions, political intricacies, societal make-up contribute to the evolution of a complex refugee policy in Japan.

²⁷ Minoru Yokoyama, “Analysis of the Crimes by Foreigners in Japan,” in Curtis J. Milhaupt, J. Mark Ramseyer and Michael K. Young (eds.), *Japanese law in Context – Readings in Society, the Economy and Politics* (Cambridge: Harvard University Asia Centre, 2001), p. 305.

²⁸ *Ibid.*, p. 309.

CHAPTER - IV

JAPAN'S REFUGEE POLICY - EXTERNAL DIMENSIONS

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JAPAN'S REFUGEE POLICY – EXTERNAL DIMENSIONS

Japan's refugee policy is not only determined by its economic imperatives, societal make-up, political compulsions, bureaucratic choices, and also by its foreign policy as well. Countries fashion their foreign policies based on their national interests. Japan is no exception to this.

Japan's foreign policy is based on three tenets:

1. to safeguard the security of the country.
2. to promote its people's economic welfare
3. to give its people a sense of pride.¹

These fundamentals are not only part of modern Japan's foreign policy but also were adhered to even during the days of Chinese world order.

Japan's geographical isolation, size, dearth in natural resources and security concerns forced it always to look for and identify with a hegemon. Due to its geographical proximity and developmental necessities Japan incorporated itself with the Sino-centric order.

Japanese rulers acknowledged China's superior civilization and associated with it for the economic, social and security benefits accruing from it. Japanese rulers were interested in the political and security dimensions of relations with China because these

¹ Ronalds Dore, *Japan, Internationalism and the UN* (London: Routledge, 1997), p. xxxiv.

brought them access to the advanced administrative skills and weaponry which were necessary to unify their homeland and strengthen their country's power.²

The relative isolation and peace enjoyed by Japan during the Tokugawa period was disturbed by the arrival of superior Western industrial, technological and military powers in the mid-nineteenth century. Perceiving the Western military might, the Japanese leaders decided to tow the line and import superior Western administrative and military technology in order to unify their country internally and augment their national power.

In the early decades of the 20th century, Japan joined the Western imperial powers in the race to colonize in order to rival those of the West with physical, economic and military resources. Despite its successes and being an Eastern power, Japan got a raw deal at the Paris Peace Conference (1919) and the Washington Naval Treaty of 1922. This humiliation and sting at their pride propelled Japan to join hands with the resurgent power of the day—Nazi Germany.

The debacle and exhaustion at the Second World War forced Japanese leaders to ponder over the same old question, how to survive in the international hierarchy dominated by the present nuclear powers. Finally, they chose the path of dependence upon and alignment with the United States. This national strategy expressed clearly in the 'Yoshida Doctrine'. According to this, Japan would concentrate upon the task of nation rebuilding, while seeking economic, political and security guarantees from the United States.³

² Glen D. Hook et al, *Japan's International Relations: Politics, Economics and Security* (London: Routledge, 2001), p. 26.

³ Ibid., p. 30.

So, Japan had always conducted its foreign policy in order to serve its economic, political and security interests. And associating itself with the major power of the day to enhance strength and boost its standing among other countries was also another aspect of it. Japan pursued this as long as they served its interests. When there is a clash or difference of interests, Japan resorted to an independent course.

Japan as an emerging economic power in the 1950s and 1960s engaged in promoting its economic interests by offering Official Developmental Assistance (ODA) to less developed countries and creating regional economic zone by establishing the Asian Development Bank in 1966. But Japan rarely used its economic strength to wield any political clout. Being an ally of the United States, Japan towed the same foreign policy lines.

Then came the Nixon government's rapprochement with the communist China and the 1973 oil crisis. Both came as a rude shock to the Japanese foreign policy managers. And for the first time, they chose an independent line from the United States in order to keep its oil supply flowing.

"The global movement towards interdependence and transnational institutionalization and a shift toward "soft" forms of power has further encouraged Japan to consider many of its interests in a multilateral framework."⁴

Japan recognised that the UN Security Council was the best way through which it could meet its foreign policy interests. Japan contributed regularly to the UN budget and UN related activities. It served as a non-permanent member in the Security Council on seven occasions. But manifestations of its political ambitions were absent in the UN.

⁴ Edward Newman, "Japan and International Organisations," in Inoguchi Takashi and Purnendra Jain (eds.), *Japanese Foreign Policy Today* (New York: Palgrave, 2000), p. 44.

Being an unfaltering financial contributor to the UN budget alone did not qualify Japan to the privileges enjoyed by the members of the permanent Security Council. “By 1973, Japan’s assessed contributions accounted for 7.15 percent of the UN budget, making it the third largest contributor after the US and the Soviet Union, and by 1986, Japan’s contribution had surpassed that of the Soviet Union.”⁵

The shifting of American foreign policy course and interests necessitated Japan to rethink and reconfigure its foreign policy course to meet its economic and political interests. “As a second largest economy in the world, with high productivity, a powerful currency, and a state of the art technology across a broadening range of industries, Japan aspired to become a world power.”⁶

Besides this, “there is a strong desire among the Japanese public for advancement in national dignity along with security and economic advantage.”⁷ Japan realised that all this could be achieved only by becoming a permanent member in the Security Council. Japan’s approach towards the Security Council can be thematised like: a growing desire to set the agenda, to increase Japan’s profile and authority, a desire to strengthen, facilitate, and in some cases legitimize Japan’s economic needs, and to complement Japan’s economic needs, and to complement Japan’s security in East Asia in the face of future uncertainties.⁸

Hitherto, Japan had not taken an active part in UN related peace keeping or humanitarian relief measures. For Japan, as an aspirant to the UN Security Council, this

⁵ Sadako Ogata, “United Nations and Japanese Diplomacy,” *Japan Review of International Affairs*, Fall/Winter 1990, p. 145.

⁶ Kent E. Calder, “Japan in 1991: Uncertain Quest for a Global Role,” *Asian Survey*, Vol. 32, No. 1, January 1992, p. 32.

⁷ Ronald Dore, n-1, p. 98.

⁸ Edward Newman, n-4, p. 53.

could well be used by other countries to thwart its chances. So, Japan decided to participate in peace keeping and other humanitarian relief measures.

The Indo-Chinese refugee exodus started in 1975. In the early stages Japan was reluctant and slow to respond. Following international criticism and its own cognizance of the opportunity, Japan participated in the humanitarian relief measures and resettlement of the Indo-Chinese refugees. When the Afghan refugees poured into Pakistan in the winter of 1979-80, Japan provided relief supplies and increased economic assistance to Pakistan to meet the emergency situation.

“These relief activities have drawn Japan deeply into the web of international humanitarian activities. Japan’s cooperative posture in regard to programmes concerning the Asian region has turned Japan into a partner for the economic and humanitarian assistance programmes of the UN.”⁹

In 1979, at the ‘International Conference Relating to the Indo-Chinese Refugee Problems’, Japan agreed for a resettlement quota of 500 of its own and to gradually increase it to 10,000.¹⁰ At the end of 1993 a total of 9,246 refugees were accepted under this framework.¹¹ Apart from this, Japan had also extended financial aid through UNHCR, UNICEF and ICRC for relief measures.

⁹ Sadako Ogata, “The Changing Role of Japan in the United Nations,” in Joshna D. Katz and Tilly C. Friedman-Lichtschein, *Japan’s New World Role* (Boulder: Westview Press, 1985), p. 35.

¹⁰ Koichi Koizumi, “Refugee Policy Formation in Japan: Developments and Implications,” *Journal of Refugee Studies*, Vol. 5, No. 2, 1992, p. 129.

¹¹ White papers of Japan, 1992-1993, Japan Institute of International Affairs, Tokyo, 1994, p. 47.

Japan's Financial Aid for Indo-Chinese Refugee Relief

Year	1975	1979	1981	1982	1983	1986	1987	1990	1991
Amount	¥ 2 bn	\$ 100 mn	\$ 81 mn	\$ 67 mn	\$ 60 mn	\$ 25 mn	\$ 50 mn	\$ 22 mn	\$ 100 mn

Source: White Papers of Japan (1976-1995), Japan Institute of International Affairs, Tokyo

The above table shows that the amount of financial aid extended by Japan for the Indo-China refugee relief measures over a period of 16 years. The total amount exceeds \$600 millions.

Besides Indo-Chinese refugees, Japan also actively involved in refugee relief and repatriation measures in Africa. Next to the Indo-Chinese refugee crisis, the African continent produced more number of refugees due to ethnic conflict, drought and military take-over of governments.

Japan's Financial Aid to Refugees in Africa

Country	1988	1991	1992	1994	1995
Namibia	¥ 470 mn	---	---	---	---
Angola	¥ 139 mn	---	---	---	---
Rwanda	---	---	---	\$ 45 mn	---
Ethiopia	---	\$ 5.9 mn	---	---	---
Somalia	---	---	\$ 5.9 mn	---	---
South Africa	---	\$ 3.2 mn	---	---	---
Zaire	---	---	---	---	\$ 21.52 mn

Source:

1. White papers of Japan (1988-1995), Japan Institute of International Affairs, Tokyo
2. Diplomatic Blue Book (1988-1995), Ministry of Foreign Affairs, Tokyo.

Japan aided Namibia with ¥ 470 mn and Angola with ¥ 139 mn in the year 1988. Japan extended financial aid of US \$ 8.12 mn to Ethiopia in 1991 and US \$ 3.2 mn to South Africa in the same year. In the year 1992, Japan gave \$ 5.9 mn to Somalia and \$ 21.52 mn to Zaire in the year 1995.

Moreover, Japan had sent about 400 members of the Self-Defence Forces (SDF) as a part of the International Peace Cooperation Forces to engage in such tasks as medical services, sanitation, water supply and airlifts in the refugee camps in Goma, Zaire and in Nairobi, Kenya from September to December 1994.¹²

Initially, though Japan granted aid, participated in relief measures and sent troops abroad, was not legally bound. Japan signed the UN Convention Relating to the Status of Refugees in 1981 and the 1967 Protocol in 1982. "Furthermore, Japan became a member of International Organisation of Migration (IOM) in November 1993 and announced its intention to further contribute to the repatriation and reintegration of refugees and displaced persons as a part of international efforts to solve the problems of refugees and displaced persons around the world."¹³

Now the question arises, what explains Japan's disposition towards Indo-Chinese and African refugees besides its aspirations to become a permanent member in the UN Security Council?

Economic security, especially securing raw materials and markets, is one of the main pillars of Japanese foreign policy objectives. "Japanese foreign policy is virtually synonymous with foreign economic policy."¹⁴

¹² White papers of Japan, 1993-1994, Japan Institute of International Affairs, Tokyo, 1995, p. 19.

¹³ Ibid., p. 47.

¹⁴ Ronald Bruce St. John, "Japan's Moment in Indo-China: Washington Initiative... Tokyo Success," Asian Survey, Vol. 33, No. 10, October 1993, p. 671.

Japan, as it lacks natural resources, depends heavily on imports to feed its industries. And it also needs markets to supply to keep its economic wheel moving. Japanese policy making is a tripartite activity involving the politicians, business community and the bureaucracy. The business community contributes to the conservative parties in order to formulate specific economic policies so as to ensure the continued maintenance of the free enterprise system.¹⁵

Japan's commercial relations with Indo-China began when Vietnam along with Cambodia and Laos signed the Treaty of Peace with Japan in 1951. Accordingly, Japan agreed to pay \$55.6 mn to Vietnam, \$ 4.2 mn to Cambodia and \$ 2.7 mn to Laos as reparations. Most of these were in the form of Japanese goods and services."¹⁶

When the communist North and the democratic South Vietnam plunged into war, Japan, despite being an ally of the US did not sever its trade relations with North Vietnam. "The Japanese exported chemicals, machinery and cargo ships in return for imports of raw materials, mainly coal."¹⁷

With the conclusion of the 1973 Paris Agreement, Japan entered this region with large reconstruction programme. For this purpose Japan extended Official Development Assistance and they were made "mainly in the form of transfer of machinery and loans,

¹⁵ Sadako Ogata, "The Business Community and Japanese Foreign Policy: Normalization of Relations with the People's Republic of China," in Robert A. Scalapino (ed.), *The Foreign Policy of Modern Japan* (Berkeley: University of California Press, 1977), p. 177.

¹⁶ Wolf Mendl, *Japan's Asia Policy: Regional Security and Global Interests* (London: Routledge, 1995), p. 113.

¹⁷ Bernard B. Fall, *The Two Vietnams: A Political and Military Analysis* (London: Pallmall Press, 1963), p. 194.

which led the states of the region to become dependent on Japanese corporations for spare parts, related products and technical assistance.”¹⁸

These evidences clearly exhibit how Japanese foreign policy is driven by its commercial interests in the region. When the Indo-Chinese refugee crisis began in 1975, Japan initially refused to accept refugees and give asylum. But in the same year, it extended ¥ 2 bn aid through various UN agencies for relief measures. As a standard custom, many of the contracts for relief work were given to Japanese companies.

Japan also appealed to Vietnam to stem the flow of refugees, Japan’s concern was not humanitarian, but the fall-out of the refugee flow would disturb the peace and stability of the region. Consequently, Japan’s commercial interests would be threatened.

As Japan’s economy expanded globally, its importance in the economic sphere increased among the African states. Japan is a “nation obsessed with security of supply.”¹⁹ Economic security items include stockpiling of oil, raw materials and food, prospecting for petroleum and Uranium.

“Given the country’s need for vital raw materials, Japanese policy makers are appreciative of the need for assured and easy access to those that would sustain their country’s economic growth. Their policies towards Africa were thus indicative of their deep interest in the ‘strategic’ resources in Africa.”²⁰

¹⁸ Glenn D. Hook et al, *Japan’s International Relations: Politics, Economics and Security* (London: Routledge, 2001), p. 184.

¹⁹ Richard J. Samuels, “Consuming for Production: Japanese National Security, Nuclear-free Procurement, and the Domestic Economy,” *International Organisation*, Vol. 43, No. 4, Autumn 1989, p. 640.

²⁰ Kweku Ampiah, *The Dynamics of Japan’s Relations with Africa: South Africa, Tanzania and Nigeria* (London: Routledge, 1997), p. 17.

In 1987, Japan announced \$ 500 mn non-project grant aid to 11 countries in sub-Saharan Africa. In 1993, Japan gave \$ 966.10 mn to this region. Of which 21.1 percent were loans, 59.6 percent grant aid and 19.3 percent was earmarked for technical aid.²¹

Japan imports six percent of its metal raw materials from Africa, which are crucial to its economic security and some of the rare materials are found only in South Africa. In June 1994, Japan extended an aid package of \$ 1.36 bn in economic assistance to South Africa. And \$ 500 mn of the total amount was made as a loan from the Export-Import bank of Japan for the improvement of the economic and social infrastructure. And another \$ 500 mn was to be used for the purposes of credit line for trade and overseas investment insurance.²²

These data demonstrate the fact how Japanese foreign policy is driven by its commercial interests in Africa. Japanese aid for relief, rehabilitation and repatriation of African refugees attest to the fact that Japan not only interested in protecting its economic security but also to show to the Organisation of African Unity (OAU) that Japan was not merely an economic animal but also concerned about humanitarian measures so that it can get better access to their markets.

Although Japan joined the UN in 1957 and committed to a UN centered foreign policy, Japan remained largely inactive in the UN initiatives. "Japan's early years in the world body were marked by a nearly total absence of initiative."²³ Despite being a regular contributor to the UN budget and other UN related activities, Japan has not ratified any of the UN related conventions till 1979. In the same year, Japan ratified the International

²¹ Ibid., p. 58.

²² Ibid.

²³ John M. Peek, "Japan, the United Nations and the Human Rights," Asian Survey, Vol. 32, No. 2, February 1992, p. 218.

Convention on Civil and Political rights (ICCPR) and the International Convention on Economic, Social and Cultural Rights (ICESCR).²⁴

Japan ratified the UN Convention Relating to the Status of the Refugees and the 1967 Protocol in October 1981 and January 1982 respectively. And the Convention on Elimination of Discrimination Against Women (CEDAW) was ratified in 1985. In the late 1980s and early 1990s, the Japanese government was severely criticized by the international community for its reluctance to ratify human rights conventions.

Following this, in May 1994 Japan ratified the Convention on Rights of the Child (CRC) and the Convention on the Elimination of all forms of Racial Discrimination (ERD) in 1995. Japan ratified the Convention Against Torture in 1999 and the Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment in 2001.

Three factors can explain Japan's change of attitude towards the international human rights regime. Following the first Gulf War, the importance of the UN came to prominence and Japan drew wide-spread criticism for its immobility and inability to take an active part in it. Japan realised that it could not any more play an active role in international politics with 'cheque books' alone.

In the regional human rights conference held in Bangkok in April 1993, and the World Conference held in Vienna in June in the same year, Japan took a universalistic view towards human rights. At the same time, China, Singapore and other Southeast Asian countries emphasised on placing human rights in the context of "Asian values".²⁵

²⁴ Ian Neary, *Human Rights in Japan, South Korea and Taiwan* (London:Routledge,2002), p. 34.

²⁵ Ian Neary, "Japanese Foreign Policy and Human Rights," in Inoguchi Takashi n-4, p. 90.

A consensus was reached in the Ministry of Foreign Affairs to actively pursue the permanent seat in the UN Security Council. And the Foreign Ministry's positive attitude towards the international human rights regime was also "an attempt to gain domestic support for more positive involvement in UN activities."²⁶

The signing of various international conventions and its foreign policy aspirations led to next logical question. How far Japan has implemented or adhered to these conventions?

The working of the Japan's refugee system can be brought into context, beginning with entry of Indo-Chinese refugees. On arrival, the Vietnamese boat people were treated according to the UNHCR guidelines. At the same time, refugees from Iran, Afghanistan who were seeking political asylum in Japan were to confirm to the criteria for refugee status established by the Ministry of Justice.²⁷ Though Japan was not a signatory to the UN Convention Relating to the Status of Refugees then, it clearly violated Article 3 of the 1951 Convention.²⁸

After the ratification of the 1951 UN Convention, the Immigration Control Act of 1951 was revised into Immigration Control and Refugee Recognition Act in January 1982. According to Article 61-62 of the Refugee Recognition Act, as soon as an alien arrives in Japan he/she has to apply to the Minister of Justice in accordance with the procedure laid down by it to be recognised as refugee.

But in many cases, the asylum seekers who approach the immigration authorities are not simply permitted to submit the asylum application or asking the asylum seekers to

²⁶ Ibid., p. 91.

²⁷ Saito Yasuhiko, "Imposter Refugees Illegal Immigrants," *Japan Quarterly*, January-march 1990, p. 86.

²⁸ Article 3: "The contracting states shall apply the provisions of this Convention to refugees without discrimination as to race, religion or country of origin."

translate the statement into Japanese before their claim could be registered. (case of Somalian asylum seeker).²⁹

According to Article 61-62 of the Immigration Control and Refugee Recognition Act, the application for “recognition of refugee status” must be submitted within 60 days after the person landed in Japan or the day he becomes aware of it. This cannot be applied if there are unavoidable circumstances. Stringent application of the “60-day rule” by the Japanese government is contrary to Conclusion 15 of UNHCR’s inter-governmental executive committee which states “while asylum seekers may be required to submit their asylum request within a certain time limit, failure to do so ... should not lead to an asylum request being excluded from consideration.”³⁰

If a person’s application for certificate of refugee status is rejected, then the person has to appeal to the Minister of Justice with valid reasons within seven days according to Article 61-2-3 of the Refugee Recognition Act. And the Minister would ask the Refugee Inquirer to inquire into the facts.

The person may be asked to dispose before the Refugee Inquirer for an interview. This interviewing process has become an insurmountable hurdle for the refugees or asylum seekers. The asylum seekers are asked to submit the documents in Japanese. The interviews are often conducted with the asylum seekers in English without providing for a qualified interpreter in the asylum seekers’ mother tongue. And the length of the interviews last more than eight hours.³¹

²⁹ For further details refer to, “Japan: Asylum seekers Still at Risk”, <http://www.amnestyusa.org/countries/japan/document.do>

³⁰ Conclusion 15 (XXX) 1979, “Refugees without an Asylum Country,” Paragraph (i), <http://www.unhcr.ch>

³¹ “Japan: Asylum seekers Still at Risk”, n-29.

Though the UNHCR Hand Book provides detailed guidance on interviewing applicants and deciding on asylum claims, the Refugee Inquirers turn a blind eye toward to it. And the Inquirers' "knowledge of international refugee law and international human rights law, and conditions in the asylum seekers' country of origin are questionable."³² The UNHCR Hand Book emphasises that the interviews should be conducted by qualified personnel having the necessary knowledge and experience.

The defective and bureaucratic nature of the Japanese system is quite evident from the working of the Articles 61-2 to 61-5 of the Refugee Recognition Act. To obtain a certificate of refugee status, a person has to submit the documents for scrutiny to the Ministry of Justice. If rejected, the person has to appeal to the same authority that had rejected it for reconsideration.

During the period after denial of entry into Japan and before they were issued "orders to leave" or issued deportation orders, foreign nationals have allegedly been detained and ill-treated in detention facilities located within the airport premises known as landing Prevention Facilities (LPF) or at an "Airport Rest House" outside the airport site.³³

Ill-treatment of those in detention constitutes a violation of Articles 7 and 10 of the International Covenant of Civil and Political Rights (ICCPR),³⁴ which Japan ratified in 1979. The failure of the Japanese government to initiate a prompt and impartial investigation into these allegations constitutes a violation of Article 12 of the Convention Against Torture which Japan acceded to in June 1999.

³² "Japan: Inadequate Protection for Refugees and Asylum Seekers," n-29.

³³ Amnesty International, "Japan: Welcome to Japan?" AI Index: ASA 22/002/2002, May 2002.

³⁴ Article 7 of the ICCPR states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment". While Article 10 (1) states "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person."

Detainees at the landing Prevention Facilities have often been denied access to their families in violation of Principles 16(1) and 19 of the Body of Principles for the Protection of All Persons Under any Form of Detention or Imprisonment. They are also disallowed to communicate with their consular or diplomatic missions in Japan or to contact representatives of the UNHCR in contravention of the same Principles. Detainees have also not been allowed to communicate with independent legal advisors in violation of Principle 17.

The detainees at the LPF are often not given any written information on the asylum procedure in Japan in a language they can understand. This is clearly a case of non-observance of Principle 13 and 14.

Even though Japan has signed many of the conventions regarding refugees and human rights, its domestic legal system still remains inadequate and contradictory. “In 2002, four Afghan refugees who were working in the Tokyo harbour were hauled up by the police for illegal stay under Article 24(3) of the Immigration Control and Refugee Recognition Act. When they were brought up for trial, the Second Division Civil Court acquitted them by upholding the spirit of the 1951 UN Convention. But, on appeal from the immigration officials, the Third Division Civil Court over ruled the lower court’s verdict and ordered for their immediate deportation.”³⁵

It is the economic interests and foreign policy interests that determine Japan’s benign attitude towards refugees.

³⁵ Isozakiyumi, “Questioning Japan’s ‘Closed Country’ Policy on Refugees,” *Seikai*, Vol. 703, July 2002, pp. 143-50.

CHAPTER - V

CONCLUSION

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The problem of refugees is a modern phenomenon. The advent of nation states in the 16th and 17th century on religious, racial, cultural and linguistic lines forced the minority population to become refugees. The consummation of the Second World War also saw the end of creation of refugees in Europe.

The course of decolonization, redrawing of national boundaries and the resultant civil wars in the Third World contributed to majority of the refugee generating incidents in the second part of the 20th century. Refugees traveled across continents to seek asylum and protection. As the influx of refugees increased, receiving countries perceived them as destabilizing force. International organisations and conventions came into existence to address the refugee issue. Nations enacted various legislations to deal with it. These legislations were determined by bureaucratic choices, international relations, local absorption capacity of the host country, and national security considerations.

The first foreigners to interact with the Japanese were Chinese. Borrowings of culture, socio-economic and political ideas, and technological know-how determined Japanese relations with the Chinese. The penultimate reason was trade and colonial ambitions of the Japanese rulers. Disequilibrium and regime change in China compelled the Japanese rulers to thin down interaction to guard their country.

The Ashigara and Bakufu rulers divided the society took control of the ports and reigned in the feudal lords for the continuance of the Shogunate. The Portuguese

traders vanguarded the missionaries and other westerners into Japan. The demand for gold and precious stones, port revenues and the desire to conquer Korea and China motivated the Japanese rulers to leave the door open for the westerners.

Sensing this missionaries exacted a patented latter to proselytize, to print literature and build churches and seminaries. Forcible conversion, destruction of Shintoist and Buddhist temples by neo-converts and enslavement of Japanese by the westerners did not draw much attention of the rulers. The obvious reason was that the termination of this would abort trade and other interests.

The disclosure of the padres acting as spies for the Spanish conquistadors, the engagement of Christian Daimyos in criminal and conspirational activities and the Christian led Shimabara peasant rebellion alerted the Shogan. Apprehension about the Christian conspiracy to dislodge the regime propelled the Shogan to expel and exterminate the Christians. Exclusion Decrees were issued in 1633, 1635 and 1639 to close the doors of Japan with the exception of Dejima Island. And the 'Dutch learning' continued. Perry's 'Black ships' forced open the doors of Japan again in 1858. Superior western technology, weapons and lucrative trade facilitated this. The upward mobility of traders and merchants in the social ladder distressed by them politically powerless, economically weak Samurai class. By blaming their superiors and western interaction for their present plight, a section of the Samurai class headed the unsuccessful anti-foreign Loyalist Movement.

The Meiji Restorers renovated every walk of Japanese life on Western lines to make Japan a rich and strong country. The anti-foreign feeling once again gripped the Japanese in 1930s. The military dominated government perceived all western things

and ideas were detrimental and world undermine their whole project of uniting the nation under 'kokutai' for the war purpose.

The post-Second World War Japan witnessed the emergence of Liberal Democratic Party dominated by interest group politics and politicians, bureaucrats and business community nexus in policy-making. Since Japan came under the US security umbrella, the government laid more emphasis on economic development and less foreign policy.

The Nixon Shock of 1971 and the 1973 Oil Crisis forced Japan to strike an independent foreign policy line. The first Indo-Chinese refugee influx into Japan took place in 1975. The Japanese were reluctant to accept them as they were unprepared infrastructurally, legally and psychologically as well. The indifference of the bureaucracy delayed the legislation process as the bureaucracy plays a vital role in it.

The importance of Vietnam for resources and markets to the business community and the collusion of interests between the bureaucracy and the business community paved the way for a positive shift in the refugee policy. Another important contributor to this positive shift was the Japanese desire to become a permanent member in the UN Security Council so as to play a major role in international politics. Japan realised that this possibility would arise only if Japan play an active role in UN humanitarian and peace keeping activities apart from funding the UN budget.

Refugee and human rights conventions were ratified and legislations in this regard came into effect. But refugee and asylum recognition rate did not improve because of two reasons. One, the Japanese farmers perceived the refugees as threat to their livelihood. The farmers constitute a major voting block and act as fund raisers for

the conservative party, through their lobbying power in the Diet they influence the policy decisions. Second, Japanese feeling of ethnic homogeneity and cultural uniqueness act as barriers for the refugees. The increasing crime rate involving foreigners strengthen their apprehensions about refugees. This results in their refusal to receive and accept refugees.

Recognition of its inadequacies always made Japan to look for and identify with a hegemon to serve its economic political and security interests. Japan's relations with Sino-centric order to the present alliance with the US attest this. In case of clash or difference of interests Japan pursued an independent line. The basis of Japanese foreign policy is to safeguard the security of the country, to promote people's economic welfare and to give them a sense of pride.

In pursuit of these foreign policy objectives, Japan aspired for a permanent membership in the UN Security Council. Japan participated in the refugee relief and rehabilitation measures in Indo-China and Africa for the raw materials and markets there. It extended loans and technical aid to them so that Japanese companies could benefit.

Though Japan has signed and ratified various refugee and human rights conventions, the admission and treatment of refugees and violate these conventions. The domestic legal system acts contradictorily and remains inadequate regarding refugees.

Japanese are not xenophobic. They have always welcomed foreigners, new ideas, and new cultures. They were well adopted, but Japanese in due course. It is their curiosity to learn and the desire to grow that kept their doors open for the foreigners.

not true.

Endangerment to the status quo culminated in the resistance and prevention of entry of foreigners into Japan.

Notwithstanding the fact that the Japanese are avid learners, they are slow to change. Unpredictability of their behaviour and attitudes complicates the understanding of their benign value system at home and predatory pursuit of economic interests abroad.

It is complexities of the Japanese language, customs, tradition and rituals that make it hard for the foreigner to adopt and assimilate with the Japanese society. The policy making process in Japan is very intricate and given to pulls and pressures of various interest groups. No policy decision can be taken unless it benefits all the players in the policy making. So it becomes all the more difficult for contentious and less beneficial issue like refugees.

The Japanese have always put the ideological underpinnings to the back burner whenever their interest is served. The cases of Japan's elations with the communist North Vietnam and apartheid South Africa corroborate this.

The apprehensions of Japanese farmers about refugees are more of perceived kind rather than real. Japan being an industrial major with unemployment rate hovering around five percent, refugees could well be accommodated.

BIBLIOGRAPHY

BIBLIOGRAPHY

Primary Sources

White Papers of Japan (1975-2002)

Diplomatic Blue Book of Japan (1975-2002)

Immigration Control and Refugee Recognition Act.

1951 UN Convention relating to the Status of Refugees.

1967 Protocol.

Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

Body of Principles for the Protection of all persons under any form of Detention or Imprisonment.

Secondary Sources

Books

Adelman, Howard, *Canada and the Indochinese Refugees* (Regina: L.A. Weigl Educational Association, 1982).

Agra Khan, Sadruddin, *Legal Problems Related to Refugees Displaced Persons* (The Hague: Academy of International Law, 1976).

Ampiah, Kweku, *The Dynamics of Japan's Relations with Africa: South Africa, Tanzania and Nigeria* (London: Routledge, 1997).

Chimni B.S., (ed.), *International Refugee Law A Reader* (New Delhi: Sage, 2000).

Beasley, W.G., *The Rise of Modern Japan* (London Weidenfeld &Nicolson, 2000).

Black, Richard, *Geography and Refugees: Patterns and Process of Change* (London: Belhaven Press, 1993).

Boxer, C.J., *The Christian Century In Japan 1549-1967* (Berkeley; California University Press, 1967).

- Bramwell, Anna, (ed.), *Refugees in the Age of Total war* (London: Unwin Hyman, 1988).
- Cels, Johan, *A Liberal and Humane Policy for Refugees and Asylum Seekers: Still a Realistic Option?* (London: European Consultation on Refugees and Exiles, 1986).
- Chantavanich, Supang, *Japan and the Indochinese Refugees* (Bangkok: Chulalongkorn University, 1987).
- Collected Writings of Sir Hugh Cortazzi (Tokyo: Japan Library & Edition Synapse, 2000).
- Donahue, Ray T., (ed.), *Exploring Japaneseness* (Westport: Apex, 2002).
- Dore, Ronald, *Japan, Internationalism and the UN*, (London: Routledge, 1997).
- Duus, Peter, *The Rise of Modern Japan* (Boston: Houghton Mifflin company, 1976).
- Fall, Bernard B., *The Two Vietnamese: A Political and Military Analysis* (London: Pall Mall Press, 1963).
- Ferris, Elizabeth G., *Refugees and World Politics* (New York: Praeger, 1985).
- Ferris, Elizabeth G., *Central American Refugees and the Politics of Protection* (New York: Praeger , 1987).
- Gilney Mark, (ed.) *Open Borders? Closed Societies? The Ethical and Political Questions* (Westport: Greenwood Press, 1988).
- Goodwin-Gill G., *The Refugees in International Law* (Oxford: Clarendon Press, 1983).
- Gordenker, Leon, *Refugees in International Politics* (London: Croom Helm, 1987).
- Grahl-Madsen, Atle, *The Status of Refugees in International Law*, (Leiden: A.W.Sijthoff, 1966).
- Grant, Bruce, *The Boat People* (London: Penguin Books, 1979).
- Hakovitra, Hatro, *Third World Conflict and Refgeeism: Dimensions, Dynamics and Trends of the World Refugee Problem* (Helsinki: Finnish Society of Science and Lettess, 1986).
- Harrel-Bond, Barbara. E., *Imposing Aid: Emergency Assistance to Refugees* (Oxford: Oxford University Press, 1986).

Holborn, Lowise, *The International Refugee Organization: A Specialised Agency of the United Nations, Its History and Work, 1946-52* (London: Oxford University Press, 1956).

Holborn, Lowise, *Refugees, A problem of our Time: The Work of the United Nations High Commissioner for Refugees*, (New Jersey: Scarecrow Press, 1975).

Hook Glenn D., et al., *Japans International Relations: Politics, economics and Security* (London: Rontbedge, 2001).

Ignatieff, Michael, *Refugees: The Dynamics of Displacement* (London: Zen Books, 1986).

Jaeger, Gilbert, *Status amd International Protection of Refugees* (San Remo: International Institute of Human Rights, 1976).

Jambor, Pierre, *Indochinese Refugees in Southeast Asia: Mass Exodus and the Politics of Aid* (Bangkok: Ford Foundation, 1992).

Jansen, Marius B., *The Emergence of Meiji Japan* (New York: Cambridge University Press, 1995).

Katz Joshna d., & Friedman – Lichtschein Tilly C., *Japan's New World Role* (Boulder, West View Press, 1985).

Keely, Charles B., *Global Refugees Policy: The Case for a Development Oriented Strategy* (New York: The Population Council, 1981).

Keller, Stephen L., *Uprooting and Social Change: The Role of Refugees in Development* (New Delhi: Manohar, 1975).

Kritz, Maryam, (ed.), *US Immigration and Refugees Policy: Global and Domestic Issues* (Lexington: Health, 1983).

Lawless, Richard, and Monahan, Laila (ed.), *War and Refugees: The Western Sahara Conflict* (London, Pinter, 1987).

Loescher, Gil and Scanlan, John (ed.), *The Global Refugee Problem: US and World Response* (London: Sage Publications, 1983).

Loescher, Gil, *Beyond Charity: International Cooperation and the Global Refugee Crisis*, (New York: Oxford University Press, 1993).

Loescher, Gil, *Calculated Kindness: Refugees and America's half-Open Door*, (New York, The Free Press, 1986).

- Marrus, Michael R., *The Unwanted: European Refugees in the Twentieth Century* (New York: Oxford University Press, 1985).
- McNelly, Theodore, *Politics and government in Japan* (Lanham: University Press of America, 1984).
- Melander, Goran, *Refugees in Orbit* (Geneva: International Universities Exchange Fund, 1978).
- Mendl, Wolf, *Japan's Asia Policy: Regional Security and Global Interests* (London: Routledge, 1995).
- Milhaupt, Curtis J, et al (ed.), *Japanese Law in Context – Readings in society, the Economy and Politics* (Cambridge, Harvard University Asia Centre, 2001).
- Munz, Rainer & Weiner, Myron, (ed.), *Migrants, Refugees and Foreign Policy* (Providence: Berghahn Books, 1997).
- Neary, Ian, *Human Rights in Japan, South Korea and Taiwan* (London:Routledge, 2002)
- Paludan, Anne, *The New Refugees in Europe* (Geneva: International Exchange Fund, 1974).
- Reischaner, Edwin O, *Japan: The Story of a Nation* (New York: MacGraw-Hill, 1990).
- Roggel, J.R.(ed.), *Refugees: a third World dilemma* (New Jersey: Rowman &Littlefield, 1987).
- Ruthstrom – Ruin, Cecelia, *Beyond Europe: The Globalisation of Refugee Aid* (Lund: Lund University Press, 1993).
- Ryuji Mukae, *Japan's Refugee Policy: To be of the World* (Italy: European Press Academic Publishing, 2001).
- Sansom, George, *A History of Japan 1615-1867* ((Stanford: Stanford University Press, 1963).
- Sansom, George, *A History of Japan To1334* (Stanford: Stanford University Press, 1958).
- Sansom, George, *The Western World and Japan- A Study in the Interaction of European and Asiatic Cultures* (London: The Crescent Press, 1965).
- Scalapino, Robert A. & Masumi Junnosuke, *Parties and Politics in contemporary Japan* (Berkely: University of California Press, 1971).

Schechtman, Joseph B., *The Refugees in the World: Displacement and Integration* (New York: A.S. Bartes, 1963).

Shigeru Oda & Hisashi Owada (ed.), *The Practice of Japan in International Law, 1961-70*, (Tokyo: University of Tokyo Press, 1985).

Siddle, Richard, *Race, Resistance and the Ainu of Japan* (London:Routledge, 1991).

Smyser, William R., *Refugees: Extended Exile* (New York; Praeger, 1987).

Stone, Scotte.S. and John E. EcGowan, *Wrapped in the Wind's Shawl: Refugees of Southeast Asia and the Western World*, (San Rafael: Presidio Press, 1980).

Supang, Chantaranich and Bruce, Reynolds, (ed.), *Indochinese Refugees: Asylum and Resettlement*, (Bangkot: Chulalongkorn University, 1988).

Sutter, Valerio, *The Indochinese Refugee Dilemma* (Baton Rouge: Lonisiaha University Press, 1990).

Takashi, Inogachi & Jain, Parnendra (ed.), *Japanese Foreign Policy Today*, (New York: Palgrave, 2000).

Tonnesson, Stein & Antlov, Hans, (ed), *Asian Forms of Nation* (Surrey: Curzon, 1996).

UNCHR, *The State of World's Refugees – fifty Years of Humanitarian Action* (Oxford: Oxford University Press, 2000).

Vanghan Rolainson, (ed.), *The International Refugee Crisis: British and Canadian Response*, (London: Macmillan, 1993).

Vitit, Muntarbhorn, *The Status of Refugees in Asia* (Oxford, Clarendon Press, 1992).

W.Coartland Robinson, *Terms of Refugee: The Indo-Chinese Exoches and the International Response*, (London; Zen Books, 1998).

Wain, Barry, *The Refused* (New York: Simon&Schuster, 1981).

Yanaga, Chitoshi, *Big Business in Japanese Politics* (New Haven: Yale University Press, 1968).

Zolberg, Arisfide, Suhrke, Astri, and Aguayo, Sergio, *Escape from Violence: Globalised Social conflict and the Refugee Crisis in the developing World* (New York: Oxford University Press, 1989).

Zucker, Norman L., and Zucker., Nami Flink, *The Guarded Gate: The Reality of American Refugee Policy* (San Diego, California; Harconrt Brace Jovanovich, 1987).

Articles

Basok, Tanxa, 'Welcome some and reject others: Constraints and Interests Inguncing Costa Rican Policies on Refugees', *International Migration Review*, (New York), Vol. 24, no.2, 1990, pp.722-747.

Beyer, Gunther, 'The political Refugees: 35 Years Later', *International Migrations Review* (New York), Vol.15, n.1-2, Spring- Summer 1981, pp.26-34.

Borjar, George J., 'Economic Theory and International Migration', *International Migration Review* (New York), Vol.23, n.3, 1989, pp.457-485).

Calder, Kent E., 'Japan in 1991: Uncertain Quest for a Global Role', *Asian Survey* (California), vol.32, no.1, Jan.1992, pp.32-41).

Gordenker, Leon, 'Early Warning of Disastrous Population Movement', *International Migration Review*, (New York), Vol.XX, n-2, Summer 1986, pp.170-192.

Isoakiyami, 'Questioning Japan's closed country Policy of Refugees', (Seikai), vol.703, July 2002, pp.143-50.

Jacobsen, Karen, 'Factors Influencing the Policy Response of Host Governments to Mass Refugee Influxes', *International Migration Review*, (New York), Vol.XXX, N.3, Fall 1996, pp.655-678.

Jaeger, Gilbert, ' Refugee Asylum: Policy and Legislative Developments', International migration and legislative Developments', *International Migration Review*, (New York), Vol.XV, n.1-2, Spring-Summer, 1981, pp.52-68.

Kalim, Walter, 'Troubled Communication: Cross Cultured Misunderstanding in the Asylum- hearing' *International Migration Review*, (New York), Vol.XX, n.2, Summer 1986, pp.230-244.

Kawai, Hayao, ' Japan's Self-Image: What Distinguishes the Japanese? *Japan Review of International Affairs* (Tokyo), Summer 1998, pp.143-156.

Koizumi, Koichi, ' Resettlement of Indochinese Refugees in Japan (1975-1985) an Analyses and Model for Future Services', *Journal of Refugees Studies*, (London), Vol.4, n.2, 1991, pp.182-199.

Koizumi, Koichi, 'Refugee Policy Formation in Japan: Developments and Implications', *Journal of Refugee Studies*, (London), vol.5, n.2, 1992, pp.123-135.

Kunz, Egon F., 'The Analytic Framework Exile and Resettlement Refugees Theory', *International Migration Review*, (New York), Vol.XV, N.1-2, Spring-Summer 1981, pp.42-51.

Lam, Tom, 'The Exodus of Hoa refugees from Vietnam and Their settlement in Guangxi: China's Refugee Settlement Strategies', *Journal of Refugee Studies*, (London), vol.13, n.4, 2000, pp.374-390.

Lanprier, Michael C., 'Canada's response to refugees' *International Migration Review* (New York), Vol.XV.1-2, Spring-Summer, 1981, pp.113-130.

Majka, Lorraine, 'Assessing Refugee Assistance Organisations in the United States and the United Kingdom'. *Journal of Refugee Studies* (London), Vol.4, n.3, 1991, pp.267-283).

Martimer, Edward, 'Conference and Symposium Reports', *Journal of Refugees Studies*, (London), Vol.10, n.2, 1997.

Masen, Grahl Atle, 'Identifying the World's Refugees', *Annals American Academy of Politics and Social Science*, (Pennsylvania), n.467, May 1983, pp.11-23.

Melander, Goran, 'Refugees and International cooperation', *International Migration Review*, (New York), vol.XV, n.1-2, Spring-Summer, 1981, pp.35-41.

Melander, Goran, 'Responsibility for examining an Asylum Request', *International Migration Review*, (New York), vol.XX, n.2, Summer 1986, pp.220-219.

Mulgan, Aurelia George, 'International Peacekeeping and Japan's Role: Catalyst or Cautionary Tale?' *Asian Survey*, (California), Vol.XXXV, no.12, Dec.1995, pp.1102-1117.

Neuwirth, Gertrud and Clark, Lynn, 'Indochinese Refugees in Canada: Sponsorship and Adjustment', *International Migration Review*, (New York), Vol.XV, n.1-2, Spring-Summer, 1981, pp.131-140.

Ogata, Sadako, 'Japan's United Nations Policy in the 1980's', *Asian Survey*, (California), Vol.XXVII, n.9, Sept 1987, pp.957-972.

Ogata, Sadako, 'The United Nations and Japanese Diplomacy', *Japan Review of International Affairs* (Tokyo), Fall/Winter, 1990, pp.141-165.

Paludam, Anne, 'Refugees in Europe', *International Migration Review*, (New York), Vol.XV, n.1-2, Spring-Summer 1981, pp.64-71.

Peek, John M., 'Japan the United Nations, and Human Rights' *Asian Survey*, (California), Vol.XXXII, no.3, March. 1992, pp.217-229).

Price, Charles A., 'Refugees and mass Migration: Australia', *International Migration Review*, (New York), Vol.XX, N.1, Spring, 1986, pp.81-86.

Price, Charles, 'Immigration Policies and Refugees in Australia' *International Migration Review*, (New York), Vol.XV, no.1-2, Spring-Summer, 1981, pp99-108.

Richmond, A.H., 'Reactive migration: Sociological Perspectives on Refugee Movements', *Journal of Refugee Studies*, (London), Vol.6, no.1, 1993, pp.7-24.

Scanlan, John and Loescher, Gilbert, 'US Foreign Policy, 1959-80: Impact on Refugee from Cuba', *Annals American Academy of Politics and Social Sciences*, (Pennsylvania), n.467, May 1983, pp.11-23.

St John, Ronald Bruce, 'Japan's Movement in Indochina: Washington Initiative... Tokyo Success', *Asian Survey*, (California), Vol.33, n.10, Dec 1993.

Teitelbaum, Michael S., 'Immigration, Refugees and Foreign', *International Organization*, (New York), vol.38, n.4, 1984, pp.429-450.

Thomas, John F., 'Refugees: A New Approach', *International Migration Review*(New York) Vol.XV, n.1-2, Spring- Summer, 1981, pp.20-25.

Winkler, Elizabeth, 'Policy Response: Voluntary Agencies and Government Policy', *International Migration Review* (New York), Vol.15, n.1, pp.95-98.

Wright Robert G., 'voluntary Agencies and the Resettlement of Refugees', *International Migration Review*, (New York), Vol.XV, n.1-2, Spring-Summer 1981, pp.157-174.

Yasutomo, Dennis T., 'Why Aid? Japan as an Aid Great Power', *Pacific Affairs*, (Vancouver), vol.62, n.4, Winter, 1987, pp 21-38.

Yasuhiko, Saito, 'Imposter Refugees, illegal Immigrants', *Japan Quarterly*, (Tokyo), January- March, 1990, pp84-93.

Yokota, Yozo, 'Japan Can Contribute to Human Rights', *Japan Review of International Affairs*, (Tokyo), Spring 1995.

Zetter, Roger, 'Labeling Refugees: Forming and Transforming A Bureaucratic Identity', *Journal of Refugee Studies* (London), Vol.4, n.7, 1991.

Zolberg, Aristide R., 'The Formation of New States as a Refugee – Generating Process', *Annals American Academy of Politics and Social Science*, (Pennsylvania), n.467, May 1983, pp.24-38.

Zuckir, Narman L., and Zucker Noomi Flink, ' The Uneasy Troika in US Refugee policy: Foreign Policy, Pressure Groups, and Resettlement Costs, *Journal of Refugee Studies*, (London), Vol.2, n.3, 1989.

Web-Sites

www.yorker.ca/crs/

www.ecre.org

www.jesef.org

www.geh.ox.ac.uk/rsp

www.refint/.org

www.refugees.org.

www.amnestyusa.org/country/japan/document.do.

www.hrweb.org/legal/cat.html

www.unhcr.ch



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