

SELF-HELP OR SELF-DESTRUCTION? IMMIGRATION POLITICS IN GERMANY,
ITALY, AND JAPAN

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ABSTRACT

What explains variation in recent immigration policies among nations facing similar economic and demographic challenges? Explanations rooted in political economy cite push-pull dynamics as being the key factor, but if those explanations were correct then a similar pattern of wide-scale, well-planned immigration liberalization should have been observed in those advanced industrialized capitalist democracies facing the most serious labor shortages and fiscal problems arising from increasing numbers of non-working elderly residents relative to working adults. Cultural explanations of immigration policy are often vague, ascribe immutable qualities to people based on nationality, and do not account for variation among the so-called non-settler countries.

Employing qualitative process tracing and comparative historical analysis, this dissertation argues that particular institutional configurations arising from an exogenous shock can play a major role in determining the nature and durability of national immigration policies. In cases where the shock leads to the creation of restrictive institutions that view immigration through the prism of security, reform is likely to become very difficult owing to the fungible quality of security as a priority for the state. In cases where the shock leads to the creation of institutions that treat immigration as a matter of enforcing cultural or ethnic cohesion, reform is more likely to occur due to the difficulty of rationalizing continuation of such a policy in changed circumstances. In cases where an exogenous shock to a nation's immigration policy does not occur, drift is the most likely outcome with neither culture nor security gaining traction as the key variable influencing outcomes.

While acknowledging that ethnic cohesion and national security are not mutually exclusive terms, this dissertation provides evidence for the existence of the above patterns by analyzing immigration policies in Germany, Italy, and Japan. In postwar West Germany, an immigration policy constructed on the basis of maintaining ethnic homogeneity experienced significant change after reunification in 1990, as regulations governing naturalization and eligibility for citizenship at birth were liberalized. In Italy, immigration was not a high-priority issue in the postwar era. Decades later, the result was a kind of drift that saw an increase in the foreign population owing to labor shortages but no clear commitment either way on the policy front. Finally, in Japan the creation of a strongly security-oriented migration policy in the early 1950s was influenced by the events of the Korean War and concern about communist subversion while the country was still under official occupation by the United States. This framework gave a great deal of discretionary power to the Ministry of Justice, a conservative bureaucracy that would prove very resistant to any substantive reform decades later.

This analysis contributes to the growing literature on immigration politics by showing that it is vitally important to understand how earlier periods characterized by critical junctures shaped institutional developments and outcomes over the following decades. No national immigration policy is set in stone, but substantive reform is more likely to occur in certain cases. One note on name order: All names for Japanese people are written in the order of family name first, given name second. This is the standard practice in Japan to the present day. The names of Germans and Italians are written in the conventional Western manner with the family name coming second. I alone am responsible for all errors contained in this dissertation.

DEDICATION

To my wife Marie, who believed in me all the way and inspired me to work until the end.

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When I began my postsecondary education in 1992 at Union College in upstate New York, I knew virtually nothing about East Asia and was unaware of the fact that the great Japanese politics scholar James Morley had taught at Union in the 1940s and 1950s before he moved downstate to Columbia University. I owe an enormous debt to three professors at Union who introduced me to Japan in particular and East Asia more generally: Donald Thurston, Ted Gilman, and Joyce Madancy. From Columbia University and Cornell University, I would like to thank Gerald Curtis and Robert Suple for teaching me and offering me a glimpse of the unsurpassed expertise they possess in their respective fields of Japanese politics and Japanese linguistics. To the many people in Japan I got to know while living there from 1996 to 1999 and again from 2002 to 2009, thank you for your hospitality, kindness, and generosity. Living in Japan for nearly 10 years changed my life, undoubtedly for the better.

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CHAPTER ONE: INTRODUCTION

1.1 *The End of Keeping the World at Arm's Length*

If Karl Marx was correct and all history and politics can be explained by economics, then variation in immigration policy among the world's wealthiest nations is in need of some explanation. There is little doubt that immigration has changed the world over the last quarter-century. Scan news headlines and you will read about or see minarets in the English college town of Oxford, Brazilians working at Toyota car factories located outside of the Japanese city of Nagoya, ethnic Koreans successfully lobbying to change the contents of social studies and history textbooks in the U.S. state of Virginia, and desperate African refugees trying to make their way across open waters to Italy's Lampedusa Island in the Mediterranean Sea. But a further look at particular aspects of immigration policy from nation to nation reveals a distinct lack of a clear pattern pointing in one direction or the other.

The above anecdotes are some of the stories one comes across when reading about immigration and its effects in the world some fifteen years into the twenty-first century. Good or bad, the stories of immigrants and their impact reflect significant changes felt in local communities in both the recipient and sending countries. The halls of power are no longer so monochromatic, either. While much attention in recent years has focused on the fact that the sitting president of the United States is the son of a native of Kenya who never became a citizen of the U.S., similar shifts have occurred in other developed countries.¹

¹ Examples include Fleur Pellerin, a Korean female adoptee who became the first cabinet member of Asian descent in France in 2012, and German Vice Chancellor Philipp Rosler. He is also an adoptee, born in Vietnam, and the first cabinet minister of Asian background in Germany. In South Korea, a country that has arguably made the most jarring transition from a country that natives desired to leave to one that foreigners now wish to call home, the

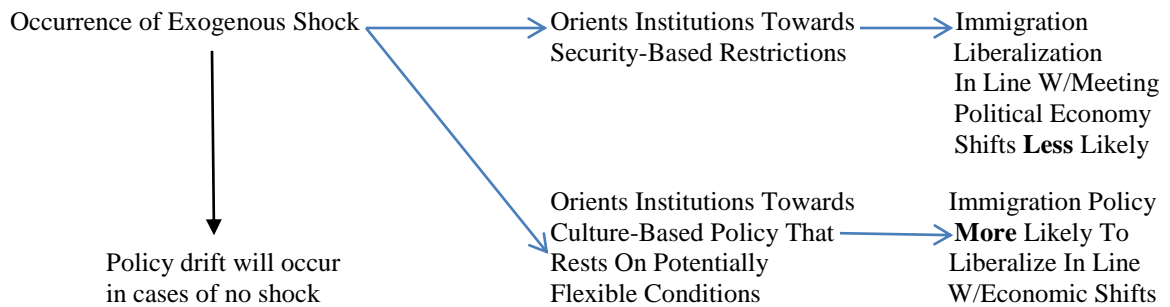
The objective of this dissertation is to answer the following question: Facing similar circumstances related to structural economic changes and demographic transformation, why are some countries more likely than others to open their borders to more legal and illegal immigrants, either skilled or unskilled? Recent scholarly literature on immigration has analyzed many individual countries in-depth, but this dissertation is one of the first to examine multiple nations of the original G6 group and how the fears and hopes about immigrants have been framed in the recent quarter-century just ended (1989-2014) by different institutional configurations and perceived constitutive features. How do some people who conceive of immigrants and immigration as outright dangers and disasters gain and use power to keep restrictive policies in place, and how do their counterparts on the other side of the debate manage to push through the lifting of such regulations?

I argue that a good deal depends on how a nation's modern immigration regime was conceptualized in the first place, in the decades prior to the 1990s when migration flows began increasing in the early post-Cold War period. An enormous exogenous shock, such as total defeat in war or an economic collapse, can play a large role in leading to the formulation of long-lasting institutions for regulating immigration. Influenced by such an exogenous shock, what became the point and purpose of immigration policies that were constructed afterwards? Were they constructed to guard against security concerns, or did such policies have more to do with being viewed as a means of preserving a particular sense of cultural identity? If the former preference had prevailed earlier, I anticipate that restrictive immigration policies are more likely to be kept in place despite changing demographic and economic realities. If the latter preference had

first non-ethnic Korean and naturalized citizen was elected to the National Assembly in 2012. Her name is Jasmine B. Lee, and she is originally from the Philippines.

prevailed earlier, or if there had been no strong policy oriented in either direction, I expect that there exists greater room for maneuver among proponents of immigration liberalization to make the case that the positive economic consequences of the changes which they support outweigh any concerns about the erosion of national culture. In other words, the rationalist, economics-based argument that favors immigration liberalization is more likely to trump concerns about culture than about security.

One caveat to note here is that culture and security are not mutually exclusive categories. Overlap is possible if people equate safety with ethnic homogeneity. Nevertheless, I argue that a distinction can be made which is worth identifying. The causal diagram below illustrates the differing pathways as follows:



In cases where no discernible exogenous shock to a country’s pre-existing set of institutions occurred, the result later is likely to be policy drift that neither adheres to the strict rules of security-dominated institutions nor gives rise to opportunities for the kind of substantive policy change in line with structural shifts that proponents of economic rationalism would expect. In the absence of an exogenous shock, the impetus to create new institutions or reinvigorate existing ones is absent. In this kind of situation, if change happens it does not occur through careful deliberation but rather it “grows out of the neglect of an institution, or more precisely, the

failure to adapt and update an institution so as to maintain its traditional impact in a changed environment (Mahoney and Thelen, 2010).”

This framework, allowing for the possibility of at least three distinct outcomes, lies at the heart of what is a compelling puzzle in need of explanation. Economic factors have played a powerful role in globalizing and liberalizing the economies of nation states, especially since the break-up of the Soviet Union in 1991 removed the superpower state that had previously inhibited domestic proponents of policies often inimical to the interests of the working class from pushing as hard as possible for implementation of such policies. In other words, confident that there was no alternative to their own agenda now that the shortcomings of the “dictatorship of the proletariat” had been laid bare for all to see, advocates of greatly liberalized capital *and* migration flows should have had the advantage in getting their preferences translated into substantive policy reforms. And they often did, as their pushback against proposed immigration restrictions in the United States after the terrorist attacks of September 2001 showed.

This assumption about the primacy of economic rationalism predicts that there should have developed a broad degree of uniformity in the degree and breadth of immigration liberalization in the Global North, particularly among those nations that faced similar demographic challenges arising from lower fertility rates and a shrinking workforce relative to the non-working, benefits-collecting elderly population. That such uniformity of change in immigration policy did not occur in the three original members of the Group of Six (G6) industrialized nations—Germany, Japan, and Italy—which came to face the most serious demographic challenges raises interesting questions about how and why that variation became evident in the 1990s and 2000s.

Times have changed dramatically since the Cold War era. When the leaders of the G6 nations² met at a majestic castle in the town of Rambouillet, France for their first annual summit in November 1975, economic coordination in the aftermath of the world's first major oil shock was the order of business above everything else. The reality of heavy dependence on natural resources located not just in Arab countries but throughout the developing world had provided a rude awakening to both the leaders and residents of Japan, West Germany, Italy, France, Britain, and the United States. President Gerald Ford of the U.S. and his counterparts did not yet know it at the time, but never again would these half-dozen very wealthy nations enjoy the kind of relative economic prosperity and stability that they had each experienced in the 1960s and early 1970s. The oil embargo enacted by member states of what would come to be known as the Global South had once and for all ended an era of full employment and rapidly rising real wages in the Global North.

It is also doubtful that these G6 leaders meeting some four decades ago in a luxurious suburb of Paris were anticipating that immigration policy would become one of the most contentious issues to face their group as the twentieth century ended and a new millennium began. For upwardly mobile middle class people living in American suburban towns, the “bedtowns” of Japan located on the outskirts of Tokyo, and the carefully constructed Western European nation-states of the 1960s and 1970s, attending school alongside and then later working with people who basically looked alike and shared the same native language seemed natural. Some vestiges of the slave-trading and colonial histories of these countries could be seen here and there in places like the Korean minority communities of Japan's cities, the small but

² Originally consisting of 6 members, the group became the G7 with Canada's inclusion in 1976. The group expanded to become the G8 with Russia's inclusion in 1998, but became the G7 again with Russia's ejection from the group in 2014 as punishment for its violent incursion into the territory of neighboring Ukraine.

growing South Asian and Afro-Caribbean populations of England, and the black communities of the American South and the northern cities to which many had migrated during the era of segregation. Nevertheless, it was still relatively easy for members of the racial majorities in each of these places to imagine that they lived in homogeneous communities where feelings of shared values and mutual regard ran high. Minorities could be made invisible, and they often were.

But over time immigration would indeed become an issue that politicians and their constituents in the Global North could not avoid discussing and contemplating, as the population distribution of the world's people increasingly took on something of a pear-shaped appearance. By this I mean that population figures soared in the tropical and sub-tropical zones of the world while numbers in the temperate zones of the globe increased very little by comparison. Why did this happen? The reasons are complex, but one factor is that advances in the development and usage of both contraceptives and vaccines created contrasting demographic trends. Reproductive freedom became a reality in wealthier, urbanized countries located largely in temperate zones. In poorer, agricultural countries of the tropics, the scourge of diseases endemic to that area of the world was greatly reduced, thus cutting infant mortality rates and allowing more children to survive to adulthood. While annual fertility rates went down in both developed and developing countries in the second half of the twentieth century, the key point is that they declined much faster in the former and did not go down quickly enough in the latter to offset the population surge resulting from improved public health.

As a result, for instance, the population of Africa more than doubled from about 478 million in 1980 to more than one billion by 2010, while in Europe the population in those same thirty years increased less than ten percent from 694 million to 740 million (UN, Dept. of Economic and Social Affairs, 2012). Long a relatively underpopulated continent compared to the

Eurasian landmass, Africa is now home to hundreds of millions more people than Europe, and the difference is widening with each passing year. And of course, more people of African and Asian background with roots in lower income countries live in the Global North than ever before. This is, again, a story of the great success humans have had in taming the diseases of the tropical regions and making them more tolerable places for large-scale human habitation. But with all successes come unintended consequences. Figure 1 below shows populations for selected regions of the world in 1980 and 2010:

Figure 1: Populations of Selected Regions of World and % Increase, 1980-2010

Region	1980 Pop. (millions)	2010 Pop. (millions)	% Increase
Africa	478	1,031	115
Eastern Asia	1,179	1,593	35
Europe	694	740	6
Northern America	254	346	36
Southeastern Asia	356	597	68
Southern Asia	943	1,681	78

Source: United Nations Population Division, *World Population Prospects: The 2012 Revision*

By the year 2000, the once-unknown idea of replacement migration in the Global North was common enough to form the basis of a major United Nations report (UN, Population Division). Several of the world's leading economic powers were seriously grappling with the

concept of replenishing their slowly growing and rapidly aging populations with immigrants. This policy option came to be viewed with more urgency as nations like Japan, Italy, Spain, and even newly industrialized South Korea faced the twin challenges of rapidly growing numbers of non-working elderly residents and extremely low annual fertility rates. For states wishing to remain fiscally solvent while providing social welfare provisions to their retired residents, this combination appeared untenable without increasing the numbers of in-bound migrants.

This conclusion was reached by many economic analysts, even with the large-scale entry of women into the work force in several advanced industrialized countries following the oil shocks of the 1970s. Inflation rose, real wages declined, and the model of husband as breadwinner and wife as homemaker gradually became untenable for all except those male workers earning the very highest incomes. Women worked longer hours in greater numbers, playing a key role in sustaining the high standard of living in the world's wealthiest nations after the turmoil of the 1970s. But their entry into the work force also contributed to the continuing drop in fertility rates. Again, this was a largely positive development that reflected the changed status of women as workers outside the home who contributed vitally to household incomes in a way that had not been the case prior to the first oil embargo in 1973. At the same time, however, this demographic shift had consequences for the future and added to growing concerns about the viability of an adequately large labor force in future decades. In addition, the entry of more women into the work force led to a general rise in the cost of living that made it politically difficult to treat the increased number of income-earners as little more than additional sources of tax revenue for funding government programs.

Therefore, somebody beyond ex-homemakers would have to work and pay the taxes in large enough numbers to sustain the social welfare states that had been built up over decades in

Europe, North America, and Northeast Asia. Figure 2 below shows World Bank data for selected countries in the 2009-2013 period for annual fertility rates, national debt as a percentage of gross domestic product, and the proportion of the population that was over 65 years of age:

Figure 2: Fertility Rates, Debt as % of GDP, % of Population over 65 (years 2009-2013)

Country	Fertility Rate	Debt as % of GDP	% Over Age 65
United States	1.9 per woman	93.8	14
Japan	1.4	195.8	24
Germany	1.4	56.9	21
Italy	1.4	131.1	21
India	2.5	49.7	5
Nigeria	6.0	10.5	3
Philippines	3.1	51.5	4

Source: The World Bank

The solution to the imbalance presented here would appear to be fairly straightforward—let more young people from countries like India, Nigeria, and the Philippines migrate to the Global North and contribute to the economies of nations located there which have many more older, non-working residents. But humans are not interchangeable parts, and so the concept of replacement migration has never been unconditionally accepted by any government among

wealthy nations. Nevertheless, since 1990 significant changes have occurred in the demographics of many major states in the Global North.

The U.S. has led the way in this shift, taking in the largest number of migrants from Mexico but also absorbing millions of people from Asia. Foreign-born residents as a proportion of the total U.S. population increased from 7.9 percent in 1990 to 12.9 percent in 2010. In absolute terms, the foreign-born population during that time increased from 19.8 million to a remarkable 40 million, greater than the population of any single U.S. state (United States Census Bureau). In Japan, the population of foreign nationals approximately doubled, albeit from a comparatively low number of about one million in 1990 to some two million by 2013. But this increase far outpaced national population growth as a whole, as Japan's population barely moved up from 123 million to 127 million in those twenty-three years.³ In fact, by the end of this time period Japan was beginning to experience the specter of absolute population decline, despite the doubling of foreign residents.

The end of communist rule in the former Warsaw Pact states and the expansion of the European Union (EU) led to a significant flow of migrants from east to west on the continent. For hundreds of thousands of Poles, Romanians, and Bulgarians, liberation from communist rule after 1989 meant leaving their home countries altogether rather than staying put. But this internal migration within Europe was also accompanied by ongoing migration from non-EU countries, including the nations of the former Yugoslavia that were torn apart by war in the 1990s.⁴ By 2011, nearly eight percent of all residents in both Britain and France—some five million people

³ Data taken from Japan's Statistics Bureau, Ministry of Internal Affairs and Communications (www.stat.go.jp/english/)

⁴ Two of the seven nations of the former Yugoslavia—Slovenia (2004) and Croatia (2013)—did become EU member states eventually.

in each country—had been born in a non-EU country (Eurostat, 2011). In Italy, the large number of African migrants led to the landmark appointment of Cecile Kyenge—an ophthalmologist and naturalized citizen of Italy who was born in what is now the Democratic Republic of the Congo—as the country’s first black cabinet minister in 2013. She served ten months as Minister of Integration under Prime Minister Enrico Letta, but her tenure was marred by deplorable actions that included the tossing of bananas at her during public meetings by bigoted Italian citizens (*The Economist*, 08/20/2013)).

On a brighter note, Asian adoptees raised in Germany and France have been appointed to high-level political positions, and racially bigoted reactions among members of the white majority in those two countries have not been offensive enough to warrant much attention from the media. On the other hand, this may be a distressing sign that members of the white majority populations in Germany and France are really comfortable only with non-white politicians who were adopted, raised by white European parents, and essentially stripped of most of their cultural heritage in the process. Of course, the same line of argument can be made about white voters in settler countries (such as the U.S.) regarding their preference for non-white politicians who were not adopted but who did grow up in fully assimilated households and cultural environments.

Figure 3 below provides data comparing foreign populations (according to nationality) of selected countries that belong to the Organization for Economic Cooperation and Development (OECD), a group of 34 states that includes all of the world’s advanced industrialized democracies. Note that populations of foreign nationals and foreign-born residents are very different, since the latter can also include naturalized citizens and will sometimes be much larger if a country’s naturalization process is comparatively easy. Data are taken from the OECD

iLibrary website, and comparisons are made between the years 1990 and 2012, as the latter year is the most recent one for which numbers for the selected countries are available:

Figure 3: Foreign populations of selected countries, 1990 and 2012 (absolute and % of total)

Country	Foreign Population, 1990	Foreign Population, 2012
Germany	5,342,532 (6.7% of total)	7,213,708 (8.9%)
Japan	1,075,317 (0.8%)	2,033,656 (1.6%)
Italy	781,138 (1.4%)	4,387,721 (7.4%)
France	3,596,602 (6.1%)	4,036,029 (6.1%)
United Kingdom	1,723,000 (3.0%)	4,788,000 (7.5%)

Source: Organization for Economic Cooperation and Development, iLibrary

In all of the countries that comprised the original G6 nations, there appeared to be signs of growing anxiety about the acceleration of migration trends from less developed countries throughout the 1990s and 2000s. Anti-immigrant political parties gained significant followings in many OECD countries caught off guard by the immigration influx. The most stunning example of this trend happened in France in 2002, when candidate Jean Marie Le Pen of the xenophobic National Front party polled enough votes in the first round of the presidential election to challenge incumbent Jacques Chirac in the final two-candidate runoff stage. No presidential candidate of the National Front had ever before made it to the final round. This outcome shocked the French political system and deeply embarrassed the mainstream Socialist Party, as its candidate (Lionel Jospin, the sitting prime minister) was eliminated in the first round.

At the same time, in several of these nations demographic analysts concluded that even these increased migration flows would not be enough to arrest worrisome projected trends towards fiscal insolvency due to continuing low fertility rates. Given that these nations—despite the increased migration flows—remain to this day incredibly wealthy and stable compared to the vast majority of other nations in the world, it would appear that anxieties about immigration among Americans, Germans, Italians, Japanese, and other privileged residents of the Global North were less rooted in *rational* thinking than the conclusions reached by demographers and economists who were often more inclined to offer dispassionate analyses of the costs and benefits of liberalizing immigration policies.

The aim of this dissertation is not to make normative judgments about the immigration policies of wealthy nations or to call for the effective large-scale settling of the Global North by natives of the Global South. For starters, while there are serious ethical problems with governments of wealthy countries maintaining restrictive immigration policies, there are also serious problems with the notion of replacement migration as a palliative for population pressures on poorer countries and fiscal imbalances in wealthy ones. Much of the cross-national migration that occurs in the world is illegal and exploitative and frankly horrible, involving sexual trafficking of underage females and the appalling mistreatment of low-paid, unskilled laborers.⁵ Brain drains of educated professionals from the developing to the developed world are perceived to benefit the latter at the expense of the former. In many wealthy nations, educated females comprise an underutilized potential part of the workforce whose ambitions are thought

⁵ To take just one among many depressing examples of this kind of activity, in early 2015 Human Rights Watch released a scathing report entitled “A Raw Deal: Abuses of Thai Workers in Israel’s Agricultural Sector.” Israel’s problems with integrating Jewish settlers from developing countries such as Ethiopia are well-known, but this report brought to light unsavory facts about the use and abuse of migrant workers as well. The full report can be accessed at: http://www.hrw.org/sites/default/files/reports/israel0115_ForUpload.pdf

to be frustrated by the influx of immigrant workers. In the huge, complex world of immigration policymaking, to clearly distinguish right from wrong is difficult if not impossible.

In the next sections, I will briefly explain my chapter plan and methodology for this dissertation, as well as the domain of case studies and my reasons for choosing those particular countries.

1.2 Chapter Plan, Research Design, and Domain of Cases

The basic research design of this dissertation is a qualitative, comparative historical analysis that employs process tracing. The research design closely follows the pattern utilized by scholars such as Ahmet Kuru, author of *Secularism and State Policies Toward Religion: The United States, France, and Turkey* (2009). In this book, Kuru explained variation in government policies toward religion in three ostensibly secular states. He concluded that while the United States was characterized by a kind of passive secularism, Turkey and France were countries where national governments practiced an assertive secularism that went much further in trying to keep religious symbols and customs out of the public sphere. Kuru argues in his book that the precedent in Turkey and France of an *ancien regime* where a hegemonic religion was aligned with a monarchy were critical factors entirely absent in the United States. The result is that the last country developed institutions and mechanism for treating religion in a more inclusionary manner, rather than viewing it as a potential competitor for legitimacy as a governing authority.

There are parallels with what I aim to do here, namely to explain variation in immigration policy among three ostensibly “non-immigration” countries. Similar to Kuru’s analysis, an important element of my study incorporate critical junctures as shaping the future likelihood of institutional durability or change. I define critical junctures as being periods of heightened

contingency, when the possibilities for enacting far-reaching legislation are greater than normal owing to the fluidity of political power dynamics and the perceived existence of some kind of existential crisis. In my study, critical junctures opened up following the end of the Second World War in 1945 and remained open until no later than 1955 in any country under examination. This narrow definition of critical junctures means that they are *not* simply defined as being periods when institutional change took place. Such a loose definition of critical junctures would make them indistinguishable from periods of institutional change and render the concept redundant. Rather, I will aim to show in this dissertation that the period of heightened contingency in each country produced different policy outcomes with varying degrees of difficulty in terms of reforming those outcomes in later years.

The dissertation will consist of seven chapters, including this introductory chapter. The second chapter will provide a broad overview of the extensive literature on the politics of immigration. I will then offer an elaboration of my own theory regarding how economically rationalist assumptions and ideas in support of immigration liberalization are less likely to succeed when institutions are designed to treat foreigners as a more of a security threat than a cultural one. Chapters three through six will consist of qualitative case studies of selected countries, testing my hypothesis and relying mostly on secondary sources to back up my arguments about what has happened in these countries and why. While some historical background will be provided to set the table, the bulk of the comparative historical analyses will examine immigration policy changes in the post-Cold War period from around the year 1989 through 2014.

The case study chapters have been ordered in a way that is pertinent to my argument and not random. The first case study in chapter three will focus on Germany, because since

reunification in 1990 that country has undergone a series of changes in nationality and immigration policy that correspond most closely to a practical or economically rational response to the changed environment. Chapter four will analyze Italy as an example of what happened in a European country where the pre-existing order and institutions governing immigration policy were kept in place but ignored as inconsequential and then virtually neglected for decades. After that, chapters five and six will examine how decisions in Japan about immigration were shaped by an institutional setup quite different from what took root in Germany. Chapter seven will conclude the dissertation and offer some thoughts about what can be inferred from my chosen case studies about immigration politics in the twenty-first century.

I chose my domain of cases for a couple of specific reasons. Looking first at the original G6 countries, it is clear that one factor which distinguishes them with regard to immigration politics is differing colonial histories. Prior to 1960, Britain and France ruled vast colonial empires that included territorial holdings on practically every continent. This shared legacy deeply impacted their immigration policies in the post-colonial era, as both countries maintained close ties with elites in the many independent countries they had ruled and could more easily draw upon sources of immigrant labor where English or French were widely spoken.

For Germany, Japan, and Italy this was not the case. All three of these states were comparatively minor colonial powers that each quickly lost control of their overseas holdings following defeat in one of the two world wars. Now, obviously it is cold comfort to people living in places as diverse as Korea, Namibia, and Libya to be told that their former colonial rulers were in fact only minor actors in the process by which certain nations systematically deprived others of their sovereignty or general autonomy in the nineteenth and early twentieth centuries. There exists a lengthy and truly grisly record of forced labor, sexual enslavement, and outright

genocide committed by the German, Japanese, and Italian colonial regimes throughout Africa, Asia, and the Pacific from the 1880s until 1945. To take just one instance of this kind of activity, in 1904 imperial German armed forces killed up to 65,000 people belonging to the Herero ethnic group in Namibia (then called German South-West Africa) during an anti-colonial uprising there. The German government apologized for this atrocity in 2004, one hundred years after its occurrence. The German government minister who issued the apology even described the atrocity as genocide, but Berlin stopped short of promising to pay compensation to the descendants of the victims (*The Guardian*, 15 August 2004).

So while the colonial policies of Germany, Italy, and Japan were indeed as harmful to native inhabitants as British and French imperial regimes were to the hundreds of millions of people they ruled over, the ties forged between colonizers and the colonized were far deeper and more durable in the cases of the latter two countries. When governments in Bonn, Tokyo, and Rome began searching abroad for solutions to their emerging labor shortages decades later in the second half of the twentieth century, strong ties dating from the colonial era were not a significant factor.

Moreover, these three nations were the archetypal so-called “late developers” that did not emerge as fully constituted modern states until the 1860s and 1870s. In the context of international relations, Jack Snyder has argued (1991) that the pressures of the international state system pressured the late developers into making irrational attempts at territorial expansion. In this dissertation I will show how late development initially conditioned these states to embrace what Rogers Brubaker (1992) has called cultural nationhood as opposed to political nationhood, thus privileging the concept of *jus sanguinis* or citizenship by blood and effectively making nationality synonymous with ethnicity. To be an Italian or Japanese citizen was to be an ethnic

Italian or Japanese person. The acquisition of citizenship via naturalization, often a key objective for long-term immigrants, was made exceedingly rare and difficult.

The point when these three nations diverged, however, occurred in the decades after World War II as the domestic political institutions and essential identities of West Germany, Japan, and Italy were deeply impacted by American influence and their wholesale transformation into bulwarks against communism, i.e. agents of a very political kind of nationhood. But the institutions designed and implemented in each country were not the same, and the dissimilar institutions that were created also gave rise to different types of immigration regimes. It was the legacy of these differing immigration regimes from the Cold War era that led to variation in policy responses once the notion of replacement migration came into vogue as a palliative for worrisome demographic trends. Japan in particular, I will argue, constructed a strongly security-oriented immigration regime that proved difficult to dislodge or reform decades later.

My choice of case studies for this dissertation is an unusual combination that takes into account the common independent variable of states that were minor colonial powers in the decades prior to 1960, and thus had no “natural” large source of immigrant labor to draw upon in the years that followed. All the countries were original G6 member states with large national economies and a determination to play a significant role regionally or globally. The tendency of recent studies of immigration has been to separate European Union states from the larger settler countries like Australia and Canada (Joppke, 2010) or to examine as a group those nations which have been grappling in recent years with very low fertility rates (Milly, 2014). Given the status of both Japan and the U.S. as very large stand-alone national economies that are not integrated into a supranational organization, many scholars have written book-length analyses of immigration or foreign residents in one of those countries (Chung, 2010; Zolberg, 2006). This

dissertation takes a different approach and aims to show that there exists significant variation among major non-settler countries as well.

The contribution of this dissertation is that it adds to the growing body of literature which uses the small-*N* case study approach to examine immigration policy worldwide. It refocuses attention on how institutions dating from the Cold War era affected the construction of immigration regimes, the contours of perceived regulative and constitutive features of the state, and policy responses in the quarter-century following the Cold War's end in 1989. It takes into account the fact that the legacy of having been a major or minor colonial power, although receding into an ever more distant past with each passing year, remains a key independent variable in shaping immigration policies among the advanced industrialized capitalist democracies. And finally, it aims to show that the priorities of national security versus retaining cultural cohesiveness—while not mutually exclusive—can be treated as separate variables that impact the direction of immigration policy.

This is a limited study that cannot explain all cases of national immigration policymaking. I will concede that the reasoning here is more inductive than deductive and heavily influenced by my own experience of having lived in Japan as a working adult for nearly ten years. This dissertation is, in the end, more an example of building a theory through the use of inductive logic than it is about testing a deductively constructed theory. It is my hope that what I have written in the following pages can be used as the basis in the future for testing a theory and determining its applicability or relevance to other countries beyond the three analyzed here.

Finally, evidence in support of my argument would have been stronger had I been able to travel overseas to conduct on-site interviews and archival research. Unfortunately, I did not get the chance to do that prior to writing this dissertation. Nevertheless, in the following chapters I

will show that a compelling and new kind of argument can be made by using secondary sources in combination with theories and schools of thought prevalent in mainstream political science literature. Much has been written and discussed as global migration flows have increased over the last 25 years, and the argument presented here has been shaped by the author's many years of reading, writing, and attending conference presentations on a topic that will assume central importance in the future political deliberations of multiple countries. It is certainly my intention to travel to Germany, Italy, and Japan in the near future for the purpose of adding material to this dissertation and strengthening the case for turning it into a publishable document.

CHAPTER TWO: LITERATURE REVIEW AND THEORY

2.1 Literature Review

The academic literature on immigration politics has grown rapidly in recent years and encompasses multiple approaches and schools of thought. It is arguably the quintessential “intermestic” issue in politics, deeply involving both domestic and international factors for any government seeking to formulate policy. Robert Putnam (1988) pioneered our general understanding of this approach with his explanation of two-level games as a framework for predicting when and how international negotiations will succeed or fail. The key variable he identified was the existence of a “win-set” or an overlapping basket of preferences shared by domestic actors and government representatives attempting to conclude agreements with counterparts in other countries.

Although Putnam specifically discussed two-level games in the context of multilateral treaty negotiations, more generally they can also be applied when governments wish to maintain cordial relations with foreign counterparts but must also take public opinion at home into account. Marc Rosenblum (2004) used this approach in his analysis of the U.S.-Mexico *bracero* program, through which hundreds of thousands of Mexican laborers found work north of the border in the agricultural sector from 1942 to 1964. In such a case study between two nations sharing a border of nearly two thousand miles in length, it would be difficult to discount either the importance of the U.S. agricultural lobby or the need for Washington to have reached a mutual understanding of some kind with the government in Mexico City.

Despite the inherent difficulty of classifying immigration as an issue that falls clearly into one of the subfields of political science, scholars in international relations, comparative

politics, political economy, American politics, and political theory have all contributed to advancing our knowledge of cross-border movements by people. The following pages will provide an overview of the literature on immigration according to the subfields in political science and illustrate links with some of the major intellectual trends in the discipline.

Political Economy

One major perspective on immigration politics treats it as a fundamentally economic policy matter driven by “push-pull” dynamics and rational interests, although whose interests matter most in determining policy is open to debate. Central to this view is factor endowment theory, identified in what came to be called the Heckscher-Ohlin model as key to distinguishing labor-intensive from capital-intensive economies. The Heckscher-Ohlin model, which assumes a general equilibrium, has served as the basis for numerous papers in economics that analyze and explain immigration trends (Kohn, 2001; O’Rourke, 2003).

On the political side, it is clear that interests matter. Given the direct impact that the absorption of immigrants has on labor markets and wages, there is little doubt that both members of the working class and executives at major corporations have a stake in lobbying for change, stasis, or retrenchment in determining which people, what sorts of people, and how many of them can enter the country in question. Indeed, the basis for Claudia Goldin’s landmark study (1994) of immigration in the United States during the period from 1890 to 1921 is the fact that it took so long for restrictions to finally get signed into law in the period after World War I, despite the effects that the arrival of some 17 million migrants over a quarter-century period had on wages, working conditions, and the frequency of occurrence of labor unrest.

Looking at immigration politics in later decades, the national welfare state was identified by Gary Freeman (1986) as a closed system that could not withstand excessive inward migration due to the negative impact that such movements of people have on the power of organized labor in a contained environment. Essential elements of the welfare state, such as old-age pensions and guaranteed minimum working conditions for employees, become susceptible to reduction or outright elimination if foreign workers who can be treated shabbily crowd the labor market. Freeman's work built upon earlier findings by Edna Bonacich (1972) that had identified the emergence of a race-based "split labor market" in those countries with a powerful and well-paid white working class. This type of split market provided an advantage to employers, who according to their own interests wished to displace highly paid white laborers with poorly paid non-white ones from overseas.

These early, pioneering analyses of immigration and political economy assumed the existence of a surplus of labor in both sending and recipient countries and the desire of employers to hire cheap, easily exploitable, and sometimes illegal foreign workers on the grounds that doing so would save them money and undermine the rationale for the maintenance of generous welfare state provisions. This assumption held true for a good portion of the second half of the twentieth century, but chronic and increasingly severe labor shortages that became evident towards the end of the century presented an entirely new set of challenges to the viability of welfare states in several developed countries. While the neoliberal "race to the bottom" and deliberate pauperization of the working class were frequently cited as major threats to the viability of welfare states, the perceived sheer insufficiency in numbers of working people to offset non-working elderly retirees collecting pension payments gained ground as an alarming trend.

As immigrant incorporation came to be viewed as less of a conspiracy by elites to make the welfare state's viability impossible and more as a means of upholding it and ensuring fiscal sustainability in general, studies of immigration and political economy became more variegated and focused on different types of policies. Freeman (1995, 2006) updated his own work on the issue and identified different modes of immigration politics according to whether the costs and benefits of importing laborers and their family members were concentrated or diffused. In recent years there has emerged a growing interest in the distinction made by policymakers between skilled and unskilled migrants. The underlying assumption here is that immigrants do not necessarily threaten the foundation or fiscal sustainability of developed economies and may in fact play an integral part in contributing to their overall functioning.

With this shift, recent studies of immigration rooted in political economy have emphasized the preferences of individuals already residing in a given country and how their opinions inform decision-making. Survey research by Hainmueller and Hiscox (2010) revealed that both low-skilled and highly skilled native workers in the United States favored highly skilled immigrants, a finding that ran contrary to predictions that economic interests would lead highly skilled workers to favor the importation of workers not competing directly with them for jobs. The authors concluded that economic self-interest alone could not explain attitudes towards immigration and proposed that what they labeled "sociotropic considerations" (61) and ethnocentrism were also at work.

Inequality and levels of capital mobility have also been cited by Dolmas and Huffman (2003) as variables which influence attitudes towards immigration among natives in a receiving country. Their findings concluded that an inverse relationship should exist between the level of income inequality in a country and support for immigration liberalization, on the grounds that a

higher level of income inequality means a greater dependence upon labor income for the bulk of voting-age people and therefore greater sensitivity to the impact of immigrants on wages. In addition, they argue that higher rates of capital mobility make natives less sensitive to immigration due to the assumption that countries taking in many immigrants will also absorb a lot of capital. The model they elucidate in their paper shows that, “in a world of perfect physical capital mobility, natives are indifferent with respect to the level of immigration” (30). This is an extraordinary finding that should lead us to have seen support or at least tolerance for immigration grow in tandem with higher levels of capital mobility in the 1990s and 2000s.

Looking at the sending side of the immigration puzzle, Douglas Massey (2009) argued that social dislocation brought on by economic development increased the tendency of people to migrate from poorer to wealthier countries, going against the belief that movement was a simple matter of poor people in sedentary, agricultural societies moving abroad in search of higher wages. Paul Collier’s recent and much-publicized book (2013) appeared to confirm these findings in part by showing how the high monetary costs of migration make it more likely that the poorest of the poor are left behind in less developed but rapidly evolving countries while those who are not as poor get the chance to leave. In Collier’s estimation, this scenario does not necessarily benefit either the poor countries suffering the departure of their relatively better-off citizens or the recipient countries absorbing them. Collier provocatively claims that this is so because of the inherently dysfunctional nature of the societies that most immigrants come from.

As this review has intimated, recent studies of the political economy of immigration have conceded that factors besides economic self-interest have played a role in determining the contours of national immigration policies. Thus, while experts in political economy have done much valuable work in explaining the interest-based processes and mechanisms that influence

the movements of immigrants across borders, other perspectives on the issue have also contributed to our understanding of outcomes in this policy area. The following section will elaborate further on work done in the subfield of comparative politics regarding immigration.

Comparative Politics

The literature on immigration from the perspective of comparative politics is now large, but according one scholar it “did not really take off until the 1990s” (Freeman, 2011). In addition to the more focused single-country or multi-country case studies published over the years (and which will be discussed in greater detail in the succeeding chapters), much has been written as well employing various theoretical perspectives and approaches (Meyers, 2000). Broadly speaking, comparative political analyses of immigration have examined institutions, the formation of national identities, and interest groups and partisan politics as key independent variables in shaping regimes and policies. The following paragraphs will review some of the books and articles that have utilized these approaches.

The role of interest groups and partisan politics in the formation of immigration policy overlaps somewhat with the political economy approach and often takes as a given the existence of exogenous preferences on the part of political candidates towards gaining power and then staying in power through repeated re-election. Both approaches to a degree, therefore, employ elements of rational choice theory (Hall and Taylor, 1996) in explaining decisions made by key actors as the consequence of the pursuit of utility maximization. Freeman’s (1995, 2006) previously mentioned works argued that the particular costs and benefits of immigration would produce four modes of politics encompassing majoritarian, entrepreneurial, client-based, and interest group-based types. This model takes into account what Meyers (2000) called

“situational” socioeconomic factors such as recessions and the impact on particular industries and ethnic groups in leading to the election of politicians who then feel obligated to uphold their campaign promises.

One shortcoming of any approach that treats situational factors as key independent variables in shaping interest group formations and political preferences regarding immigration is that every individual country case ends up being viewed as *sui generis* and thus theory building and hypothesis testing are rendered pointless or at least very difficult. Again, Freeman (2011) pointed out this problem and acknowledged that pioneering studies of comparative politics and immigration in the 1970s and 1980s were undertaken without much regard for methodology or precision. But one good thing about this trial-and-error process is that scholars asked a wide variety of questions and used myriad methods, thus narrowing approaches down to those that were relatively more useful in generating new knowledge and generalizable insights. Still, inductive reasoning remained predominant in the field for decades, with the ongoing political and economic integration in Europe providing ample new material for immigration experts to analyze.

In recent years, the comparative politics literature on immigration has advanced to the point where scholars are putting forth deductively reasoned theories to explain different policy outcomes. Why this has happened is not exactly clear, but it may have to do with the fact that immigration has finally become a big enough topic of debate in a sufficient number of countries to merit consideration as one in need of systematic analysis. Of growing interest in particular have been the impact of center-periphery relationships and federalist versus unitary systems of government (Spiro, 2001), with devolution of authority for handling immigrant concerns taking place even in strongly centralized polities like Japan (Haig, 2009). Germany’s recent and

surprising emergence as a “favorite destination for migrants” (*The Wall Street Journal*, 05/20/2014) in the aftermath of the 2008-09 economic crisis has renewed interest in the success that the centrist political parties of that country have had in containing nativist anti-immigrant sentiment, at least relative to growing concerns about the rise of far-right political parties in other European countries.

Is there an element of truth to the notion that decentralized political structures that exist in Germany are better able than unitary systems to more flexibly respond to the immigrant influx and defuse possible crises and challenges that arise? Are hybrid electoral systems more likely to produce liberalized policy outcomes in the immigration arena rather than a system where all politicians are elected in single-member districts or through proportional representation? There are certainly multiple avenues of research to explore using this approach without essentializing any one country. This dissertation’s case studies will make for illuminating comparisons, as Germany is a federal parliamentary republic while the other two cases of Japan and Italy are both unitary polities that nevertheless radically reformed their electoral systems in the 1990s to give greater weight to single-member constituencies.

Needless to say, politicians and the voters who elect them are hardly the only individuals who matter in determining immigration policies. Beginning with the pioneering works of Theda Skocpol (1979, 1985) the subfield of comparative politics was fundamentally changed by the revival of interest in institutions as independent variables that take on a life of their own and influence political outcomes. In the decades since, scholars have used this approach to explain varied phenomena such as the absence—until recently—of a national health insurance policy in the United States (Hacker, 1998), how the United States Senate as an institution shaped the pre-Civil War debates about slavery (Weingast, 1998), and how institutions came to play a key role

in both the skills development of workers and labor-management relations in Germany and Japan (Thelen, 2004). The point of institutionalist literature is that policy outcomes should not be seen as simply resulting from politicians responding to the demands of voters. Processes are more complex than that and involve unelected bureaucrats and other government officials who often possess enormous discretionary authority in creating and then implementing particular rules and regulations.

In this vein, many published works have examined immigration institutions in various countries and their independent effects on policy. Reginald Whitaker authored a definitive study (1987) of Cold War era immigration policy in Canada, demonstrating how officials from the Royal Canadian Mounted Police (RCMP) played a key role in emphasizing the need to keep leftist and other “subversive” elements out of the country. Tessa Morris-Suzuki illustrated (2010) how the same preoccupations with security and keeping leftist sympathizers out of Japan drove the Ministry of Justice to play a dominant role in that country’s immigration politics from early 1950s onward, even as the leftist threat receded and other challenges arose. Money and Falstrom (2006) show how the myriad visa categories in the U.S.—including the controversial H-1B category for skilled migrants—have created incentives for private sector businesses to often compete against the interests of American society at large and aggressively lobby for the maintenance and expansion of methods for recruiting overseas workers. All of these cases have raised important questions about how and why the preferences of voters in democratic states regarding immigration policy are often not the ultimate determinant in regulatory and legislative outcomes.

The “national identity” approach is the final major school of thought in comparative politics regarding immigration, and it takes ideas into account as a key independent variable in

determining policy outcomes and institutional configurations. The distinction between settler countries such as Australia and ethnically constructed nation-states in the “old world” is one that appears to lend itself easily to examination according to the national identity approach. But research has shown that not all settler countries have been governed by the idea of welcoming any and all immigrants and assimilating them, and there has been and continues to be significant variation among the old nation-states in Europe and Asia. As mentioned in the first chapter, Rogers Brubaker (1990, 1992) authored some of the seminal works in this literature with his comparisons of how different conceptions of nationhood—political versus cultural—structured migration and citizenship policies in France and Germany from the nineteenth century onward. The key distinction here is between a territorial community as conceived in France and a community of descent as conceived in Germany.

Brubaker’s insightful observations in the early 1990s would eventually gain widespread attention as continental Europe’s two largest economies responded to the challenges of accommodating growing immigrant communities from North Africa and Turkey. Germany’s longstanding nationality law, dating from the year 1913 and not significantly reformed until the end of the 1990s, created an unusual situation that prevented millions of ethnic Turks living in the country since birth from obtaining German citizenship. On the other hand, the political nationhood tradition in France—embodied by the term *laïcité*, a reference to the avowed secularism of the French state dating to the year 1905 and which eventually came to encompass the even broader notion of universalism—created a situation in which Paris appeared to turn a blind eye to the growing multiculturalism of the country and allowed problems with racial and religious minorities to become bigger than perhaps would have been the case had the government addressed issues more directly.

Brubaker's long-term approach to examining national identity and immigrant incorporation, which often attributes modern policies to ones enacted more than a century ago during key periods of state formation for many of the world's modern nations, has influenced much of the literature published since. Zolberg (2009) went all the way back to the colonial period to examine the roots of America's immigration policy and argued that carefully constructed immigration policies at the state and local levels predated by decades the more well-known legislation enacted at the national level beginning in the late 1800s with the Chinese Exclusion Act of 1882. While Zolberg's work acknowledges the importance of institutional structures in the decentralized polity that defined the United States from its inception, it gives greater weight to the fact that the early European settlers and their descendants were actively and contentiously debating who should enter the newly proclaimed country and why.

The national identity approach has played a key role in advancing our understanding of different conceptions of nationhood and their impact on the formation of restrictive or lenient immigration policies. But perhaps even more so than the institutionalist literature, it relies to a great degree on the assumption that formative acts at critical junctures in the distant past set perceptions of national identity in stone and did not allow for much possibility in the way of change. The dramatic changes to Germany's citizenship laws since the late 1990s, for example, are not easy to explain if national identity as a constant is taken as a given. But if feelings among Germans about their own national identity changed enough to affect something as sensitive as the nation's immigration and citizenship laws, then what created or initiated that shift? This dissertation aims to elucidate a theory of immigration politics that treats national identity as important but also malleable and responsive to external shocks and changes from within. But

before I do that, I will review the literature in the field of international relations theory as it relates to immigration.

International Relations

One of the more puzzling features of the scholarship on immigration politics is how relatively little attention has been devoted to the topic by international relations scholars. James Hollifield addressed this puzzle in a book chapter (2000) and argued that international relations theorists had long ago consigned the issue of immigration to the realm of “low politics” rather than the “high politics” issue areas of foreign policy, national security, weapons proliferation, and war and peace. Given the absence of any kind of global treaty or agreement regarding immigrants, and given the emphasis that international relations theorists have placed on the international system as a whole (as opposed to individual states) since Kenneth Waltz introduced his landmark theory of neorealism (1979), the neglect of immigration in this subfield of political science is understandable.

Prior to the year 2000, one of the few noted attempts to discuss immigration in the context of national security was Myron Weiner’s article that was published in *International Security* (1992) just after the Soviet Union’s breakup, when it appeared that a new era of relatively unrestricted migration flows had commenced. Weiner distinguished what he called the political economy framework from the security/stability framework, and argued that the latter complemented the former by highlighting the perceived political risks associated with large-scale population movements between countries. Weiner saw a crucial role for immigration as a potential key component in any national government’s attempt to achieve a foreign policy objective, ethnic homogeneity within the country, or deal with political enemies (98-100).

Weiner also predicted that migration between countries of the Global South and into the newly liberated countries of Eastern Europe would increase dramatically. While Weiner's prediction about Eastern Europe was not borne out, he was correct that migration flows between developing countries as a result of civil wars, refugees, and other crises would increase. More importantly, Weiner's identification of security/stability as a framework for further understanding the politics of immigration would gain new salience following the 11 September terrorist attacks in 2001.

Although Hollifield was correct to note the lack of international relations scholarship on immigration, a growing number of books and articles have addressed the international dimensions of the movement of peoples across borders. Edited volumes (Tsuda 2006; Cornelius, Tsuda, Martin, and Hollifield 2004) examined immigration policies of individual countries in comparative perspective but also focused on the global dimensions of what Cornelius and Rosenblum (2005) called the "second epoch of radical growth in global population flows (99)." Saskia Sassen (2005) wrote about the possibilities for regulating immigration as a consequence of emerging international norms regarding the treatment of individuals who cannot be faulted for leaving their native countries in search of better opportunities abroad.

Therefore, while international relations scholars remain somewhat lukewarm about treating immigration as a variable germane to measuring the power of individual states, the school of neoliberal institutionalism (Keohane, 1984) offers the possibility of examining the topic through the prism of bilateral and multilateral cooperation to regulate transnational migration flows. There is ample room for further application of concepts rooted in international relations theory to immigration, as Waltz's explanation of self-help in an "anarchic" international system can certainly offer a partial explanation for why governments may justify or rationalize liberalizing policies to attract more people from abroad.

The first half of this chapter has provided a review of the literature on immigration politics, summarizing much of the substantial and revelatory work that has been done on the topic. Ideas, economic interests, institutions, constructed identities, and the international system as a whole have all played roles in determining immigration policies of individual states. In the next section I will introduce a theory of immigration policy that synthesizes several of these strands of methodological approaches and offers a new way of understanding how immigration policies get shaped and formulated in particular circumstances.

2.2 *A Theory of Immigration Politics*

The basis for this dissertation will be a theoretical approach that synthesizes several strands of the literature on immigration politics and also incorporates some key ideas in comparative politics and international relations that have not been applied frequently to this particular topic. The deductive reasoning is as follows: A shock to the political system—exogenous or internal—can reorient the national identity of a country and thus lead to the creation of particular institutions for regulating immigration. As stated earlier, if the national identity of a country is reoriented towards a kind of “political nationhood” that prioritizes security against perceived troublemakers and other subversive elements, then immigration policy will come to be dominated by officials concerned about law and order and therefore less amenable to change. If the national identity is shifted in the direction of promoting a kind of “cultural nationhood” that promotes the idea of ethnic homogeneity and/or cohesiveness, I argue that a different type of immigration regime more amenable to change will be the end result. This is due to the fact that governmental institutions designed to ensure a nation’s ethnic cohesion do

not possess the kind of durability and credibility of purpose accorded to those institutions that are seen as ensuring the country's social cohesion and essential safety.

If ethnic or racial homogeneity is viewed by voters and government officials as a core element of social cohesion and political stability in a country, then there is room for considerable overlap between the concepts of cultural and political nationhood. My dissertation, however, will argue that a clear distinction between the two can be made because other factors besides ethnic and/or racial homogeneity have been deemed as more important in those countries guided by a strong sense of political nationhood. In terms of how and why any consensus belief on immigration policy in a country changes, a core assumption of my argument is that the twin developments of growing alarm about low fertility rates and the general phenomenon of “globalization” combined to shift the terms of the debate in many developed countries during the 1980s and 1990s. Thus, it makes sense to analyze how immigration policies changed or stayed the same from this period of time until the present day, providing a limited but useful testing ground to understand how prevailing institutions shaped by particular notions of national identity responded to changed circumstances.

This approach offers a different perspective from the predilection for classifying countries and their leaders as open or averse to immigration liberalization based on fixed identities as settler or non-settler countries. Instead, the key point here is that identities are malleable but can inadvertently give rise to institutions that possess enormous sticking power. It also sharply contrasts with political economy approaches that privilege the rational preferences of private sector actors and the politicians who depend upon them for support. My theory does not discount entirely the preferences of voters and the politicians they support, but it does argue that voter and interest group preferences are less likely to make a difference in shifting

immigration rules if institutions constructed around security-oriented political goals dominate policymaking in that area.

This theory borrows much from the large literature on historical institutionalism in comparative politics. By arguing that a shock to the political system can reorient both the regulative and constitutive features (Ruggie, 1998) of a country, it incorporates the biologically rooted concept of a punctuated equilibrium (Krasner, 1984) as a key factor in systemic change. It also implicitly points to the role of critical junctures (Cappoccia and Kelemen, 2007) as providing a window of opportunity where heightened contingency gives actors an opportunity they would not have otherwise to implement their policy preferences and lock them in place for a period of time considerably greater than the period of structural fluidity. The theory also takes into account the phenomenon of path dependency (Pierson, 2004) and the resulting difficulty of undertaking institutional reform once vested interests are in place and powerful enough to resist being dislodged.

My theory, however, goes beyond merely rehashing key elements of historical institutionalism by linking the formation of institutions to shifts in national identity and arguing that the types of institutions set up matter in affecting the outcome of my dependent variable here, namely liberalized immigration policies that have responded well to the new demographic and economic challenges of the post-Cold War era. It is not simply the case that history and institutions matter. They do matter, but what matters more is that some institutions are more durable and resistant to change than others. In this vein, the theory also borrows heavily from the concept of situationally induced preferences which Katznelson and Weingast (2005) wrote about in detail in their edited volume. My key point is that given situations can induce not only changes in preferences, but shifts in identity which give rise in turn to particular institutions.

The theory I am building here does not fit easily into any easily identifiable school of thought on immigration politics. This may be due to the fact that the schools of thought on immigration politics are still relatively young and now in the midst of rapid change. The fact that frameworks rooted in political economy are now incorporating once-ignored “sociotropic” variables amounts to a breakthrough acknowledgement that the neat compartmentalization of theories into clearly separate spheres may not be possible with a topic as complex as immigration politics. If anything, I hope that what I have written in these pages will add to our growing understanding of immigration politics and lead scholars and policymakers to formulate new tools for categorizing and classifying the policies of individual countries.

In the chapters that follow, I will test this hypothesis by examining three countries. Two chapters will be devoted to Japan, because it offers the most compelling case for a country where an exogenous shock—specifically the impact of a military occupation by the United States that lasted for more than six years after the end of World War II—shifted the state’s identity and gave rise to an immigration regime that was dominated by law-and-order considerations. Furthermore, Japan in the 1990s and 2000s appeared to be faced with the most persuasive and logical reasons for fundamentally reforming its immigration regime due to very low fertility rates and growing concerns about the rise of China as a challenge to Japan’s status in the Asia-Pacific region. The shorter case studies will offer useful comparisons with Japan for understanding how immigration policy outcomes are affected by long-term trends related to identity and institutions.

CHAPTER THREE: GERMANY

3.1 *From Homeland for Germans to Immigration Destination*

Over the last several decades, Germany has experienced both significant shifts in immigration policy initiatives and the actual movement of people into the country. It is striking to see how much has changed generally in Germany since the 1980s, but this chapter will show that changes on the immigration policy front made sense in the context of how certain priorities became obsolete after 1990. The 1980s was the last decade, of course, when Germany would be divided between a democratic, capitalist West and a communist East. But recent revelations about the feelings of former Chancellor Helmut Kohl (in office from 1982 to 1998) regarding the large Turkish immigrant community in what was then West Germany (officially the Federal Republic of Germany) also show how much has changed in that particular policy area. In secret minutes of a meeting with British Prime Minister Margaret Thatcher dated 28 October 1982, and made public in 2013, Chancellor Kohl expressed the view that it would be necessary over the following four years to *halve* the number of Turks residing in West Germany.⁶ Kohl had assumed office less than one month prior to making this statement, a clear indication that “dealing” with the Turkish community was at or near the top of his own agenda.

What prompted Kohl to say something so radical and publicly unacceptable to Margaret Thatcher? Apparently Kohl had grown uncomfortable with the size of his country’s Turkish population, which had built up over the previous two decades from the recruitment of so-called “guest workers” who turned out to be more long-term residents than simply guests of the economic colossus that was West Germany. At the root of Kohl’s discomfort, according to the

⁶ Quotes taken from a secret file known as “PREM 19/1036,” referenced in *Spiegel Online*, 1 August 2013.

secret minutes from that 1982 meeting, was his belief that Turks possessed a “distinctive culture” and did not integrate well. By contrast, Kohl stated that Germany had “no problem” with migrants from Portugal, Italy, and even Southeast Asia.⁷ It was the Turks, accounting for about 1.5 million of West Germany’s 61 million people in 1982, who needed to be reduced in number.

Kohl’s plans for halving the Turkish population never came to full fruition, and Kohl’s own incendiary remarks about Turks as integration-resistant residents of West Germany never became public until two years ago. The Turkish immigrant community remained, produced succeeding generations of children and grandchildren, and effectively became a major and recognized group in German society. Despite the recent and unnerving emergence of a significant xenophobic group in Germany known in English as the *Patriotic Europeans Against the Islamization of the West* (or PEGIDA, an acronym taken from the German language equivalent), the country also turned a corner in the post-Cold War era and by 2014 had become—in the words of one journalist—“one of the most popular immigration destinations in the world.”⁸

This is a surprising turn of events for a country that, like Japan and Italy, has never been viewed as an immigrant-receiving country on a par with the settler nations of North America and Oceania. The transformation has not occurred smoothly and declarations that Germany is welcoming without qualifications are exaggerated. But significant change has occurred. How did it happen, and why? This chapter will show that identity formation in postwar West Germany took a markedly different form compared to what occurred in Japan and Italy. Neither geographically isolated like Japan nor geographically confined to a peninsular area like Italy,

⁷ Ibid.

⁸ Quote from an article by Harriet Torry of *The Wall Street Journal*, 20 May 2014.

Germany occupies what has been since 1871 an ever-shifting mass of land located in the heart of Europe. The country was thus chronically insecure for much of its modern history, its leaders feeling neither fully Western nor Eastern and perceiving grave security threats from both directions.

But in the post-World War II era, what set West Germany apart from Japan and Italy was the lower level of fear that internal subversion by communist sympathizers either “foreign” or of native majority background would threaten the country’s stability. Thus, immigration policy was not designed to keep nettlesome outsiders from causing trouble in the country, as was explicitly the case in Japan. Rather, immigration policy was most closely connected to and influenced by the priority of absorbing co-ethnics fleeing from East Germany and other parts of Europe. This chapter will show that the reunification of Germany in 1990 removed a significant obstacle to recognition by German leaders of their country’s status as an “immigration country.” In addition, in the early postwar era ethnic Germans in the United States who had not been the target of racially discriminatory immigration policies there did not follow in the footsteps of Italian-Americans who saw an opportunity to liberalize migration policies that had targeted them. The institutions created in West Germany ended up forming a middle ground between what took shape in its erstwhile wartime allies.

3.2 *The Durability of the RuStAG: A Legacy Pre-Dating World War I*

One of the more remarkable facts about Germany is that basic rules regarding acquisition of nationality—an issue that would eventually become critical to integrating those foreign residents who desired naturalization as the logical outcome of living their whole lives in the country—did not change from the year 1913 until the very end of the twentieth century, a period

of about 87 years. Through two world wars, twelve years of Nazi dictatorship, utter ruin and devastation by mid-century, national division followed by reunification, the occupation of German territory by no less than four foreign powers, and convulsions more traumatic and tumultuous than any citizen of the “second reich” could have imagined in the year 1913, Germany’s leaders through all these events adhered to a narrow interpretation of who did and did not belong in their country as fully accepted citizens.

The shorthand term “RuStAG” stands for *Reichs- und Staatsangehörigkeitsgesetz*, a characteristically lengthy German language term that translates into English as the “Nationality Law of the German Empire and States.” This law was promulgated by the country’s authoritarian government on 22 July 1913, about one year before the start of the First World War. It represented the culmination of decades of debate about what it meant to be German in a country that had existed as a modern state for just forty-two years up to that point and had been formed out of hundreds of previously existing petty principalities and kingdoms. Germany at the time was the dynamo of Europe, an empire encompassing more than two hundred thousand square miles of territory and a population of some 67 million people—home to tens of millions of more people than either Britain or France and a restive, bustling nation that had benefited from the “safety valve” offered by the availability of emigration to the United States in previous decades.

As I mentioned in Chapter One, Rogers Brubaker is the scholar who pioneered the comparative analysis of “cultural nationhood” and its impact on citizenship and immigration in modern Germany. Brubaker’s numerous books and articles (1990, 1992) explain in detail how state formation in nineteenth century Germany came to be heavily influenced by romantic notions of a people sharing common descent and the more practical problem of establishing firm control over territories inhabited by other peoples (such as ethnic Poles, an effectively stateless

people until 1918) who harbored their own strong nationalist aspirations. The establishment of *jus sanguinis* or “right of blood” as the basis of nationality law in Germany provided a convenient pretext for periodically expelling non-Germans from the empire’s sprawling Central and Eastern European territories. Writing more than three-quarters of a century after passage of the 1913 law, Brubaker (1990) wrote bluntly that “German citizenship law assigns no significance to birth in the territory. It thus has no mechanism for automatically transforming second- or even third-generation immigrants into citizens. Citizenship is based solely on descent.”

How did the RuStAG manage to exist largely unaltered for so long? It is especially striking that little changed in this policy area even after 1945, by which time the notion of German supremacy had been so utterly discredited along with all other aspects of Nazi ideology. There is a tendency among some to believe that the restrictive nature of West German immigration and nationality policies in the postwar era reflected the continued existence of dangerous, race-based, ethnocentric thinking among the German people. In this chapter, I argue that this was essentially not the case.

Rather, restrictive immigration and nationality policies were viewed by German politicians as the most logical way to give priority to absorbing the millions of ethnic Germans who poured into West Germany and then later a single Germany during the early years following reunification in 1990. Crucially, this kind of policy did not preclude recruiting large numbers of temporary guest workers when West Germany began experiencing labor shortages as early as the middle of the 1950s. This concept of cultural nationhood was quite different from what took root in postwar Japan. The result in Germany by the 1990s was a country ripe for reform of its policies towards long-term foreign residents.

3.3 *Before Reform: Cultural Nationhood and National Division, 1945-1990*

After World War II, the sheer magnitude of the movement of ethnic Germans into what would become the Federal German Republic dwarfed both absolutely and proportionally the similar movements of people back to Italy and Japan from abroad. One major reason for this difference was the division of Germany, but another reason was also because of the transformed geopolitical environment in Soviet-dominated countries in Eastern Europe that made continued settlement there by ethnic Germans no longer safe or tenable. The creation of a united Germany in 1871 had not led to the movement of all Germans in Europe to a single country in the heart of the continent. Therefore, ethnic Germans who had long ago—by a matter of decades or even centuries—settled in what would become the nations of Poland, the Soviet Union, Romania, Hungary, and elsewhere constituted significant minority communities in these countries by the middle of the twentieth century.

Beginning in 1945, ethnic Germans living in Central and Eastern Europe faced a dire situation as independent countries in that region either came under the direct control of the Soviet Union or were turned into satellite states as the tide of the war turned and Germany gave up territory to its hated communist foe. In the immediate aftermath of the war's end, the desire for vengeance among Soviet armed forces against German civilians throughout Europe was obvious. More than twenty million Soviet citizens had died in the war, largely the result of Germany's decision to invade the USSR in 1941. In all likelihood, the single largest instance of organized, premeditated mass rape took place in the early months of 1945 when Soviet forces

occupied the eastern portions of Germany. According to one estimate, at least two million German women and girls were raped by soldiers of the conquering Red Army in 1945.⁹

As many Germans as possible who could do so fled to the remaining areas of Germany that would come under joint British, French, and American occupation and become the FRG. According to Simon Green (2004), some eight million people of ethnic German background fled from other countries of residence and arrived in West Germany in the immediate postwar years. The extreme harshness of daily life in Soviet-dominated East Germany would lead to the escape of another three million or so Germans from that country to West Germany until the construction of the Berlin Wall in 1961 brought such movements to a halt. This adds up to a staggering figure of 11 million people in a country that had a population of just 56 million people in the year 1961.¹⁰

Such circumstances created an induced preference for keeping the RuStAG on the books. With citizenship granted on the basis of descent as an ethnic German, the process of absorbing and then integrating millions of Germans from elsewhere served practical, humanitarian, and geopolitical purposes. Haunted by the legacy of Nazi ideology, the newly formed West German state had enshrined in its 1949 constitution—known more commonly as the Basic Law—a remarkably simple passage which stated that “persons persecuted on political grounds shall enjoy the right of asylum.”¹¹ Providing asylum to the millions of Germans facing persecution or worse in areas to the east fulfilled that obligation. At the same time, taking in escapees from East Germany undermined the credibility of a communist state that claimed to be the legitimate anti-

⁹ *The Guardian*, 1 May 2002

¹⁰ <http://www.populstat.info/Europe/germanwc.htm>

¹¹ Quoted in Poutrus 2014, *Journal of Contemporary History*, p. 117.

fascist and anti-imperialist successor state to Nazi Germany. Any apparent concerns that escapees from East Germany could in fact be stalwart communists seeking to cause trouble in the FGR were superseded the existence of a shared ethnic background and the need to demonstrate that what was officially called the German Democratic Republic (GDR) was a farce. Every East German who made clear his or her desire to leave and become a West German constituted a victory for the FGR.

Counterfactually speaking, there is no way to know for sure what would have happened had Germany emerged from the Second World War undivided and had Soviet soldiers not exacted such terrible revenge on German civilians throughout the areas they occupied. In such circumstances, however, it can be surmised that the impetus to maintain a restrictive nationality law dating from the year 1913 would not have been as strong. The pressure to make asylum an accessible option not just for Germans but for other Europeans fleeing violence would have been harder to resist. The need to undermine the credibility of a competing German nation-state would not have been there, removing the pressure to prioritize the absorption and integration of ethnic Germans fleeing from a Soviet-dominated satellite state. Thus, maintenance of the RuStAG after 1945 was rooted in changed geopolitical circumstances that made a complete repudiation of all laws redolent of German ethnocentrism unrealistic.

Thus, the stage was set for a wholly unanticipated set of developments after the postwar settlement. Like Italy and Japan, West Germany would recover quickly from wartime devastation and its residents would enjoy what would come to be known as the *wirtschaftswunder* or economic miracle. Despite absorbing millions of refugees in the 1940s and 1950s, West Germany's economy would soon grow so quickly that its need to recruit foreign laborers would precede the emergence of similar needs in Italy and Japan by years or even

decades. The push-pull dynamics central to political economy's treatment of immigration became a factor as West Germany pulled in workers from its less prosperous neighbors on the eastern and southern parts of the European continent. But this development never turned West Germany into an official "immigration country" that adopted procedures for absorbing foreigners of non-German background with the intention of facilitating their permanent settlement. That development would have to wait until after West Germany's removal from world maps in 1990.

The Allied occupation of West Germany finally ended in May of 1955, a full decade after Nazi Germany's surrender in the closing months of World War II. Almost immediately, the newly sovereign West German government got to work on the task of concluding bilateral agreements with neighboring countries to allow for the importation of laborers on fixed, short-term contracts. The first such agreement was concluded with Italy in November 1955. Over the next dozen or so years, similar bilateral agreements would be concluded with a virtual laundry list of less developed Mediterranean basin countries. By 1968, West Germany had signed so-called intergovernmental contracts for labor recruitment with Spain, Greece, Turkey, Morocco, Portugal, Tunisia, and Yugoslavia (Kolinsky, 1996). Foreign workers from these countries residing in Germany were known as *gastarbeiter*, or literally guest workers.

Nobody could have predicted that the conclusion of a bilateral agreement with Turkey in 1961 would have the most far-reaching consequences for the composition of Germany's ethnic minority population, but that is what happened. By the early 1960s, Turkey had existed for some forty years as a Muslim-majority but avowedly secular republic straddling the line between Europe and the Middle East. Even if the Turkish state's leaders had not been inclined to downplay the religious background of the overwhelming majority of their fellow citizens, it seems doubtful that German political and business leaders would have been very concerned.

After all, they assumed that Turkish guest workers, like all others, would eventually return to their respective home countries. A charter member of the OECD at the time of that organization's founding in 1961, Turkey was not noticeably poorer on a per capita basis than other Mediterranean basin countries and so there was no reason to think that Turkish citizens would be more likely to try and stay in West Germany and grow into a significant minority population.

What was not anticipated, however, was that the preferences of German employers and Turkey's relatively larger population compared to other Mediterranean states would end up being factors in the growth of a Turkish community in the heart of Europe. The labor needs of German industry and the commitment to treating foreign residents humanely as embodied in the country's support for political asylum soon made unrealistic the expectation that guest workers would leave or be forced to leave. German employers found the constant turnover in guest workers inefficient and the government realized that the forced return of guest workers to their native countries would contradict the spirit of the FGR. Thus permanent contracts were allotted and the guest worker population grew, with Turks alone comprising 1.5 million residents by the time Chancellor Kohl took office in 1982.

While periodic economic slowdowns—most notably following the first oil shock in 1973—caused some fluctuation in the growth of West Germany's foreign population, by the 1980s the number of non-citizens residing in the FGR was much larger relative to the overall population compared to corresponding numbers in Italy and Japan. Moreover, the continued priority of granting citizenship to ethnic Germans who had fled from authoritarian countries in the rest of Europe ruled out the possibility of either streamlining naturalization procedures or allowing citizenship at birth for the children of non-German foreign residents born in the

country. Dual citizenship was also ruled out as a possibility. Consequently, West Germany's foreign national population increased and outpaced the overall population growth of the country. In 1984, some 4.36 million foreign nationals resided in the country. This number would increase by nearly a half million to 4.84 million by 1989 (OECD iLibrary), accounting for close to one-third of West Germany's total population growth during those five years.¹²

This state of affairs in the late 1980s, just prior to the sudden reunification of Germany, reflected institutional arrangements that had taken shape in the immediate postwar era. Reacting to the excesses of Nazism, political authority was decentralized and a federal system with a bicameral legislature was established. The revolting practices and behavior of the *stasi*, or the East German secret police, reinforced the West German state's aversion to constructing anything resembling a surveillance regime. This precluded treating foreign nationals with suspicion. But even if security-oriented politicians and bureaucrats had wished to take a harder line against West Germany's ever-growing foreign national population, doing so would have been difficult and also nonsensical in the context of the country's identity and overarching priorities. West Germany was explicitly not a country of immigration and its rules and regulations drew a sharp distinction between integrating ethnic Germans who had fled or been expelled from other countries and foreigners lacking German ethnicity who were recruited as short-term laborers in the country's manufacturing sector.

Peter Katzenstein has written the most well-known book-length (1987) explanation of the West German state's institutional workings, labeling it a "semisovereign" state where political parties, the federalist structure, and so-called parapublic institutions (such as the *Bundesbank*,

¹² West Germany's population increased by about 1.6 million from 61,049,300 in 1984 to 62,679,000 by 1989. Data can be found at <http://www.populstat.info/Europe/germanwc.htm>.

which bridge the gap between the public and private sectors and act as what Katzenstein called “shock absorbers”) interacted to produce careful, cautious, incremental outcomes in policy. These institutional structures, rather than being the cause of what happened, were a product of the desire among Germans to “learn from catastrophe,” as phrased by Manfred Schmidt (1989), and avoid a repeat of the horrors of Nazism. Such an environment, characterized by multiple veto points, could be both tolerant and exclusionary regarding the settlement of foreign nationals in the country. A certain amount of continuity dating from the pre-Nazi past could coexist with determined efforts to blot out and move on from the worst aspects of the 1933-1945 period.

The status of foreigners lacking German ethnic background was not characterized entirely by stasis during the existence of the FRG. The 1965 Aliens Act, known in German as the *Ausländergesetz*, was an attempt to update legislation from the Nazi era and establish some basic guidelines for migrant workers as bilateral agreements with neighboring European countries came into force. The law was simple and stated in its first section that “a residence permit may be issued if the presence of the foreigner does not compromise the interests of the Federal Republic of Germany (Green, 2004).” This language in this 1965 law was sufficiently vague enough to make the issuing of a residence permit very likely if there was no way to prove that the interests of the FRG would be compromised by such a decision. In a year when the official unemployment rate in West Germany hit the impossibly low figure of 0.7 percent¹³, guest workers were a necessity amidst a critical labor shortage and the issuing of residence permits to them needed to be a straightforward process.

A dozen years later in 1977, however, a slowdown in economic growth and a significant non-citizen population of close to four million people compelled the West German government

¹³ Quote from Heinrich August Winkler, *Germany: The Long Road West, 1933-1990*.

to explicitly lay out restrictive naturalization guidelines and frankly state that “the Federal Republic of Germany is not a land of immigration. It does not aspire to increase the number of its citizens through naturalization.”¹⁴ Citizenship would continue to be a coveted prize made most easily available to people able to escape from East Germany and ethnic Germans fleeing from other Soviet-dominated Warsaw Pact states. People lacking German blood who wished to become citizens of what was by then the world’s third-largest national economy would have to, among other requirements, “demonstrate a ‘voluntary and lasting orientation towards Germany (Green, 2004).”

A good deal in these policy areas would change after German reunification in 1990. Looking back some 25 years later, it is easy to forget the fear and trepidation that more than a few people around the world felt about the prospect of German reunification. The respective political leaders of Britain and France in 1990 were Prime Minister Margaret Thatcher and President Francois Mitterand, both of whom had lived through the Second World War period as adults. Thatcher initially opposed German reunification and Mitterand apparently feared that reunification would lead to the emergence of “bad“ Germans as a factor in the country’s politics.¹⁵ Such fears proved to be unfounded, and one of the truly major and unanticipated consequences of German reunification would be the space that was freed up for the country’s legislators to substantively alter naturalization policies and finally acknowledge Germany’s status as an immigration country. This would occur through a shift in Germany’s identity, as explained in the next section.

¹⁴ Quote from Klusmeyer and Papademetriou, *Immigration Policy in the Federal Republic of Germany*, 2009, p. 99.

¹⁵ *Financial Times*, 9 September 2009.

3.4 *Reunification and Its Impact: Immigration is Recognized*

This section will show how Germany, a self-styled non-settler country long averse to immigration, became an immigration country due to certain conditions that are not easily generalizable but which can be identified. First, the reunification of Germany and the rapid democratization of its neighboring states in Europe brought an end to the rationale for emphasizing cultural nationhood. After 1990, Germany's borders were settled and secure. There no longer existed any fear, as had been the case in the early twentieth century, that ethnic minorities within the borders of the country would threaten to create their own state or seek union with a neighboring state. After a few tumultuous years in the early 1990s, the necessity of prioritizing citizenship on the basis of blood in order to provide a safe haven for ethnic Germans fleeing from authoritarian states no longer existed. The competitor state of East Germany, of course, ceased to exist and became part of Germany proper.

At the same time, the leaders of the new Germany could not simply jettison the most attractive and positive principles embodied in the FRG's Basic Law of 1949. An explicit commitment to asylum and an implicit commitment to respecting the rights of individuals living in the country ruled out any kind of punitive measures for dealing with foreign residents. Together, these factors in the 1990s presented Germany with a situation that demanded addressing and rectification. Millions of non-citizens, not far from comprising a full ten percent of the entire population, resided in Germany and could not be summarily removed from the country. No longer bound by the limitations imposed through the imperative of cultural nationhood, German political leaders came to recognize the long-term negative impact of having so many residents existing as effective non-participants in the country's political affairs and civil

society. The stage was set not only for revising the country's naturalization laws, but even for implementing policies to attract new residents as immigrants and not merely as guest workers.

In the early years following reunification, however, Germany went through a tumultuous period that included occasional outbreaks of violence. Economic hardship and other uncertainties prior to democratic consolidation in the region led to a mass movement of *Aussiedler*, or ethnic Germans residing in Eastern European countries, into Germany with in-bound migration peaking at around 400,000 in 1990. In addition, the breakup of the former Yugoslavia and that country's descent into civil war contributed to the filing of some 438,000 asylum applications in 1992 alone (Green, 2004). More ominously, acts of xenophobic violence were carried out by skinheads and other assorted reactionaries against members of the well-established Turkish community. An arson attack in the northern town of Mölln in November 1992 targeted houses inhabited by Turkish families and killed two girls and one woman. Another attack in the western town of Solingen in May 1993 also targeted a house inhabited by a large Turkish family. Three girls and two women died, and more than a dozen other people were injured (*International Business Times*, 3 June 2013). These incidents attracted worldwide attention and provoked outrage in Germany.

Throughout this whole period, before reunification and after, Germany was led by a center-right coalition government composed of the Christian Democratic Union and the Christian Social Union. Commonly known as the CDU/CSU, this coalition governed Germany from 1982 to 1998 with CDU leader Helmut Kohl as chancellor that entire time. The first general election held in a unified Germany in December 1990, with voters in the former East Germany participating for the first time, took place amidst a feeling of euphoria and kept the CDU/CSU in power as the major partner in coalition with the Free Democratic Party (FPD). As the anecdote

mentioned at the outset of this chapter about Kohl's meeting with Thatcher in 1982 made clear, some leading politicians in this coalition were not happy about the presence of so many Turkish citizens and other foreigners residing long-term in Germany. They privately wished to reduce the number of non-citizens in the country, but any measures except generously paying such people to leave and not come back were never seriously considered. But even with the CDU/CSU in power in the early 1990s and its mandate reinforced by victory in the first free election held in a united Germany since 1933, changes were afoot that would have been deemed beyond the pale during the period of national division.

First, Germany took a significant step towards shedding its identity as a state obligated to make a distinction between those foreigners possessing German ethnicity and those lacking such a background. The first sign of a major policy change occurred in 1992, when an informal annual quota of 225,000 was placed on the intake and resettlement of ethnic Germans from former Warsaw Pact states and ex-republics of the Soviet Union. This outcome occurred as a result of the political wrangling and horse-trading that has characterized Germany's party-centered deliberations since the 1950s. Although the CDU/CSU held power, it felt the need to compromise with opposition parties and incorporate their preferences when necessary.

With applications for asylum being filed in unprecedentedly high numbers by non-ethnic Germans in the early 1990s following the implosion of Yugoslavia, proposals for limiting the intake of asylum seekers and thereby contravening the spirit of the 1949 Basic Law began to be expressed by CDU/CSU politicians. Movement in this direction alarmed the opposition Social Democratic Party (SPD) and other left-leaning parties such as the Green Party. Oskar Lafontaine, an SPD party member who had stood as the party's candidate for chancellor in the 1990 election, was apparently able to get the ruling coalition to agree to the quota on ethnic Germans after he

threatened to publicly campaign against the *Aussiedler* in response to the perceived targeting by the CDU/CSU of non-ethnic German asylum seekers for a reduction in their numbers.¹⁶

This type of compromise marked a turning point and showed that the foundations of the 1913 RuStAG could be challenged in a new environment. On the naturalization front, small steps were taken as well. Naturalization is a process that can be made easier or more difficult in seemingly innumerable ways. Fees can be reasonable or exorbitant, requirements for national loyalty can be worded very clearly or in terms so vague as to be impossible to meet, children can apply for naturalization at a very young age or just prior to reaching adulthood, and the mandated length of residency in the country before becoming eligible for naturalization can be measured in months or years or decades. All of these points became the focus of discussion in the first half of the 1990s.

While the general consensus among analysts is that the RuStAG was not fundamentally altered until passage of reforms in 1999, the door to reform had been opened a few years earlier. As a measure of just how subtle and complex access to naturalization in Germany was at the time, reforms that came into effect in July 1993 stated that naturalization would no longer be dictated according to the principle of *Regelanspruch*, a term that translates into English as “rule-demanding.” Instead, naturalization would now be guided by the concept of *Rechtsanspruch*, which in English can be stated as “legal right.” In other words, naturalization as a German citizen would now be viewed as a kind of entitlement as opposed to something discretionary (Marc Howard, 2008). In addition, the fee charged for acquiring naturalization was reduced to 500 deutsche marks per adult and 100 deutsche marks per child (Green, 2004). At the time, those fees were equal to a bit less than USD\$300 and \$60, respectively.

¹⁶ Roger Karapin quoting Philip Martin in *The Politics of Immigration Control in Britain and Germany: Subnational Politicians and Social Movements*, Comparative Politics, July 1999, p. 442.

At it turned out, these significant but incremental reforms would not give way to something more substantial until change in political power occurred. Thus far, the discussion of Germany and immigration policy has not emphasized the role of the kind of independent and powerful bureaucracy that exists in Japan. This is because power in Germany had been dispersed and decentralized for decades according to the principle of semisovereignty. Coalition governments were the rule and not the exception, and a balance between the center and periphery was maintained by a federalist system. Government ministries were subordinate to the politicians who led them from one ruling coalition to the next. In other words, it really mattered which parties held power in the coalition government and who got appointed to lead the particular ministries. Conservatives in the CDU/CSU coalition effectively stymied efforts in the 1990s to move any further on chipping away at the RuStAG and its emphasis on descent by blood.

Therefore, the German federal election of 1998 stands out as the second major turning point for immigration policy after reunification in 1990. The end of the Cold War and absorption of the GDR into a united, democratic state effectively removed the rationale for prioritizing the cultural nationhood of the German state. The 1998 federal election that resulted in the victory of the SPD and its formation of a coalition government with the even more left-of-center Green Party was another milestone, in fact the first time ever that a full change in government in postwar Germany occurred via the ballot box rather than through the fall and formation of coalition governments.

Political parties matter in Germany and there are substantive differences among them, despite the tendency towards forming coalitions and emphasizing the need for consensus. The election of the first-ever SPD/Green Party coalition in 1998 marked a generational shift with Gerhard Schroder of the SPD becoming the first German chancellor with no memory of the

Second World War period (he was born in 1944). Serving concurrently as vice-chancellor and as Minister of Foreign Affairs would be Joschka Fischer, also a German without any wartime memories and a Green politician who had been active in the left-wing German student movement of the 1960s. On the issue of citizenship, this new government was prepared and willing to enact reform very shortly after it took power.

The decentralized political institutions of Germany, however, would prove to be a formidable obstacle to enacting citizenship reform. Germany's bicameral legislature includes a smaller chamber, the *Bundesrat*, that represents the country's sixteen states. The composition of the *Bundesrat* is dependent on the outcome of state elections that are held apart from the nationwide elections to the larger *Bundestag*. Passage of laws does not always require the consent of both chambers, but on matters that involve implementation by state and local agencies passage in the *Bundesrat* is necessary. This type of federalist system does not exist in Italy and Japan, and reflects the determined effort by postwar Germans to avoid creating an overly centralized polity.

In a very real way, the bicameralism of Germany became an obstacle for the SPD/Green government as it attempted to move forward on delicate issues such as allowing dual citizenship and introducing citizenship by birth as a right for the children of foreign nationals. As soon as the newly installed government made clear in November 1998 its intention to pass citizenship reform, members of the opposition CDU/CSU mobilized to thwart the plans. Wolfgang Schauble, a conservative CDU politician who had replaced the retired Kohl as party leader, later wrote that he was actually relieved to learn that the SPD/Green coalition would push for allowing dual citizenship rather than qualifying the status by requiring dual citizens to choose either German or their other nationality by a certain age in young adulthood (Green, 2004). From

polling data, Schauble was aware that unqualified dual citizenship was strongly opposed by a large number of German voters.

Although it controlled both chambers of the German legislature, the SPD/Green coalition held a razor thin margin in the 69-seat *Bundesrat*, to which members are not elected directly but rather appointed from the states on the basis of election results in those states. Ongoing deliberations regarding citizenship reform in late 1998 and early 1999 suddenly came to become dependent on elections scheduled in the state of Hesse for 7 February. Despite being a small state possessing only 3 votes in the *Bundesrat*, it became clear that the failure of the SPD/Green coalition to win elections in that state would jeopardize its majority in the national chamber. To that end, the CDU/CSU mounted a public relations campaign that Green (2004) labeled a “blatantly populist offensive“ which drew special attention to the citizenship-related policy preferences of the SPD and especially the Greens.

The CDU ended up winning a plurality of the votes in the Hesse state election, throwing a wrench into the SPD/Green coalition’s grand plans for overhauling citizenship rules. The ruling coalition then had to enter into negotiations with opposition parties to keep up the momentum. Despite the setback, what is significant here is that the question was no longer if citizenship reform would be passed at all, but rather what reforms would be enacted. The piecemeal concessions of the early 1990s had opened the door to the recognition that Germany was no longer a place of permanent settlement for ethnic Germans only. With an estimated foreign national population of more than 7.3 million people by 1999, amounting to nearly ten percent of the country’s total population, the rationale for easing citizenship requirements had only increased in tandem with a non-citizen population two million people greater than in the year of reunification nearly a decade earlier (Anil, 2007).

Wilhemine Germany officially ceased to exist in November 1918, but its spirit carried on until May 1999. It was in that month, after further wrangling and back-and-forth efforts by the ruling coalition government to ensure a majority in both houses of the German legislature, that the final hurdle was cleared with passage in both the *Bundestag* and *Bundesrat* of a compromise citizenship bill. The most crucial elements of this bill enacted major changes. A minimum residency requirement of eight years without any age restrictions was established for naturalization eligibility. Reforms dating from 1993 had mandated that only foreigners between the ages of 16 to 23 were eligible to apply for naturalization after eight years of residency in Germany, while foreigners above the age of 23 needed to have 15 years of residency before application. More importantly, for the first time ever citizenship at birth was recognized for people lacking ethnic German background. Specifically, a baby born in Germany to a foreign parent was automatically granted citizenship provided that parent had resided in Germany legally for eight years and had held a so-called unlimited residency permit for three years. In a concession to the misgivings of politicians in the CDU/CSU, dual citizenship for such children born in Germany was allowed but they were required to choose one citizenship for retaining before reaching the age of 23 (Anil, 2007).

This allowance for the principle of *jus soli*, however limited, was a milestone that officially marked the end of Germany's pre-World War I adherence to *jus sanguinis*. The citizenship law came into effect on 1 January 2000 and had an impact on naturalization numbers. Annual naturalizations, which remained below the 100,000 mark until 1997, climbed to 106,000 in 1998, and then went up to 186,688 in 2000 and remained above the 120,000 mark for each of the four years after that. The naturalization rate, referring to what percent of the foreign national

population in a given year elected to take German citizenship, increased from under or just around one percent in the middle of the 1990s to around two percent a decade later.¹⁷

In my proposed framework, the shifting of Germany's identity following reunification was a key factor. Institutional change, however, did not follow so easily to allow for the eventual recognition of Germany's status as an immigration country. The continuing emphasis on the need to secure majority support for any move away from *jus sanguinis* displayed the importance that Germans placed on the need to prevent any kind of rush to change without sufficient input from subnational areas. While growing concern about declining fertility rates among native-born ethnic Germans was an issue that contributed to the arguments in favor of immigration and multiculturalism, ultimately a more important factor appeared to be the large size of Germany's long-term non-citizen population and the unrealistic notion of somehow making them permanently leave the country. Caught between a rock and a hard place, German politicians on the center-left of the spectrum were able to make the case for changing citizenship laws in the post-reunification period.

While naturalization rates overall remained very low, part of this may be attributable to the fact that citizens of European Union countries increasingly saw little practical reason to naturalize in Germany given the introduction of the passport-free Schengen Area in the 1990s. Of greater significance is that Turkish citizens, whose native country remains outside of the European Union to this day, have accounted for a disproportionately large share of non-ethnic German naturalizations. The absolute number of Turkish nationals in Germany opting for naturalization, however, has declined precipitously over the last 15 years from a peak of more than 100,000 in 1999 (actually prior to implementation of the new citizenship law) to 27,970 in

¹⁷ Data from Germany's Federal Statistical Office, quoted in Anil, 2007, p. 1364.

2013.¹⁸ But in the context of cultural nationhood as the dominant frame through which access to German citizenship had been viewed since 1913, the low rates of naturalization are not as important as the fact that both ease of access to naturalization and citizenship by birth for children of foreign nationals became available from the year 2000.

3.5 *From Recognizing Immigration to Active Recruitment*

Under the SPD/Green coalition, Germany did not stop at acknowledging immigration. Although concerns about Germany's low fertility rate were not a major factor in the decision to reform the citizenship laws, it did play more of a role when politicians moved forward on taking steps to actively recruit foreign workers with the intention of facilitating their permanent settlement in the country. Data from the 2000 United Nations report on replacement migration painted a demographic picture almost as grim for Germany as for Japan and other rapidly aging industrialized countries. Projections in this report included a startling drop in the country's total population from 81 million in 2000 to 59 million in 2050, assuming "zero migration." Another crucial statistic, the ratio of working people to retirees, was projected to fall from 4.4 workers per retiree in 1995 to just 1.8 by 2050. The report also projected that Germany would need to bring in a net total of 324,000 migrants per year every year from 1995 to 2050 just to keep the population steady at 81 million (United Nations, 2000).

With cultural nationhood removed as an obstacle, the German government took some observers by surprise with an approach to immigration policy that appeared more rooted in the rationalistic assumptions of political economy. Deliberations began in the early 2000s for

¹⁸ Source: German Federal Statistical Office (*Destatis*), https://www.destatis.de/DE/PresseService/Presse/Pressemitteilungen/2014/07/PD14_254_12511.html

passage of what would eventually be called, for the first time, an “immigration law“ or *Zuwanderungsgesetz* in German. In the context of German domestic politics, it was a bewildering and complex process that saw some politicians—such as SPD member Otto Schily, who served as Interior Minister from 1998 to 2005—reinvent themselves as advocates of groundbreaking measures for attracting high-skilled migrants after years of taking a hard line on immigration (Green, 2004).

The acrimonious debates surrounding passage of a true immigration law and the mixed results it produced after its implementation in 2005 showed that the end of the RuStAG as the basis of nationality did not mean Germany was ready to wholeheartedly embrace in-bound migration and an immigrant-friendly kind of nationhood. In the decade plus that has passed since the immigration law came into effect, Germany has caught the attention of the media for being more receptive to immigrants. The rest of this section will detail some of the achievements of the new immigration policy as well as corresponding examples of expectations not being met.

First, the Immigration Act of 2005 broke new ground. The legislation mandated the creation of a new Federal Office for Migration and Refugees, housing institutional responsibilities in one place and ostensibly streamlining the application process. For the first time, skilled migrants were deliberately targeted for recruitment. Provisions for granting immediate settlement permits to scientists, senior academic researchers, and top-level managers in business and industry were included in the new law (Martinez-Herrera, 2008). The spouses or same-sex partners of highly skilled migrants entering Germany were also permitted to take up employment in their field (Shachar, 2006), and procedures for acquiring permanent residency status were made easier for individuals admitted on the basis of their work skills.

But passage of this law almost did not happen. An earlier version of the Immigration Act was passed comfortably by a margin of 320-225 in the *Bundestag* on 1 March 2002, but then it barely cleared the *Bundesrat* by a 35-34 vote later that month. All these deliberations were rendered moot in December 2002 when the Federal Constitutional Court of Germany declared the law void on the technical grounds that the *Bundesrat* vote tally was invalid due to confusion over whether representatives from Brandenburg state had actually voted unanimously in favor of the bill. The confusion was literal, as cries of “Yes!” and “No!” were heard from the Brandenburg delegation at the time the vote was taken. This apparent split, initially overlooked, violated the requirement that votes in the *Bundesrat* from the members of an individual German state had to be unanimous.¹⁹ Following this setback, negotiations between Chancellor Schroder and opposition parties dragged on for another year and a half before another version of the bill was passed by both houses at the end of June 2004 and took effect some six months later.

Practically speaking, the impact of the 2005 legislation in the decade since its passage has been assessed skeptically in the German media. An English-language version of an article from the magazine *Der Spiegel* (28 June 2010) ruefully noted a few years after passage of the law that in consecutive years (2008 and 2009) more people had emigrated from Germany than settled in the country, further causing concern about the country’s demographic prospects. Politicians routinely make headlines with xenophobic statements that will immediately sound familiar to followers of immigration debates in countries like the United States where competition for jobs has generated resentment of an apparent preference for foreign over home-grown talent. The most notorious example of this came from Jurgen Ruttgers, who became known in election

¹⁹ A detailed explanation of this process can be found in Arndt and Nickel, “Federalism Revisited: Constitutional Court Strikes Down New Immigration Act For Formal Reasons,” at http://www.germanlawjournal.com/pdfs/Vol04No02/PDF_Vol_04_No_02_71-89_Public_Arndt_Nickel.pdf

campaigns from the year 2000 for uttering the phrase “*Kinder statt Inder*“ or “children instead of Indians“ in English.²⁰ This was in reference to his view that German children should be trained for jobs in high-tech sectors of the economy rather than having such coveted positions filled by the stereotypical native of India who has an amazing engineering or computer science background. Rather than being shunned for making such remarks, Ruttgers was eventually elected in 2005 as Minister-President (the equivalent of governor) of North Rhine-Westphalia, Germany’s most populous state.

Statistics on foreigners residing in Germany and those among them who can be counted as being in the coveted “skilled migrant“ category also show a mixed record. International events beyond Germany’s control have placed something of a strain on the country’s perceived capacity to absorb and integrate foreign nationals at a pace fast enough to keep up with the changing environment. The two major events were the financial crisis of 2008 and the Arab Spring of 2011. These two seemingly unrelated events deeply impacted the movement of foreign nationals into Germany and tested the country’s commitment to being an immigration country as embodied in the 2005 law.

First, the financial crisis devastated the weak economies of Europe’s Mediterranean basin region. Unemployment levels in Spain, Greece, Italy, and Portugal all climbed into the double digits and reached levels not seen since the global depression of the 1930s. As member states of the Schengen Area, residents of these countries enjoyed free movement into countries like Germany that fared better economically and kept unemployment at lower levels. The result was a noticeable increase in Germany’s foreign national population after years of decreasing annual totals. Standing at some 7.3 million in the year 2000, the foreign national population dropped

²⁰ See “A Political Newcomer Breaks Rules in Germany,” *The New York Times*, 18 March 2000.

below 7 million in 2004 and was at less than 6.7 million in 2009 (OECD iLibrary). The naturalization, on average, of more than 100,000 foreign residents per year for a good portions of the 2000-2009 period had an impact and offset the arrival of new, non-citizen foreigners. These numbers appeared to represent a fulfillment of one of the ostensible goals of reforming the citizenship laws—namely, to gradually reduce the number of long-term non-citizens residing in Germany without any meaningful participation in politics or civil society.

Crisis conditions have changed the situation since 2010. OECD iLibrary figures show that Germany's foreign national population increased from about 6.75 million in 2010 to more than 7.6 million in 2013. Unemployed Europeans poured in after 2009, and then Arabs fleeing from war-torn countries such as Syria found refuge in Germany after 2011. Angela Merkel, a CDU politician, has served as chancellor of Germany throughout this entire period since the deadlocked federal election of 2005 resulted in her becoming the country's first female leader. Her own rhetoric in public speeches and campaign rallies veered wildly between bemoaning the negative effects of immigration and warning her fellow Germans to remain tolerant and remember history. She memorably declared in 2010 that German multiculturalism had "utterly failed" (*The Guardian*, 17 October 2010) and placed the onus for integration squarely on the backs of immigrants. In recent months, however, Merkel has denounced emerging xenophobic groups like the PEGIDA in the strongest language possible.

Like Merkel's public utterances on the issue, Germany's new immigration policy has yielded a mixed bag of results that appear to satisfy almost nobody. *Der Spiegel* reported (12 December 2013) that while more than one million people moved into Germany in 2012, there were still 155,000 vacancies for workers like technicians, engineers, and computer scientists. Numbers like these indicate a profound mismatch of people moving in while the most urgent

types of labor market shortages go unfilled. Anecdotes abound of foreigners with specialized skills or qualifications moving to Germany and finding it difficult to navigate through an ostensibly streamlined bureaucracy. The situation is vastly different from what prevailed a half-century ago, when guest workers from around Europe found employment in Germany's booming manufacturing sector.

3.6 Conclusion

A highly constricted form of cultural nationhood dictated the nationality and immigration policies of Germany from 1913 through 1999, a remarkable feat given all that Germany went through in those eighty-plus years. But one lesson to be drawn from observing Germany's attempts at replacing the RuStAG over the last 15 years with a liberalized regime is that making the transition is damnably difficult. Antecedent conditions that were necessary for German politicians to mobilize for turning their country into a nation of immigrants included the presence of a large non-citizen population and a dedication to human rights that precluded mass expulsions or even the more benign procedure of paying foreigners to leave en masse.

What the conflicting statements of politicians and activities by xenophobic groups illustrate, however, is how difficult a road Germany and Germans still face in accepting the millions of people who have entered their country. Unanticipated crises both economic and geopolitical have rendered almost impossible the smooth, controlled absorption of "desirable" foreigners into Germany. The cultural nationhood of the twentieth century is gone, but what if anything has replaced it in the twenty-first century is not clear. Germany, more stable and powerful today than it ever was during the peaks of its imperial and military power in the first

half of the twentieth century, appears to be like a magnet that ambiguous about its powers of attraction.

One major problem is that, while the induced preference for prioritizing citizenship and full inclusion in national life for ethnic Germans disappeared with reunification in 1990, no induced preference for creating a true immigration country has arisen in its absence. The intense political wrangling and far from decisive vote tallies that characterized debates over citizenship and immigration reform in the late 1990s and early 2000s were signs that the country would not be able to turn to a new page so easily just because the communists had departed from East Berlin. It remains to be seen whether or not events of some kind will shift the preferences of German voters and politicians in the direction of more clearly favoring an immigration policy that enhances the country's reputation for welcoming outsiders and integrating them well.

CHAPTER FOUR: ITALY

4.1 *The Fascist Non-Legacy and Italian-American Influence*

The preceding chapter on Germany went into some detail about the profound importance of that country's modern state formation and the role that formation played in leading to the promulgation of a blood-based nationality law in 1913. In Italy, however, no such law ever acquired such significance despite its sharing with Germany the status of being a relatively new country formed during the era of romantic nationalism in 1860s Europe. This difference can be attributed in part to the fact that ethnic Italians were rather conveniently able to create a nation-state out of territory more or less confined to a peninsular area rather than a landmass sprawled across a multiethnic hodgepodge in the western, central, and eastern parts of Europe as was the case with imperial Germany. What Italy eventually would share in common with Germany by the 1930s was a revisionist and irredentist government centered on fascist ideology. Italy's quest to reclaim the glory of ancient Rome by, among other things, mercilessly attacking impoverished Ethiopia in 1935 and then taking Germany's side in total war a few years later would end in abject failure and total defeat during World War II.

At this point, however, Italy again parted ways with Germany. The Second World War, despite its multiple traumas and effects, neither overturned basic immigration policy in Italy nor gave added importance to pre-existing immigration rules and bylaws. Indeed one of the more curious outcomes in postwar Italy was how little consideration bureaucrats or politicians gave to in-bound immigration policy, even after the economy had recovered from the catastrophic economic conditions of the early postwar period. In this chapter, I will show that Italy's lack of any real precedent for dealing with in-bound migrants left the country very much unprepared for a radically different environment by the end of the twentieth century. Demographic changes,

warfare in the Balkans, and the Italian peninsula's proximity to unstable areas of Africa created a set of challenges that the country's politicians and bureaucrats found daunting.

Like Germany and Japan, much of Italy was in ruins following the end of World War II and the country was hardly any outside person's idea of a desirable place to live or work in, even temporarily. Paolo Scrivano (2005) has described how, into the 1950s, some 15,000 people in the poor Basilicata region of southern Italy were living in what are called *sassi*, or primitive houses dug out of hillside areas. In other words, there were Italians living in caves more than five years after the war's end. The precarious situation was made worse by an influx of Italian refugees from territorial holdings lost in Yugoslavia and Africa. By 1949, a total of more than two hundred thousand Italians had fled from Libya, Ethiopia, Eritrea, and Somalia to the metropole which now had no empire.²¹ In such circumstances, Scrivano argues, the implicit promise of consumer-based prosperity offered by the ideology of Americanization was appealing to Italians and came to exert tremendous influence during the economic boom years that commenced in the latter part of the 1950s.

Americanization, however, did not extend to in-bound immigration policy. Well into the 1980s, the basis for Italian immigration policy remained a royal decree enacted in the year 1931 during the reign of fascist dictator Benito Mussolini. Royal Decree No. 733, issued on 18 June 1931 in the name of King Victor Emmanuel III, was a very simple set of regulations stipulating that foreigners in Italy had to report their place of residence to police authorities within three days of entering the country.²² Another article of this decree required employers to notify police

²¹ Data cited by Bonifazi, Heins, Strozza, and Vitiello in *The Italian Transition from Emigration to Immigration Country*, IDEA Working Papers, March 2009.

²² An English translation of the text of this decree can be found at <http://www.refworld.org/docid/3ae6b52918.html>.

authorities within five days of hiring a foreign laborer. The regulation of in-bound migration was not a political issue that was given high (or really any) priority in interwar Italy, and this would remain the case for decades afterwards.

Departing markedly from the Japanese case, early postwar Italian migration policy was instead greatly influenced by the activities of Italians immigrants and their descendants in the United States. Daniele Battisti (2012) writes that this group played a crucial role in lobbying for the liberalization of immigration policy in the United States to facilitate the entry of people from Italy on the grounds that doing so would reap numerous benefits. The American Committee on Italian Migration (ACIM) was the key lobbying organization, and its members advanced the novel argument that the threat of a communist takeover in Italy would be reduced by permitting the migration of Italians to the United States. Leftist political parties made strong showings in the Italian general elections of 1946 and 1948, as widespread hunger and malnutrition created perceived “communists of the stomach” (Clayton, 2004) among impoverished voters. In other words, they were drawn to communism not out of principle but out of desperation. Remove the feelings of desperation, so the argument by ACIM went, and you would remove the appeal of communism. The lobbying efforts of ACIM bore fruit with the passage of the Refugee Relief Act of 1953, which allowed for the admission of sixty thousand Italians to the United States.²³

Special legislation would be passed again later in the decade to allow for more Italian emigration.

Thus, early postwar Italian migration policy revolved to a large degree around the imperative of giving Italians who wished to leave the access they needed to enter a country that had largely closed itself off to substantial migration from Southern European countries in 1924.

²³ The full text of this act can be found at http://tucnak.fsv.cuni.cz/~calda/Documents/1950s/Refugee_53.html. References to the issuing of visas for Italians can be found under Sec. 4 (a), sentences 5 and 6.

That year, U.S. President Calvin Coolidge signed into law a bill—often called the Johnson-Reed Act in reference to its main congressional sponsors—that severely restricted further migration into the United States by imposing quotas based on population numbers from the 1890 census. From 1924 onward, the number of immigrants admitted from virtually every country was capped at just two percent of the number of people from each particular country who had been living in the United States in 1890.

In the case of Italians, this reduced the quota of admitted applicants to just 3,845 per year. By contrast, the quota for Germany was set at 51,227, and the total for the United Kingdom and the Irish Free State came to 62,574 (*The New York Times*, 07/01/1924). An average of hundreds of thousands of Italians per year had been admitted to the United States in the years from the tail end of the nineteenth century—the years after 1890—into the first two decades of the twentieth. The decision in 1924 to cap admitted migrants at low numbers based on 1890 census figures, rather than the census figures from 1900 or 1910, was a deliberate and transparent strategy on the part of American lawmakers to firmly close the immigration door to peoples living outside of Northern Europe. The strategy worked, with Italian emigration slowing down considerably after 1924 and then even more so following the onset of the worldwide depression in the 1930s.

In the years after the end of World War II, Italian-Americans employed a shrewd and carefully crafted strategy designed to liberalize U.S. immigration policy in the direction of ending discriminatory treatment of their co-ethnics across the ocean. The clear appeal of communism in Italy provided a convenient pretext for achieving that objective. But victory for Italian-Americans and their full acceptance in society did not follow a linear path. Their success in getting the Refugee Relief Act of 1953 signed into law had been preceded in the year before by passage of the McCarran-Walter Act, a piece of retrograde legislation that reflected both

heightened national security concerns brought on by the Korean War (which broke out in June 1950 and did not end until an armistice was signed in July 1953) and the especially conservative tendencies of Pat McCarran²⁴, Democratic Senator from Nevada and a man whose influence the Italian-American community wished to counter.

Also known as the Immigration and Nationality Act of 1952, this legislation did stipulate the formal abolishment of certain outdated provisions contained in the Naturalization Act of 1790, including the requirement that eligible applicants had to be free white persons of good character. McCarran-Walter, however, did not do away with the annual quotas stipulated in the 1924 legislation, a disappointment that prompted President Harry Truman to veto the bill on 25 June 1952.²⁵ As a sign of Truman's own dwindling popularity near the end of his seven plus years in office, the veto was overridden despite the fact that both houses of Congress were controlled by Truman's Democratic Party. It was against this backdrop that those Italian-Americans who were mobilized would continue lobbying until all discriminatory restrictions on immigration in the United States were abolished in 1965.

Saving overpopulated Italy from communism by opening ever so slightly ajar a door to the United States became a dominant theme in the management of bilateral relations between the countries and solidified Italy's identity as an exporter of immigrants rather than an importer of one. More crucially, it framed the communist threat in Italy not as one emanating from outside infiltrators who wished to subvert the country's traditional society and institutions, but rather as an internal problem that could be solved through the alleviation of poverty via emigration as well

²⁴ McCarran is believed to have been the inspiration for Pat Geary, the fictional, virulently anti-Italian U.S. Senator from Nevada portrayed by actor G.D. Spradlin in *The Godfather Part II* (1974).

²⁵ Truman offered a lengthy explanation of his reasons for vetoing this bill. See his own written words on this legislation at <http://www.presidency.ucsb.edu/ws/?pid=14175>

as economic assistance. In addition, Italy after 1946 had no reigning figurehead monarch, rendering a moot point the fear that radicalized immigrants with voting rights would press for the country's transformation into a republic. Italians themselves had opted for that change in a referendum held shortly after the war's end on 2 June 1946, voting to end the monarchy by a margin of some two million votes (Nohlen and Stover, 2010). The effect of this whole framework for understanding the communist presence in Italy and subversive elements more generally was to give little or no thought to how foreigners entering the country would figure into the mix.

Italians and their co-ethnics overseas were indeed correct to view communism as a phenomenon unrelated to any immigrants residing in the country. Despite rapid economic recovery from the late 1950s and assistance from Italian-American lobbying groups in facilitating the emigration of tens of thousands of people to the United States, the Italian Communist Party (*Partito Comunista Italiano*, or PCI) remained one of the most electorally popular in democratic Western Europe until the collapse of the Soviet Union in the early 1990s. In the ten general elections held for both houses of the bicameral legislature from 1948 to 1987, the PCI garnered at least 20 percent of the overall vote each time (Nohlen and Stover, 2010). Moreover, home-grown left-wing paramilitary groups such as the Red Brigades committed numerous acts of violence in the 1970s and 1980s, most notoriously by kidnapping and then murdering former Prime Minister Aldo Moro in 1978. If Italians felt that their country was threatened by anybody during the later decades of the Cold War era in the 1970s and 1980s, then

surely they pointed to fellow native-born Italian citizens who supported communism or other extremist ideologies as the source of that threat.²⁶

This type of environment, it turned out, proved to be fertile ground for the rapid growth of an immigrant population. The next section will explain how and why this came to be, and how Italian immigration policy was long characterized by what Monica Colombo (2013) has called “ex post regularizations” of immigrants residing in the country. At the same time, however, Italy’s strong identification with having been a country of emigration for so many decades meant that the periodic regularizing of the status of immigrants was not a sign of a sea change in thinking, but rather more of an ad hoc response to a phenomenon that its political leaders did not wish to fully acknowledge. The result was a muddled policy that eventually gave way to near-crisis conditions with increasing numbers of migrants attempting to enter the country from Africa across the sea.

4.2 Italy: Emergence as a Destination Country

Becoming rich transformed Italy and Italians. Marshall Plan aid from the United States, recovery in neighboring European countries which served as vital export markets for Italian manufacturers, and charter membership in the European Economic Community from 1957 all paved the way for what became known as the Italian economic miracle. Initially, the push-pull dynamics discussed in Chapter Two fostered an internal migration as profound as what occurred in Japan. But while internal migration in Japan was a phenomenon that mostly involved the

²⁶ The single deadliest terrorist attack to occur on Italian soil since the end of World War II—the bombing of a Bologna railway station in August 1980 that killed 85 people and injured hundreds—was likely carried out by a far-right neo-fascist Italian group known as the Armed Revolutionary Nuclei, although nobody has ever claimed responsibility.

movement of people in rural areas to the major urban centers of Tokyo and Osaka, Italy's internal migration was more explicitly a case of people moving from south to north. One author estimates that more than two million people—a figure amounting to more than four percent of Italy's entire population in 1945—left the southern region in the two decades following the end of World War II, and that more than 1.6 million people had moved to the north of the country by the end of the 1960s (Capussotti, 2012). This was a logical consequence of the significant economic disparities that have been a feature of the Italian peninsula for centuries. Industrialization in the nineteenth centuries reinforced these disparities, as manufacturers like the automotive giant Fiat were founded in the prosperous Piedmont region bordering France and Switzerland. The south, as well documented by Robert Putnam in his landmark book on the region (1993), remained far less economically developed and even today remains emblematic of a larger Southern European area known for corruption, high unemployment, and lower levels of workplace productivity.

In line with push-pull dynamics, the rapid growth of Italy's industrial heartland in the north not only attracted internal migrants from the south but began attracting international migrants as well. From 1950 to 1973, Italy's gross domestic product grew by an average of 5.3 percent per year, and industrial production increased annually by 8.2 percent (Toniolo, 2013). It was at the tail end of this period of rapid growth, in the early 1970s, when migrants coming into Italy began outnumbering emigrants departing from the country. This transformation of Italy's economy pulled in workers from neighboring Yugoslavia and smaller numbers of citizens from less developed countries in Africa and South America. Del Boca and Venturini (2003) cite figures showing that Italy's foreign resident population doubled from 143,834 in 1970 to 298,746 in 1980, and then proceeded to more than double again to 781,100 by 1990.

For most of the 1970s and 1980s, this initial growth in the foreign population was not significant enough to compel any updating of Italy's immigration laws by politicians in the national government. The point of reference during most of these two decades remained the royal decree issued in 1931. The situation shifted, however, with the Italian parliament's passage of an immigration-related law in 1986 that marked the start of a new and very different era. Formally known as Law No. 943, one publication referred to it as "progressive legislation that placed foreign workers in the same category as Italian labourers."²⁷ And indeed, this law reflected many forward-thinking notions that had taken root in Italy during the preceding four decades of democratic, post-fascist rule under a constitutional order which required that the status of foreigners conform to international rules and treaties.²⁸ The aim of the law was to provide ex post regularization of the hundreds of thousands of undocumented workers who had entered the country without adhering to the very light regulations in place up to that time. Among the principle aims of the law were to ensure equal pay for equal work regardless of a laborer's nationality and to also recognize the right of foreign workers to have access to the country's social welfare provisions.

Estimates vary, but one author calculates that some 118,000 out of more than 200,000 undocumented workers who were residing in Italy at the time had their status regularized over a period of three months in 1986 (Levinson, 2005) with the issuing of temporary work permits. Only those foreign workers who had employer sponsors to vouch for them were eligible for the regularization scheme, thus greatly limiting its scope given the extensive nature of Italy's informal, underground economy. Nevertheless, it marked a step in a direction now regarded by

²⁷ Quote from "The Impact of Immigration on Italy's Society," published by the European Migration Network, 2004.

²⁸ As stipulated in Article 10 of the Italian Constitution, adopted in 1948.

some as mistaken, specifically a concerted attempt to reduce tensions between native and foreign workers by giving the latter equal status rather than simply ordering their expulsion from the country.

In line with the writings of Saskia Sassen on the spread of international norms, it is clear that Italy's reputation as a charter member and pillar of the European Economic Community would have been damaged by a strategy that embraced expulsion of undocumented workers as the top priority. In addition, Italy's unique position as home of the Roman Catholic Church made that institution a powerful player in facilitating the recruitment of domestic workers from what one author called the "Catholic strongholds" of the Philippines and Latin America (Sciortino, 2004). Such an influential domestic lobbying group, possessing a strong vested interest in maintaining cordial relations with individuals overseas, made a punitive approach of any kind to immigration unlikely in 1986.

By 2011, Italy's estimated foreign population was six times greater than what it had been in 1990, reaching more than 4.8 million people. This happened while the country's overall population did not increase much at all, from about 56 million to 60 million. Comparable foreign national populations in Japan and Germany grew at far slower paces during these years. Rather than providing a simple chronological history of how Italian legislators responded to this development by reforming national immigration laws, in the next section I will look at the growth of Italy's immigrant population from varying perspectives to try and explain an outcome that few analysts could have foreseen in the 1980s. Ultimately, in line with my institutions-focused theory, a turning point occurred when a politician from Italy's far right-wing and separatist Northern League (*Lega Nord*) political party was appointed to the crucial position of Minister of the Interior in 2008. By that year, Italian public opinion had shifted to the point

where the treatment of immigration as a security and law-and-order issue was more broadly accepted.

4.3 *Political Economy and Demographics*

One conventional narrative about the growth of the immigrant population in Italy is that it was largely driven by economic interests in an era when the average fertility rate among natives plummeted to levels far below the rate of replacement, which is considered to be 2.1 children per woman. Italy's fertility rate, following a general trend in much of Europe and Northeast Asia, went below the 2.1 mark in the 1970s and was down to 1.68 by 1980. It fell further to 1.36 in 1990 and then hit a low of 1.26 in 2000 before rising a little to 1.42 by 2011.²⁹ The fact that Italy's fertility rate did remain above the rate of replacement until the middle of the 1970s, therefore, would suggest that an adequate supply of native-born persons was able to satisfy employer demands until well into the 1990s. This, however, did not appear to be the case as the number of immigrant laborers grew rapidly from the 1970s onwards.

So what exactly was happening in Italy and why? As in the case of Japan, improved educational levels created an uneven labor market that relegated many of the available jobs to the so-called "3-D" category of dirty, dangerous, and difficult tasks that any person with a high school diploma or above found unattractive. This alone is not an unusual phenomenon, but its implications may have been greater in Italy than elsewhere because of its distinction as the largest national economy situated in a region (the Mediterranean) characterized by informal, underground, and seasonal work in areas such as agriculture, construction, and domestic aid. One

²⁹ All statistics can be found at the OECD iLibrary website, http://www.oecd-ilibrary.org/economics/oecd-factbook-2014/total-fertility-rates_factbook-2014-table8-en

scholar (Ambrosini, 2013) wrote that it is “one of the greatest illusions of our time” to believe “3-D” tasks have disappeared in Italy due to the advances of the new economy. Rather, many analysts have explicitly pointed to the existence of a Southern European or Mediterranean model of immigration that has been resistant to structural changes in the European and wider global economy. Most prevalent in Portugal, Spain, Italy, and Greece, this model tends to be characterized by subcontracting, moonlighting, tax evasion, and other forms of irregular employment and methods of payment. King and Zontini (2000) cited figures estimating that the informal economy might have accounted for up to one-quarter of Italy’s gross domestic product in the middle of the 1990s.

This conventional explanation, however, of labor shortages in the traditional sectors of the Italian economy being filled by immigrant laborers does not sufficiently account for the extraordinary growth in the country’s foreign resident population. Although talk of the new economy may be overstated, deindustrialization is a real phenomenon that hit certain sectors of the Italian economy hard in the 1990s and 2000s. To take but one example, automobile production in Italy declined from 1,701,256 units in 1999 (both passenger and commercial vehicles) to just 697,864 units in 2014, a staggering decrease of nearly 59 percent in annual automobile production in the space of just fifteen years. In that time, Italy went from being ranked tenth among nations in the world in annual automobile production to twentieth, falling behind previously minor sites of assembly such as Slovakia, Iran, and Indonesia.³⁰

An alternative explanation for the continuing attraction of Italy as a destination for immigrants is rooted in preferences with respect to family dynamics. In sharp contrast to Japan, there has existed in Italy from the 1970s onward considerable demand for domestic household

³⁰ Statistics taken from the *Organisation Internationale des Constructeurs d’Automobiles* (OICA), www.oica.net

workers as maids, home health care aides, and other types of live-in caregivers. The reasons for this development are complex and multifaceted. Rather than fertility rates below the rate of replacement, which as noted before did not become an issue for the Italian labor market until the 1990s, it was the scaling back of generous welfare state provisions following the first oil crisis of 1973 that inaugurated an era of so-called permanent austerity (Pierson, 1998 & 2002) and thus impacted labor markets and family structures. The labor force participation rate for females in Italy, which stood at 25.6 percent in 1972, steadily climbed in the following decades and stood at 39.7 percent in 2012.³¹

While changing norms regarding the role of women in the workplace accounted for part of this change, economic imperatives played a role as well. The widespread reluctance of Italian families to alter domestic patterns of behavior in tandem with the greater participation of women in the workforce illustrated how much the increased female labor participation rate was driven by structural rather than cultural shifts. More women worked as Italians continued living longer and longer, with average life expectancy at birth increasing by 10.7 years from 1970 to 2011. This was above the overall increase of 10.1 years in life expectancy among residents of OECD countries during that 41-year period.³² This did not lead, however, to widespread acceptance of the idea that elderly family members should be placed in nursing homes to relieve the burden placed on women who were now increasingly viewed as both caregivers and breadwinners.

This shift in the role of women did not lead to men assuming a noticeably greater share of domestic household responsibilities, either. According to OECD data, women in Italy performed

³¹ Data taken from the U.S. Bureau of Labor Statistics, and cited by the Federal Reserve Bank of St. Louis: <http://research.stlouisfed.org/fred2/series/ITALFPWNA>

³² Data taken from Statista, <http://www.statista.com/statistics/236775/increase-in-life-expectancy-worldwide-by-country/>

an average of 213 minutes of “routine housework” per day in 2008 while men carried out an average of just 51 minutes of the same work per day in 2008 and 2009. The ratios in nearby European countries were also skewed but not to such a lopsided extent. The female/male ratio for average minutes of routine housework per day in Germany in 2001-2002 stood at 164/90, while in Sweden the female/male ratio in 2010 was much closer to parity at 95/79. Even Spain, with a status similar to that of Italy as a Mediterranean state where notions of family life and gender roles have been influenced by a conservative Roman Catholic tradition, had a less lopsided female/male ratio for minutes spent on routine housework at 127/76 in 2009-2010.³³

Instead of facilitating a major shift in the family structure, Italy turned to foreign laborers to fill the resulting gap. Franca van Hooren (2010) cites data showing that registered domestic workers in Italy increased greatly both in absolute terms and as a percentage of the total number of domestic workers overall. From the years 1972 to 1982, the average number of registered foreign domestic workers in the country per year was just 5,603 and only 5.6 percent of the total average number of registered domestic workers (100,430) in the country counted per year. By 1992, foreigners accounted for 20.4 percent of the total number of registered domestic workers (53,861 out of 263,956). Just fifteen years later, in 2007, the total number of registered domestic workers had more than doubled to 597,281. Foreign workers accounted for a staggering 77.7 percent of this total at 464,033, outnumbering Italian nationals employed in the field by more than three to one.³⁴ Even taking into account that these figures exclude undocumented and

³³ Data can be accessed on OECD website at <http://www.oecd.org/gender/data/balancingpaidworkunpaidworkandleisure.htm>

³⁴ All data taken from van Hooren, “When Families Need Immigrants: The Exceptional Position of Migrant Domestic Workers and Care Assistants in Italian Immigration Policy (2010).” Van Hooren cites statistics from the Istituto Nazionale Della Previdenza Sociale (INPS) in Rome and the work of Raffaella Sarti (2004).

unregistered domestic workers, this was still an extraordinary change that occurred over a relatively brief period of time. Domestic workers from nearby countries such as Romania, Moldova, and Ukraine were the primary beneficiaries of these periodic regularizations.

The growth in the number of domestic workers from foreign countries was aided and abetted not just by the decline in viability of single-income households and the lack of corresponding changes in family dynamics, but by additional regularizations of migrant laborers as well. Three different pieces of legislation named after their main sponsors in parliament—the Martelli law of 1989, the Turco-Napolitano law of 1998, and the Bossi-Fini law of 2002—were all passed with the intention of selectively applying “carrot and stick” policies to reward those foreigners in Italy who were properly employed but not documented and to deal harshly with those who were in the country already or trying to get there and either unemployed or not properly employed, i.e. involved with the informal economy. Specifically, the Turco-Napolitano law took an initial punitive first step by authorizing the creation of detention centers intended to facilitate the expulsion of undocumented migrants.

But if this type of mixed approach was supposed to make Italy more selective in its absorption of immigrants, then it clearly did not work out as intended. The foreign population grew far beyond simply meeting the demand for domestic workers and finding laborers to perform the “3-D” tasks. The ethnic and racial composition of the foreign population also changed greatly over time. In 1970, citizens of European countries—who were, at the time, overwhelmingly white—accounted for 61.3 percent of Italy’s documented foreign population and citizens of African and Asian countries made up only 11.1 percent of the total (Del Boca and Venturini, 2003). By 2000, Europeans as a percentage of the known foreign resident population made up just 38 percent of total, while Africans accounted for 29 percent and Asians another

18.6 percent. This was not the result of any kind of concerted effort on the part of the Italian government to make the country more diverse and multicultural. On the contrary, the rapid growth of Italy's immigrant population alarmed many and created a serious backlash against not only foreign residents but against the government. What role did Italy's governing institutions play in bringing about this outcome, given that structural pressures related to economic shifts are insufficient to explain what happened? The next section will examine these institutions and how they responded.

4.4 *Italy's Political Institutions*

Politicians and bureaucrats in Italy have not been absent from the policy debates about immigration, but in light of the six-fold increase in the country's foreign population in the space of a generation they came across as detached from facts on the ground and growing anti-immigrant attitudes among members of the public. It is a sign of the general lack of concrete interest in the immigration issue that the Northern League, a political party established in 1989 on the principles of avowed separatism and outright secession, evolved instead into the political party that took the strongest stand on the growth of Italy's foreign population. Furthermore, this section will examine the contradictory and difficult balancing act that the Northern League has been forced to embrace as a xenophobic political party based in the region of Italy that is home to the largest number of immigrants and regarded as most heavily dependent on their labor.

For decades, postwar Italian politics was dominated by Christian Democracy (*Democrazia Cristiana*, or DC), a centrist, catch-all party that emphasized Roman Catholicism and a firm commitment to open markets as ways of distinguishing itself from the communist and socialist parties and others on the left end of the spectrum. Immigration was not a major issue for

members of the political class. As for the Italian bureaucracy, the organization mainly responsible for immigration matters was the Ministry of Interior, which was established in 1861 at the time of the modern Italian state's founding. From 1946 to 1994, every person who held the post of Interior Minister in Italy was a politician from the DC, in keeping with the norms of a parliamentary system where cabinet ministers are drawn from members of one of the ruling political parties.

The political party of the Interior Minister finally changed in 1994 following the first general election to be held under a new electoral system. Momentous internal and external developments rocked the Italian political system in the early 1990s, leading to fundamental change. The collapse and dissolution of the Soviet Union in 1991 called into question the rationale for the continued existence of Italy's major left-wing parties, and a massive corruption scandal ensnared several of the major players in the country's multiparty system and led to the complete disappearance of several major parties.³⁵ General disgust with this state of affairs led to the passage by parliament of a sweeping new electoral law in 1993, one that replaced the old system of proportional representation with a hybrid system that allotted about 75 percent of seats in both houses of the bicameral legislature to election via single member districts where a plurality of the vote would suffice for victory. Though there is much disagreement about the impact of single-member districts on political outcomes, the landmark findings of Maurice Duverger (1951) and Anthony Downs (1957) regarding the structural tendencies towards favoring two-party dominant systems and the courting of the median voter are generally accepted.

In Italy, the politician who would prove most adept at maneuvering within the new political system to gain power would be media magnate Silvio Berlusconi. Realizing that small

³⁵ The Italian term for the system of corruption is *tangentopoli*, a compound term referring to kickbacks and cities.

parties would continue to play a vital role with 25 percent of parliamentary seats still allotted via proportional representation, Berlusconi aligned his new centrist Forza Italia party—which had been founded in 1993 following the implosion of the scandal-ridden DC—with the Northern League and other small, right-leaning parties in advance of the 1994 general election which was held on 27 March. This coalition won a victory and landed Northern League politician Roberto Maroni a coveted spot as Interior Minister in the new government headed by Berlusconi as prime minister. For a small regional party, the Northern League made an extremely impressive showing under new rules that favored large parties, managing to win 113 out of 630 seats in the Chamber of Deputies (European Election Database). These results were made possible by heavy concentrations of support for the Northern League in the single member districts of the Lombardy, Piedmont, and Veneto regions. This new government under a new system was short-lived, however, and collapsed after just eight months in power before disbanding in January 1995.

As Interior Minister for that brief period, Maroni gave a hint of how the Northern League had evolved from a party seeking regional autonomy to one that embraced hardline anti-immigrant attitudes. Although OECD data³⁶ show that the documented foreign population of Italy actually declined a bit in the first half of the 1990s from 781,138 in 1990 to 677,191 in 1994 before significantly increasing in the second half of the decade, the perception was already growing that Italy's lengthy coastline was especially vulnerable to unauthorized landings by migrants and refugees escaping from recently war-torn or economically unstable areas in Albania and the former Yugoslavia. In late 1994 Maroni was quoted as saying that "(i)llegal migrants must be expelled"³⁷ as the government sought ways to pass a law that would be more punitive

³⁶ OECD iLibrary.

³⁷ Quoted in Reuters News, 29 November 1994.

than the previous legislative efforts in 1986 and 1989-90 which were rooted in the desire to regularize those foreign workers who were properly employed.

On the other hand, however, left-leaning politicians in the opposition made it clear that punitive measures would not be unanimously supported. This went against a long-standing tradition of laws in Italy being enacted by large parliamentary majorities that included left-wing opposition members.³⁸ Paola Gaiotti De Biase, one lawmaker from a left-wing party, stated at the time of Maroni's 1994-95 tenure as Interior Minister that Italy "can't totally block immigration. People will continue to arrive and the phenomenon must be governed."³⁹ This type of opinion was widely expressed by Italian politicians on the left, who emphasized the need for social welfare provisions to be made available to at least some of those arriving from overseas. The existence of such a base of support for immigrants made passage of legislation designed to crack down on them in a major way difficult despite the presence of a person like Maroni in a key ministerial position.

Not only was the consensual nature of Italian politics an obstacle to truly reversing the direction of immigration policy despite the emergence of the Northern League as a part of the ruling coalition government for the first time, there was also little sign of a bureaucracy where officials possessed both independent authority on the matter and strongly held opinions about what steps to take next. Institutional arrangements inherited from the Cold War period had not invested any one government ministry with a strong sense of mission regarding the regulation of foreigners in the country, and the corruption scandals of the early 1990s damaged the reputation

³⁸ Giovanna Zincone discusses this tendency towards consensus in his working paper, "Italian Immigrants and Immigration Policy-Making: Structures, Actors, and Practices."

³⁹ Reuters News, 29 November 1994.

of the bureaucracy as well as politicians. Zincone (2006) repeatedly stresses that policy experts who are not career civil servants have played a major role in Italy's government ministries, advising politicians at the beginning of a new political cycle or mandate when expertise on particular issues is lacking.

According to Zincone, one such expert on immigration in the 1990s was a man named Guido Bolaffi. A glance at his online biography⁴⁰ shows that Bolaffi's career prior to entering government included work as a sociologist and a trade unionist affiliated with the Italian General Confederation of Labor. This hardly fits the career profile of the kind of civil servant seen in Japan who is imbued with an *esprit de corps* and a sense of purpose oriented towards fulfilling the essential core mission of his or her organization. And in fact, Zincone argues that Bolaffi played a pivotal role in building up the institutions for the new Ministry for Italians Abroad and Immigration that was set up in 1991 under Prime Minister Giulio Andreotti. The fact that the government felt compelled at the time to set up such a new ministry illustrated the power of elected politicians over bureaucrats and the generally ad hoc process of responding to periodic refugee inflows resulting from what would later be called the Albanian crisis.

The fact that the new ministry's name also referred to "Italians Abroad" reflected growing concerns about continuing leniency towards immigrants in the absence of any firm policy. This is not to be confused with an overtly pro-immigration policy, because at no point did the Italian government voice a commitment to proactively encouraging in-bound migration flows and promoting ethnic diversity. On the contrary, the attachment of "Italians Abroad" to the new ministry's name reflected Italy's continuing self-identification with being a country of emigration, as well as the hope that the reverse migration of some of those overseas ethnic Italian

⁴⁰ Biography can be found at <http://www.west-info.eu/editorial-staff/guido-bolaffi/>

back to the homeland could offset the wholly new inflows of migrants from a nearby region that had imploded. Furthermore, this was set up as a ministry without portfolio, meaning that it had no budget of its own and could not infringe on the authority of other ministries. The arrangement made little difference in policy, and in fact the new ministry without portfolio was promptly abolished after only a year of existence when a new government under Prime Minister Giuliano Amato took power in June 1992 (Veugelers, 1994).

The events of the 1990s in Italy showed that political and bureaucratic institutions changed, but not exactly in ways that responded to the growing reality of the country's transformation into a place of immigration. There appeared to be far greater concern with rooting out corruption by transforming the electoral system and the ministries responsible for immigration policy appeared to be influenced to a large degree by outside experts and the politicians who relied on such individuals as opposed to the career civil servants. Growing perceptions of a causal link between increased number of immigrants and higher rates of crime did lead Minister of Interior officials like Maroni and even his less draconian successors from other parties to express concerns about the need to crack down on illegal immigrants, but even that sentiment did not translate into a slowdown in the growth of the foreign national population after 1995 or the introduction of unambiguously punitive measures.

Furthermore, influential analysts and elite experts in Italy have long questioned the connection between immigration and crime. A paper published in 2010 analyzed crime and immigration in Italy's regions from 1990 to 2003. The conclusion of the authors was that "neither the overall crime rate nor the number of most types of criminal offense [sic] are significantly related to the size of the immigrant population (once endogeneity is taken into

account).”⁴¹ They did acknowledge a link between more immigrants and higher rates of robberies, but they were quick to also point out that robberies represent a “very minor fraction of all criminal offenses.”⁴² And given the strength of the political left in Italy, there was never any consensus on regarding immigrants as bad simply because of this correlational link.

Although the aforementioned Turco-Napolitano law of 1998 did introduce detention centers for the first time, it was passed under a center-left governmental alliance known as The Olive Tree, led by Prime Minister Romano Prodi. Not surprisingly, the law reflected the preferences of ruling coalition to a large degree, disappointing hardliners. One key provision that added on another layer of regularization and distinguished it from previous legislation abolished the principle of “availability of local labor” as a factor in determining the quantity of overseas laborers to be admitted. In other words, compulsory labor immigration quotas would be fixed and so-called jobseeker entry permits of one year in length would be granted (Magnani, 2012). This was a landmark development that recognized, for the first time, foreign workers and residents as an established, integral part of the Italian economy, if not society. It was also a change that appeared both to undermine the power of organized labor among native Italians and satisfy the preferences of Catholic-oriented lobbying groups which placed a premium on treating foreign workers in a humane manner, sending mixed signals to core elements of the political left.

Even more revealing about the deliberations surrounding Turco-Napolitano’s passage in March 1998 was how its justification was framed by Giorgio Napolitano, one of the bill’s main sponsors and the person who served as Interior Minister in the center-left government under

⁴¹ Quote from “Do Immigrants Cause Crime?,” a working paper by Milo Bianchi (Paris Dauphine University), Paulo Buonanno (University of Bergamo), and Paolo Pinotti (Bank of Italy), November 2010.

⁴² Ibid.

Prime Minister Romano Prodi from 1996 to 1998. Rather than rationalizing the creation of detention centers as a necessary measure for protecting Italy from the unchecked growth of illegal immigrants and all of the attending negative consequences of such growth, Napolitano instead framed the bill as a way of demonstrating to the rest of Europe that Italy was capable of acting as a competent “gatekeeper” for the so-called Schengen Area. As part of the legal framework of the European Union, the Schengen Area was conceived as an open area with border controls among member states completely abolished. The original agreement that came into force in 1995 applied to Germany, France, Spain, Portugal, and the three small Benelux countries. Italy and Austria gradually started abolishing border controls in 1997 and completed the process by 31 March 1998.⁴³ In theory and practice, traveling from Italy to France or Germany would now be no more cumbersome than traveling from Virginia to Maryland or Delaware.

Speaking in 1997, as Italy was preparing to fully enter the Schengen area, Napolitano argued that passage of the law he was sponsoring would clearly prove “as false some prophecies stating that Italy would not be admitted because Italian borders are not trustable, because Italy is a colander and the soft belly of Europe.”⁴⁴ Implicit in this kind of reasoning was the belief that foreigners entering Italy from non-EU countries intended to find work or places of residence in other EU countries, thus creating headaches for Italy’s partners in the continent’s quest to achieve further regional integration. It is telling that the Interior Minister of a country would use this type of reasoning to support passage of a bill which ostensibly aimed to deter illegal

⁴³ Information on Schengen, authored by the European Commission, can be found at http://biblio.ucv.ro/bib_web/bib_pdf/EU_books/0056.pdf.

⁴⁴ Speech by Napolitano, 19 October 1997, quoted in Magnani (2012).

immigrants from coming into Italy. Instead, Napolitano framed the issue as one that could harm Italy's reputation as a reliable border guard for the French and Germans. He implicitly argued that Italy's reputation as a "soft belly" (perhaps unintentionally calling to mind the wartime image of fascist Italy as a "soft underbelly" vulnerable to an invasion launched from the south) could threaten the country's status as a charter member of the EU.

Some of the punitive measures in Turco-Napolitano were also watered down by a crucial distinction that was made between "clandestine" and "irregular" migrants. While the former were viewed as migrants who were simply hidden from the authorities and not making any kind of worthwhile contribution to society, the latter were treated as individuals who were less deserving of prompt incarceration and deportation on the grounds that they were at least employed somewhere and thus helping out in a country with a very low fertility rate and in need of laborers owing to the "baby bust" dating from the 1970s. With fertility rates below the rate of replacement since the middle of the 1970s, the "baby bust" began taking a real toll on labor markets in the late 1990s as the generation coming of age into adulthood was smaller than previous cohorts.

The creation of this kind of "clandestine/irregular" distinction reflected the power of far-left political parties in The Olive Tree governing coalition, the preferences of Catholic and business lobbies, and a general reluctance to group all migrants without proper residency status under one negative classification. In the end, the law that was passed in 1998 contained the proviso that immediate forced expulsion could be applied to undocumented immigrants only in cases where they were considered "not integrated in the socio-economic context."⁴⁵ In other words, this type of language provided an exemption from expulsion for those migrants who were

⁴⁵ Magnani (2012), quoting from Luca Einaudi (2007), *Le Politiche dell'Immigrazione in Italia dall'Unità a Oggi*.

judged to be integrated in the socio-economic context of Italy through their employment in the informal economy or in another capacity.

This section has illustrated how the lack of precedent for regarding immigration as a potential form of subversive infiltration gave rise to a fluid situation that permitted what would eventually become the rapid growth of Italy's immigrant population. Despite being a net country of in-bound migration since the middle of the 1970s, there existed no real tacit legislative acknowledgement of this fact in Italy until 1998. This did not mean, however, that Italian politicians and bureaucrats were ever overtly hostile to continuing in-bound migration. On the contrary, most of them apart from Northern League members did not appear to feel especially passionate about the issue one way or the other, thus providing some leeway for businesses and families that sought out cheap labor from abroad. In recent years, however, the situation appears to have changed. Italians have come to view the instability across the sea in North Africa with the kind of alarm almost never seen before, shifting the state's identity vis-à-vis the sending regions and enabling the Northern League to finally implement some its most preferred policies. The following section will analyze some of the developments since the year 2000, followed by the chapter's conclusion.

4.5 *Italy: Shifting Identity in the New Millennium*

Italy has experienced a dizzying pace of change in the demographics of its population in the last fifteen-plus years, with the foreign population rising from a bit less than 1.1 million people in 1998 to more than 4.8 million people by 2011 (OECD iLibrary). Insufficient state capacity to guard the nation's lengthy coastline may offer one explanation for this extraordinary and unanticipated increase in the foreign population, but it cannot be said that this change

occurred for lack of trying on Italy's part to stem the tide. The back and forth of Italian politics led to the return of a center-right government to power following the May 2001 general election, with Berlusconi coming back to the prime minister's office for a second time. He headed a coalition of parties known as the House of Freedoms, and the Northern League was again included in the coalition. The Northern League did not fare as well in this election as it had in previous ones, retaining just 30 of the 59 seats it held previously in the Chamber of Deputies⁴⁶, but that was enough to give its party leader Umberto Bossi a position in the government as Italian Minister for Institutional Reforms and Devolution.

Shifting real political powers from Rome to Italy's regions has, of course, been a major objective of the Northern League since its creation. Devolution has been an ongoing process in Italy since the 1970s, but immigration has remained the domain of the central government. To that end, Bossi used his years in the second Berlusconi government (2001-2006) as a means of pressuring Giuseppe Pisanu, a Forza Italia party member who held the portfolio of Interior Minister, to support legislation in yet another attempt by hard-liners to move beyond ex post regularizations. At one point in 2003, Bossi reportedly said that he expected Pisanu to show up to a cabinet meeting "with extremely convincing regulations for the implementation of the law on immigration in his pocket or the whole thing is going to go to blazes."⁴⁷

By "the law," Bossi was referring to legislation passed in 2002 that he co-sponsored and which would become known as the Bossi-Fini law, or officially Law No. 189/2002. This was thought to be a turning point with explicit input provided by a Northern League politician. Once

⁴⁶ Figures cited on the website Trade Bridge Consultants, a firm specializing in political risk analysis: <http://tradebridgeconsultants.com/country-index/italy/political-parties/northern-league/>

⁴⁷ BBC News, 16 June 2003 (<http://news.bbc.co.uk/2/hi/europe/2995084.stm>)

again, however, it was telling how the problem was framed as one that threatened not Italy so much as the supranational organization to which it belonged. The technical report accompanying the draft of the law referred to the necessity of “countering the danger of a real invasion into Europe.”⁴⁸ The nativist inclinations of the Northern League were downplayed in favor of conveying firm intentions to Germany, France, and other European partners. Italy’s identity, never explicitly tied to the notion that protection from outside settlers was key to maintaining a strong state, now appeared to be more dependent than ever on mollifying the concerns of other Europeans.

To that end, Bossi-Fini attempted to reverse some previous trends, restoring the requirement that recruitment of foreign workers be made conditional upon availability of Italians. In addition, going forward the law also decreed forced deportations without any loopholes or distinctions made between clandestine and irregular migrants. But once again, a law intended to be more punitive relative to previous efforts ended up becoming a pathway for another round of mass regularizations, as migrants already residing in the country for at least three months were made eligible for such status. Initially, anti-immigrant forces had pushed for the idea that regularization should be allowed only for undocumented workers employed in the domestic household sector, known in Italian as *colf e badanti* (directly translated into English, this comes out as “domestic workers and caregivers”). Centrist parties in the House of Freedoms coalition, however, came out against creating such a narrowly defined category. Employers of seasonal laborers and in other sectors voiced their opposition as well. A compromise was struck that permitted employer-led regularizations of dependent workers only, thereby excluding the self-

⁴⁸ Quoted in “The Criminalization of Irregular Immigration: Law and Practice in Italy,” <http://www.wiss-lab.dirpolis.sssup.it/files/2013/05/Libro-dirpolis-1.pdf>

employed and unemployed. Nonetheless, the result was effective amnesty for some 700,000 workers between 2002 and 2004 (Salis, 2012).

The growth of Italy's foreign population was a phenomenon driven by the demands of Italians themselves. They had turned their country into a multiethnic nation home to hundreds of thousands and then millions of people from countries such as Romania, Morocco, Albania, and even China. Immigrants from the last country found a base for themselves in the historic northern region of Tuscany and became mainstays in the garment and textile industries of the cities located there. In the medium-sized city of Prato alone, the first group of just 38 Chinese workers who arrived in 1989 transformed into an estimated Chinese population of 40,000 people out of 180,000 residents by 2010.⁴⁹ Lacking any ugly historical precedent such as the Chinese Exclusion Act of 1882 in the United States, Italy became home to a thriving, entrepreneurial “made in Italy but made by Chinese” sector producing ready-to-wear apparel.

But the establishment of periodic regularizations of undocumented workers as a seemingly normal process began taking its toll and generated an enormous backlash in public opinion polls by the middle decade of the 2000s. While native Italians had driven the demand for foreign labor, they appeared to become dismayed by the failure of political institutions to avoid effectively rewarding huge numbers of illegally employed workers time and again. Of course, Italians were responsible for this state of affairs—not least by repeatedly electing to office politicians who opted for ex post regularizations by majority votes—but perhaps a bit of cognitive dissonance was at work.

⁴⁹ *Financial Times*, 9 February 2010

The Pew Research Global Attitudes project extensively polled Italians on their views of immigration and immigrants beginning in 2002.⁵⁰ That year, when asked to categorize the influence of immigrants as good or bad, only 25 percent of Italians chose the former while 67 percent chose the latter. In 2003, 68 percent of Italians polled agreed with the statement, “Our way of life needs to be protected against foreign influence.” In France, Germany, and Britain the respondents who agreed stood at 53, 51, and 51 percent respectively. By 2007, 64 percent of Italians polled described immigration as a “very big problem” compared to respective numbers of only 29, 32, and 40 percent in France, Germany, and Britain. In that same year, polling showed that Italians attitudes did not differ considerably according to the race or ethnic background of the immigrants. When asked about immigration from the Middle East and North Africa versus immigration from Eastern Europe, in each case exactly 67 percent of Italians declared it to be a bad thing.

Negative feelings about immigrants alone do not lead to the conditions for the implementation of more restrictive policies. But in Italy, overwhelmingly negative public opinion gave Northern League politician Roberto Maroni a second opportunity to serve as Interior Minister when a general election held in April 2008 yielded victory for yet another center-right coalition led by Berlusconi, who took the prime minister’s job for a third time. Berlusconi had served as prime minister for five years from 2001 until a center-left government took power under Prodi (for a second time, after his 1996-1998 stint) following elections in 2006. Italy’s ruling government had repeatedly changed hands between left and right since the scandals of the early 1990s, reflecting general dissatisfaction among voters on a range of policies and perhaps little reason to expect anything different under Berlusconi, Part Three.

⁵⁰ All data in this paragraph can be found at www.pewglobal.org.

But on immigration, the situation was different by 2008. In effect, the identity of the Northern League as xenophobic and fearful of outside influence had effectively become the national identity of all of Italy. This was a sea change that, ironically, brought the feelings of southern, central, and island-based Italians into line with their ostensibly separatist fellow citizens in the immigrant-heavy north. Sensational media reports of crimes committed by immigrants, such as the brutal killing of a middle-aged Italian woman by a Romanian citizen of Roma (also known as Gypsy) origins in October 2007, added to the growing anxiety which one newspaper called “a continuing anti-foreigner outcry unmatched in Italy’s recent history.”⁵¹ The victim, a woman named Giovanna Reggiani, was killed in the capital city of Rome, far from the Northern League’s base of support. Crucially, Romania had acceded to full membership in the European Union on 1 January of that year, and many outraged Italians viewed these circumstances as evidence that their country had made it too easy for a man like Ms. Reggiani’s killer to gain entry from his much poorer and more troubled homeland.

The creation of the first detention centers in 1998—or what are more antiseptically called “immigrant reception centers”—also ended up having the unintended effect of making Italians more acutely aware than ever before of the porousness of their southernmost areas relative to the African continent. Lampedusa Island, a tiny sliver of Italian territory in the Mediterranean Sea that is less than eight square miles in size, is far closer to Tunisia (70 miles away) than it is to the Italian peninsular mainland or even Sicily (109 miles). It became the site of one of the original detention centers opened around the country in 1998, quickly turning into the most likely point of destination for illegal migrants arriving from Africa on often rickety boats. In the years that followed, periodic collective expulsions of African migrants from Lampedusa to Libya (even

⁵¹ *The Guardian*, 1 November 2007.

though most of the African migrants were not Libyan citizens⁵²) occurred and led to a significant thawing in Italy-Libya relations during the second Berlusconi administration. Muammar Gaddafi, the eccentric Libyan dictator who had been known since his seizure of power in 1969 for his fiery anti-colonial rhetoric and financial support for terrorist groups such as the Irish Republican Army, suddenly became a partner the Italians could work with in stemming the flow of migrants from Africa. The fate of what happened to those Africans sent to Libya, where human rights abuses were a normal occurrence, was apparently not a great concern. Television footage of Africans risking their lives to reach Italy did not elicit much sympathy and instead heightened the sense of alarm about Italy's vulnerability to being overwhelmed.

These developments culminated in the Northern League's effective domination of immigration policy during the center-right coalition government that ruled Italy from 2008 to 2013. Maroni served as Interior Minister during those first three years and managed to leave his imprint on legislation to an extent not seen before by a Northern League politician. A series of laws and decrees enacted in 2008 and 2009 came to be known as the "Security Package" and authorized, among other things, the setting up of citizens' patrol groups to monitor immigrants and report crimes committed by them. The maximum period of detention in one of the regional "immigrant reception centers" was extended from 60 to 180 days, increased penalties were mandated for anybody employing immigrants without proper residence permits, the time required to gain citizenship through marriage was extended, and simply existing as an illegal immigrant in the country was made a crime punishable by a fine of up to ten thousand euros (di Martino et al, 2013).

⁵² Data are not reliable, but a good portion of the individuals attempting to reach Italy were thought to come from Ethiopia, Eritrea, and Somalia—3 countries that were all ruled or occupied by Italy in the first half of the twentieth century, and which all experienced violence and unrest due to civil or interstate wars in the 1990s.

As a sign of how radical a departure this legislation was compared to what had been enacted before, some of the reaction was harsh and condemnatory. A 2 July 2009 press release by the *Unione Camere Penali Italiane*, a lobbying group representing members of the legal profession, declared that one of the draft security laws contained “radically unacceptable content” that would not “guarantee more security” through “more detention and more punishment” but instead lead to the “collapse of the prison system” in Italy by burdening it with excessive numbers of imprisoned migrants.⁵³ Despite protests like these, a punitive measure officially known as Law No. 94/2009 came into force on 15 July 2009.

The impact of the “Security Package” since 2009 has really been more symbolic than substantive. Some changes in the data have been noticeable, according to the OECD iLibrary. Outflows of foreign population by nationality, which stood at 14,814 in 2007, more than doubled to 32,404 by 2011. The move to criminalize the status of being an illegal migrant had an impact as summary deportations rose. But these numbers were dwarfed by the annual inflows of foreigners, with that number declining from 490,430 in 2007 to a still very large 354,327 in 2011. Moreover, Italy’s foreign population during this four-year period rose from about 3.4 million to some 4.8 million, an increase of more than forty percent. Ambrosini (2012) has estimated that, with at least 500,000 undocumented immigrants residing in Italy in 2009, the expulsion of some 14,000 people in that year amounted to just three percent of the total. At such a rate, decades or even more than a half-century would be required to actually rid the country of all such individuals. Nevertheless, it appears Italy has brought to an end the era of periodic ex post regularizations that characterized and really dominated immigration policy from the 1980s into the early 2000s.

⁵³ Di Martino et al (2013), p. 12.

4.6 Conclusion

Legislative changes in 2008 and 2009 marked an important change in Italian immigration policy, reflecting the emergence of an induced preference for treating foreign nationals as a potential threat to the safety and security of the country and its people. It took a long time for this change to occur. Did it happen simply because the immigrant population kept growing and growing? In other words, is viewing immigrants as a threat to the state simply a matter of seeing more of them in daily life until feelings reach a tipping point? My answer to that question is negative. Images from the detention center on Lampedusa Island, opened in 1998, were crucial in gradually shifting the frame through which Italians viewed the porousness of their southern coastal regions. The perception that Italian politicians were more worried about safeguarding the country's reputation in the European Union than with protecting the country itself added to the growing disillusionment with governing institutions. The Interior Ministry, where bureaucrats had never held especially strong views, finally became a center of punitive, anti-immigrant action when Northern League politician Roberto Maroni held the top job there for a second time from 2008 to 2011.

The collapse of Qaddafi's regime in Libya in 2011 and the subsequent implosion of any effective central governing authority in Tripoli have only heightened the siege mentality of Italians in the years since. Libya, for the first time since achieving full independence from the joint French and British occupation in 1951⁵⁴, appeared to be completely incapable of stopping the movement of third-country people from its shores to Italian territory. In effect, the stable, oil-rich North African buffer zone separating Italy from the poor, unstable countries of sub-Saharan

⁵⁴ The Italian colonial regime in Libya fell in 1943, the same year Mussolini was driven from power.

Africa and the Middle East was removed. This was graphically illustrated when a ship overloaded with refugees who had apparently fled from war-torn Syria, impoverished Palestine, and elsewhere departed from Libya and sank near Lampedusa in October 2013. At least 360 people were reported dead or missing.⁵⁵

It is cruel and ironic that the Arab Spring, which began with so much promise in Tunisia and Egypt in the early months of 2011 before engulfing a good portion of North Africa and the Levant in turmoil, has radically shifted Italy's position and identity in the Mediterranean region. Long viewed as corrupt, dysfunctional, and all too tolerant of a large underground economy, Italy is suddenly a nation of relative tremendous stability facing a situation not unlike the one that the Japanese felt they confronted vis-à-vis the unstable Korean Peninsula in the late 1940s and early 1950s. There is still no monolithic ideology like communism or even Islamic extremism against which Italians can coalesce, but that may not be a necessary precondition for giving rise to an induced preference in favor of stricter immigration controls and greater oversight by the bureaucracy and law enforcement authorities. The fiscal and demographic rationalizations in favor of accepting immigrants to shore up the tax base and working-age population are simply not as compelling as they once were in the face of this changed regional environment.

That does not mean, however, that Italy will soon evolve into a fortified security state along the lines of how Japan was transformed in the early 1950s. The Catholic Church and left-of-center politicians, now led respectively by the hugely popular Pope Francis and the telegenic, youthful Prime Minister Matteo Renzi, are countervailing forces in Italian society that oppose the hardline stance of Northern League activists. Equally important, there does not exist any kind of

⁵⁵ *The New York Times*, 3 October 2013.

outside major power that feels unbridled hostility towards these countervailing, immigration-tolerant elements inside Italy. This state of affairs is markedly different from the crucial influence that the occupying United States authority exerted over Japan until 1952, joining forces with conservatives in that country to facilitate the creation of institutions geared towards treating ethnic Koreans in particular with suspicion.

To conclude this chapter, Italian immigration policy remains characterized by drift as seen with inconsistent responses to both structural economic changes and concerns about security. While this assessment could broadly be applied to virtually any advanced industrialized capitalist democracy, it is the degree of drift and overall indecisiveness which has set Italy apart. Lacking strong precedents to overcome or keep in place, Italy appears set to continue muddling through as its politicians and voters go back and forth on immigration policy.

CHAPTER FIVE: JAPAN, PART ONE

5.1 *From Pan-Asianism to Asians (and Asian-Americans) Under Suspicion*

The first time I was ever racially profiled outside of an airport was on the streets of Tokyo in circa 2004, not far from Myōgadani Station on the subway's Marunouchi Line. The transgression I committed, apparently, was walking at a brisk pace with an unsmiling expression on my face while having brown skin. I am pretty sure I was in a hurry to go somewhere, as millions of people in central Tokyo are at virtually all times of the day. A uniformed, unarmed officer manning one of Japan's ubiquitous neighborhood police stations, called *kōban* in the Japanese language, stopped me and asked to see some identification. Knowing the rules of the country where I was living and working in at the time, I had my alien registration card in my possession and showed it to him.

What happened next is something that would happen in the other half-dozen or so instances in which I was racially profiled while living in Tokyo. The police officer looked at my alien registration card, and his overall demeanor instantly changed when he saw that I was a United States citizen. He relaxed, became friendly and even jocular, politely gave back my card, and told me I was free to go. Not only does an alien registration card issued to a foreign resident of Japan tell you that person's nationality, it also lists the person's domicile in his or her country of citizenship. I had Boston listed as my domicile on my card, and so consequently I would go on to have several amusing conversations with Japanese police officers who were curious about the state capital of Massachusetts. Japanese men tend to be big baseball fans, and so the Red Sox sometimes became a topic of conversation while I patiently stood on the street and waited for the invariably male police officer to give back my card and let me go on my way.

To my regret, one thing I never did while being racially profiled in Japan was ask a police officer what difference it would have made had my alien registration card indicated that I was a citizen of a South Asian country. For example, would I have been more closely interrogated about my activities in Japan and perhaps asked to step in to the police station for further questioning? To the average Japanese police officer, I look like a citizen of a South Asian country and that is almost certainly the reason why I ever got stopped on the streets of Tokyo while minding my own business. I did not resent Japanese police officers for carrying out what they viewed as their essential duty of safeguarding the public, but that is because I am a U.S. citizen who never had to deal with the consequences of being an Indian or Sri Lankan citizen in Japan. After my first experience of being racially profiled, I knew I would never have trouble with law enforcement officers in Japan provided I had my alien registration card with me. But seeing such racial profiling in action was an eye-opener and made me think about the sometimes precarious existence of foreign residents in Japan who live their daily lives under a cloud of suspicion for reasons that are often discriminatory and unjustifiable.⁵⁶

This little anecdote is meant to illustrate the continuing tensions that exist in Japan between the sources of authority there and the country's foreign resident community. The irony here is that the government of Japan has enjoyed almost nothing but cordial relations with the independent countries of South Asia since most of them became free of British colonial rule after World War II. In fact, the ancient and now obsolete Japanese name for India was *tenjiku*, meaning heaven for the place where the Buddhist religion was first established and propagated

⁵⁶ And apparently native-born ethnic Japanese people are not exempt from being racially profiled if they happen to look "foreign." One woman named Makihara Kumiko detailed her unpleasant experiences with being stopped on suspicion of being a person who had overstayed her visa in what is her own country. See her article at: http://www.nytimes.com/2010/07/08/opinion/08iht-edkumiko.html?_r=0

before spreading to the rest of Asia including Japan. This is in sharp contrast to the often tense relations between Japan and continental Northeast Asian neighbors like South Korea and China. Differences in modern history have certainly played a role, as Japanese armed forces during World War II never penetrated into the heart of South Asia and were effectively stopped at Imphal, a city now located in the remote area of northeast India near the country's border with Burma. And yet there is good reason to believe that interpersonal relations between the people of Japan and citizens of India, Pakistan, Bangladesh, Sri Lanka, and Nepal are routinely harmed or undermined on a daily basis by the racial profiling that undoubtedly goes on in Tokyo, Osaka, Kobe, and other major Japanese cities.

Japan has not been this way since time immemorial, and this chapter will explain how a shift in the country's identity was a key factor in a state that became far more oriented towards internal security concerns than is commonly believed. The critical juncture that made the difference occurred during the last few years of the country's occupation by the United States from August 1945 to April 1952—a period of time longer than the duration of the entire Second World War. Unlike the multilateral occupation of West Germany by Britain, France, and the United States, the occupation of Japan was a virtually unilateral affair with Americans making key decisions in all aspects of administration and daily life.

This distinction is important, because without serious input from Australians, British, Chinese, or others who may have been more amenable to seeing social democratic and other left-wing elements play a larger role in Japan's governance, Japan was turned into a bulwark against communism governed by staunch right-wing elements. The United States needed to have no doubts about the commitment of its onetime enemy to a new alliance based on combating Russian and now Asian communism. This was not something totally new for Japan; the country

had been among the most virulently anti-communist states in the world during the interwar period and played a major role in the multinational invasion of the Soviet Union shortly after the Bolshevik Revolution in 1917. But Japan's renewed anti-communist status after World War II would lead to some unintended consequences for the country's basic stance towards foreigners.

Until the year 1945, Japan ruled a multiethnic, multinational empire. It had been built up over the preceding seventy years following the emergence of the first modern Japanese state in the 1860s. Modern state formation in Japan bore some similarities to the first unified states that formed at around the same time in Germany and Italy, but there were significant differences. The biggest difference is that Japan dispensed with its centuries-old system of decentralized, domain-based rule in favor of a unitary polity because of the pressures of Western imperialism. This was very much a case of an induced preference arising from an existential threat to the largely self-governing nature of the archipelago's hundreds of feudal domains. Japan was never formally ruled as a colony of the Western powers, but from the 1850s it was forced under threat of military bombardment and other forms of violence to enter into a series of so-called "unequal treaties" with the expanding and militarily formidable Western powers that deprived it of tariff autonomy, granted Western nationals residing in Japan immunity from the country's laws (the so-called writ of extraterritoriality), and consigned the country to what has been called "semi-colonial status."⁵⁷

This status would persist in various forms until the year 1899, when a landmark Anglo-Japanese treaty came into force and ended extraterritorial status for British nationals residing in Japan (Beasley, 1987). The new Japan developed rapidly in the last one-third of the nineteenth

⁵⁷ Many authors have used this phrase to describe late nineteenth century Japan, including William G. Beasley in *Japanese Imperialism, 1894-1945*, Oxford University Press, 1987.

century and came to be recognized as the Asian state most receptive to Western methods of governance and administration. After the British government made its decision to stop treating Japan as a subordinate by 1899, other Western powers quickly followed suit. Japan, almost alone among either nominally or fully independent states in Asia and Africa, found itself on virtually equal footing in the international system with the United States and the nations of Europe by 1900. This quest by Japan to achieve parity with the Western powers had no parallel in either Germany or Italy. Those countries were established, fully independent nation-states from the time of their respective unifications and never endured the humiliation of being treated as less than equal in the international system.

Much of modern Japanese history can be described as a quest by elite leaders to have their country achieve parity with the Western powers. Japan's acquisition of a modest colonial empire around the turn of the twentieth century and then its attempt in the 1930s and 1940s to completely supplant the West as the dominant power in the Asia-Pacific region can be interpreted as consequences of this drive to achieve recognition as a great power. This campaign for hegemony was ultimately countered by a multinational coalition, ended in abject failure, and led to the almost complete destruction of Japan's war-making capacity by 1945.

It also severely damaged Japan's relations with other Asian peoples, for they were the primary victims of Japan's military campaigns during World War II. Millions of people in China, Hong Kong, the Dutch East Indies, British Malaya, Singapore, French Indochina, Burma, New Guinea, and the Philippines died as a result of overwork, starvation, or attacks on their communities by Japanese armed forces. It may seem difficult to believe now, but many people living in the Southeast Asian colonial holdings ruled by Britain, the Netherlands, France, and the United States initially welcomed the invasion of Japanese armed forces that toppled the widely

disliked regimes in place in late 1941 and early 1942. This was not a unique development during the war; in Europe, some inhabitants of Ukraine who had suffered the most horrible depredations under Russian-dominated Soviet rule in the preceding decades initially welcomed as liberators the millions of German Nazi soldiers who invaded from the west beginning in June 1941. In both of these cases, of course, whatever initial euphoria had been present among people living in the targeted territories quickly evaporated when the true intentions of the invaders became clear. In the case of both those intentions were military conquest and resource extraction, and in the case of the Germans it was also mass extermination of the Jewish and Slavic peoples.

The wartime depredations of Japan's armed forces, however, did not inhibit the country's leaders from attempting to espouse and propagate a kind of pan-Asianist ideology. Puppet regimes under *de facto* Japanese control were set up from Manchuria in northeast China to the Philippines and Burma in Southeast Asia, and all pledged fealty to Tokyo. This campaign ended in abject failure as well, as the desire of Asians to be free of any kind of foreign domination trumped their satisfaction with living under an autarkic, Japan-dominated regional order that the Japanese tried to disguise as a kind of alliance among equals. This pan-Asian strain of thinking had roots in Japan going back to the nineteenth century, but it was largely an outgrowth of the desire among Japanese military and political strategists to present leadership by their country in Asia as a desirable alternative to domination by the West. What the Japanese came to believe in should not be confused with the anti-colonial ideologies of Mahatma Gandhi in India, Ho Chi Minh in Vietnam, Aung San in Burma, and others.

Pan-Asianism was applied originally and most vigorously to those parts of the Japanese Empire that were ruled not so much like overseas colonial holdings but rather as constituent, integral parts of Japan itself. These territories included Korea, Taiwan, and the southern half of

Sakhalin Island, all located short distances from Japan proper and which came under Japanese rule between 1895 and 1910 through wars of territorial expansion against China and Russia.⁵⁸ In this sense, Japan greatly differed from both Italy and Germany. The latter two countries also expanded and came to control overseas territories, mainly in Africa but also in the Asia-Pacific region, but those were far more conventional colonial holdings inhabited by people physically distinct from natives in the metropole. Japan's rule over Taiwan and Korea, in particular, more closely resembled French rule in Algeria since the view from Paris was that Algeria was a part of France itself. But even that comparison is imperfect due to the cultural, racial, and religious differences that separated the French people from the Arabs and Berbers of Algeria. The most sensible European comparison for Japanese rule over nearby territories adjacent to the home islands may be British rule over Ireland.

So by the tail end of the World War II years, Japan militarily occupied large portions of Asia and ruled a few nearby areas as constituent parts of the Japan itself. It was in Korea that the idea of integration with Japan would be applied in the most extreme fashion. In fact, one of the harshest critiques since leveled against Japanese rule over Korea is that it implemented a policy of forced assimilation to turn native Koreans into loyal Japanese subjects.⁵⁹ The Korean language was never driven to near extinction as Gaelic was in Ireland by the English, but it was not for lack of trying by a Japanese regime that did attempt to impose a foreign language and culture on a subject people. Among other things, the Korean city of Seoul was given the Japanese name of

⁵⁸ Korea was an independent state until 1910 and never directly ruled by either China or Russia, but decades of stagnation and corrupt rule left Korea vulnerable to foreign influence. After Korea's forced opening to the world in 1876, following centuries of hermetic isolation, the country rapidly became a pawn in East Asia's great power struggles.

⁵⁹ Much has been written about this in books and articles. One relatively recent publication is Mark Caprio, *Japanese Assimilation Policies in Colonial Korea*, University of Washington Press, 2009.

Keijo and shrines of Japan's animistic Shinto faith were built all over the peninsula. Also, a significant amount of intermarriage occurred between members of Japan's royal family and the family members of Korea's long-ruling Joseon Dynasty that had been deposed in 1910 following annexation by Japan. Policies like these were embodied in the phrase *naisen ittai*, which translates into "Japan and Korea are one."

These types of policies, combined with Korea's geographical proximity to Japan, led to a significant migration of Korean laborers into Japan beginning in the 1920s. Labor shortages in Japan during the World War II period would lead the ethnic Korean population in Japan to grow and reach nearly two million people by the end of 1944⁶⁰, out of a total population in Japan proper of a little more than 70 million. Again, this would create antecedent conditions for Japan's postwar immigration policy that would be very different from what happened in Italy and Germany. In neither of those countries did one see anything comparable to what occurred in Japan during the latter's imperial era—namely, the growth of an ethnic minority population of people drawn either voluntarily or forcibly to the metropole from a constituent area of the empire.

Thus, by the middle of the 1940s Japan's half-century quest to combat Western power and influence in Asia had created a complex, multiethnic patchwork predicated on the idea of Japanese supremacy as the leader among Asian peoples. Nothing written thus far should be mistaken for an argument that there was much harmony or cooperation in how the Japanese Empire was ruled. Opportunistic collaborators among subject peoples did exist, as they do in every unequal relationship between rulers and the ruled in an authoritarian polity. But Japan's

⁶⁰ Figure cited in Ishikida, *Toward Peace: War Responsibility, Postwar Compensation, and Peace Movements and Education in Japan*, Center for U.S.-Japan Comparative Social Studies, 2005.

years as a military great power in the Asia-Pacific region were largely coercive in nature, dedicated as they were to the futile and contradictory purposes of promoting both pan-Asianism and Japanese supremacy in Asia. Japan's drive to achieve regional hegemony was not necessarily destined to fail, but when it did fail utterly and spectacularly it became relatively easy to look back and identify reasons for why other Asians never fully bought into the fiction of a Greater East Asia Co-Prosperity Sphere, as the regions under Japanese rule came to be known.

There is no greater exogenous shock than total defeat in a hegemonic war. Japan's defeat had multiple effects. For starters, the defeat retroactively classified the only non-Western country to ever acquire an overseas colonial empire in modern times as an abject failure in the modern era, a nation inhabited by borderline psychotic aggressors, and ultimately the loser of history's bloodiest war. A pacifist constitution, written in a matter of a couple of weeks in English by young American staff members of the U.S. occupying forces, was imposed on the country in 1947 and has not been formally amended even once as of June 2015. The Western colonial holdings of Southeast Asia occupied by Japan during the war would revert to rule by Europeans and Americans, but in most cases only for a few years at most before the pressures for independence became too great to resist. Southeast Asians suffered greatly under occupation by Japanese forces for three years, but for them there was no going back to indefinite rule by London, Paris, Washington, or Amsterdam.

Meanwhile, instant liberation from Japanese rule greeted the inhabitants of those areas taken over by Japan during an earlier era in the late nineteenth and early twentieth centuries, but the outcome of this change would not be a happy one for most. The southern half of Sakhalin Island came under the rule of the totalitarian Soviet Union, forty years after it had been lost to Japan by tsarist Russia in the Russo-Japanese War of 1904 and 1905. Sakhalin Island, reunited

under the rule of Moscow's iron fist, would become one of the most isolated and secretive corners of the Soviet Union during the Cold War. Fifty years after being ceded to Japan by Qing Dynasty China following the Sino-Japanese War in 1895, Taiwan reverted to rule by a mainland China ostensibly governed by anti-communist republican forces. China, however, would soon become the battleground of a chaotic civil war between anti-communist forces and the communists who would eventually win in 1949. Before the decade of the 1940s was concluded, Taiwan would find itself cut off from the rest of China and ruled by an authoritarian anti-communist regime backed by American military power.

It was the outcome of "liberation" in Korea, however, that would have the biggest and longest-lasting impact on Japan in more ways than one. In 1945, Korea was hastily and arbitrarily divided between Soviet and American zones of occupation following the end of Japanese rule there. U.S. forces officially occupied the southern half of Korea for three years until 1948, and Soviet armed forces remained in the north until withdrawing in 1948 and 1949. The two emerging superpowers left respective client states in place, officially known as the Republic of Korea (ROK) in the south and the Democratic People's Republic of Korea (DPRK) in the north, but the peace between them was short-lived with the outbreak of the Korean War in June 1950.

For Japan, the Korean War's outbreak and its continuation for three years until the signing of the armistice in July 1953 would be viewed as a much-needed economic shot in the arm. Soldiers fighting under the aegis of the United Nations to save South Korea from certain destruction and takeover by communist North Korea needed supplies, and Japan was right next door to manufacture them. Constitutionally prohibited from taking part in overseas military conflicts, thanks to the famous Article 9 of the new constitution enacted in 1947, the people of

Japan stayed at home and profited from the conflict across the sea. Japanese Prime Minister Yoshida Shigeru, in office from 1948 to 1954 and a pivotal figure in the country's postwar politics, would notoriously call the Korean War a "gift from the gods" for Japanese industrial recovery.⁶¹

For the purpose of this dissertation, however, a somewhat lesser known but far more alarming and virulent comment that Yoshida made about ethnic Koreans is of greater relevance. Yoshida possessed no great respect or admiration for the people of Korea and personally disliked his contemporary Syngman Rhee, the dictatorial president of South Korea from 1948 to 1960.⁶² The division of the Korean Peninsula created a complicated situation for the hundreds of thousands of ethnic Koreans who elected to continue living in Japan after 1945 due to the turmoil in their country of origin. Although the Korean War would not break out until 1950, tensions within South Korea were at a pressure-cooker level for the five years prior to that and often resulted in violent skirmishes between alleged communist sympathizers and their opponents. The worst instance of this was the crushing of a leftist rebellion in 1948 on Jeju Island that may have killed up to 30,000 people, or some ten percent of all the island's inhabitants.⁶³

Tensions in Korea spilled over into postwar Japan. Members of the large ethnic Korean communities residing in industrial cities like Osaka and Kobe were suspected of being affiliated with communist, anti-monarchical, and other radical groups outside the mainstream politics preferred by both occupying Americans and conservative Japanese. For all the talk in the

⁶¹ Yoshida's remark has been quoted many times in many places, including by Tae Yang Kwak, "The Republic of Korea in Southeast Asia: Expanding Influences and Relations," in *Korea's Changing Roles in Southeast Asia: Expanding Influence and Relations*, edited by David Steinberg, 2010, p. 309.

⁶² It should be noted here that the feeling was mutual; Rhee disliked Yoshida and indeed despised Japan as a whole.

⁶³ *The New York Times*, 24 October 2001.

preceding decades about Japanese and Koreans as one body, conservatives among the former recognized the hatred long felt towards them by a significant number of the latter. In 1909, a Korean nationalist in Harbin, China had assassinated Ito Hirobumi, one of the most admired political figures in nineteenth-century Japan who was appointed the country's first modern prime minister in 1885. On 29 April 1932, the day of the Japanese emperor's thirty-first birthday, another Korean nationalist bombed a gathering of Japanese officials in Shanghai that killed a general and severely wounded the well-known diplomat Shigemitsu Mamoru⁶⁴. Incidents like these made it clear that there had long existed strong opposition among Koreans to the rule of their homeland by Japan.

The suspected political leanings of ethnic Koreans residing in postwar Japan came, therefore, to be interpreted as a grave threat to the Japanese state. In this context, Yoshida would describe Koreans in Japan as being like ants residing in the belly of a lion that posed the danger of eating away at the body from within.⁶⁵ This is shockingly crude and graphic language to describe an ethnic minority in what was supposed to be a democratic state governed according to one of the most progressive constitutions in the world. Furthermore, the politician who made this remark was absolutely a mainstream figure and in fact one of the most admired figures in Japan's postwar era, a man whose grandson would go on to serve as prime minister⁶⁶ and whose granddaughter would marry into the Japanese royal family.

⁶⁴ Shigemitsu was so badly injured he had to walk with a cane for the rest of his life. At the end of World War II, he signed the terms of surrender on behalf of Japan to the allied countries on board the USS Missouri in Tokyo Bay on 2 September 1945. In photographs from that ceremony, Shigemitsu can clearly be seen walking with a cane.

⁶⁵ Among the authors who have cited this quote are Thomas Berger, "The Construction of Antagonism: The History Problem in Japan's Foreign Relations," in *Reinventing the Alliance: U.S.-Japan Security Partnership in an Era of Change*, edited by G. John Ikenberry and Inoguchi Takashi, 2003, p. 71.

⁶⁶ That man is Aso Taro, prime minister of Japan from September 2008 to September 2009.

How did Japan's political leaders move within the space of a few short years from espousing the unity of Japan and Korea to viewing Koreans as fifth columnists? For starters, events on the ground were interpreted in the most negative way possible by American occupation authorities, and this fueled anti-Korean feelings among conservative Japanese politicians. Riots in Kobe in the spring of 1948 were the biggest instance of this trend. Koreans living in that relatively diverse port city⁶⁷ protested the closing down of ethnic Korean schools that were suspected by U.S. occupation authorities of being infiltrated by communist agitators. One U.S. newspaper reported that eight hundred Koreans and seven Japanese communists were arrested, and the article quoted a Korean community leader as stating that the "Japan Communist party seems very sympathetic to us in our fight to maintain Korean education."⁶⁸

The days of Japan-Korea unity were over, and Japanese politicians on the right now felt unencumbered in dropping any pretenses of voicing or even paying lip service to affinity with other Asian peoples who appeared drawn to a revolutionary communism that Japan's conservatives found horrifying. Japan's identity had shifted completely by the end of the 1940s, and as the official U.S. occupation period wound down in the early 1950s steps would be taken that would codify in law the country's aversion to providing non-Japanese with any long-term rights or privileges in the country. These steps were taken explicitly in the name of national security, rooted first and foremost in the belief that ethnic Koreans in Japan supported and were supported by the Japan Communist Party.

⁶⁷ Within Japan, Kobe is unusual for its long-standing receptivity to foreign residents and outside influence. As an example of this, merchants from India settled in Kobe from around 1900—several years prior to Japan's annexation of Korea. A substantial Indian community remains in Kobe to this day.

⁶⁸ *Chicago Tribune*, 27 April 1948.

For all of the reasons laid out thus far in this chapter, crucial legislation relating to immigration would be passed by the Japanese National Diet, or parliament, in 1950 and 1951. Input from American officials, working under the authority of the Supreme Commander for the Allied Powers (SCAP) in Japan until the country formally regained sovereignty on 28 April 1952, would play a considerable role in determining what the new law emphasized. Initially known as the Immigration Control Ordinance, which came into effect on 1 November 1951, the law reflected the top priority of keeping potentially subversive elements out of Japan. Enacted six years after the end of World War II, in a global environment characterized by revulsion towards the kind of race-obsessed thinking in Germany which had led to the Holocaust, the law contained no language that explicitly targeted members of Japan's ethnic Korean and somewhat smaller Taiwanese communities. But it unmistakably reflected widespread concerns in Japan at the time, with the Korean War raging across the sea, that the newly installed democratic, pro-American government could not afford to be endangered by foreigners who were viewed with sympathy by the Japan Communist Party and other left-wing political groups.

In sum, the Immigration Control Ordinance strongly centralized migration controls, gave the state enormous discretion to determine grounds for deporting foreign residents, and above all else emphasized the importance of deporting non-citizens who were suspected of wishing to subvert the constitution or overthrow the government (Morris-Suzuki, 2010). A key player in shaping the language of this ordinance was American official Nicholas Collaer, who had arrived in Japan in January 1951 for the specific purpose of helping to draft a lasting framework for Japan's migration control policy (Morris-Suzuki, 2010). Described by his own daughter in a

newspaper article as a staunch anti-communist and right-wing Republican⁶⁹, Collaer had ironically spent part of the war years supervising detention camps for suspected “enemy aliens” that were located in Montana, Texas, and North Dakota. Among those detained were U.S. citizens of Japanese and Italian ancestry. After that assignment, Collaer had worked at the U.S. Immigration and Naturalization Service (INS). Therefore, he brought to Tokyo much experience but also an attitude of suspicion towards any and all people he deemed subversive depending upon the situation. During World War II, such people had included ethnic Japanese in America. Now a few years later, he was alarmed by the political leanings of ethnic Koreans in Japan.

The 1951 law made no provisions for the importation of guest workers or other unskilled laborers, as West Germany would do for the first time a few years later in 1955 when it formally emerged from foreign occupation. Japan’s economy was still in a precarious state in 1951 despite the economic boom brought on by the start of the Korean War the previous year, and the return from overseas of millions of soldiers since 1945 rendered unnecessary the need for immigrant labor of any kind. And amidst the tense, security-oriented view of migration and treatment of foreign residents that had clearly emerged by the early 1950s, it seemed scarcely possible to imagine formulating an immigration policy for the purpose of welcoming outsiders rather than tightly controlling them.

Passage of one such law, however, was not sufficient. This is because ethnic Koreans and Taiwanese who had been residing in Japan since prior to the end of World War II were still, in fact, Japanese citizens. The end of Japanese rule over Korea and Taiwan had not impacted their status as citizens of what was now the ex-metropole. Koreans and Taiwanese, however, had been

⁶⁹ *The Missoulian*, 29 June 2010 (http://missoulian.com/news/local/reconnecting-to-father-s-mistake-as-fort-missoula-commandant/article_630c0f00-833b-11df-a8ae-001cc4c03286.html)

stripped of the right to vote in Japanese elections in 1945. Japanese authorities had accomplished this by distinguishing between citizens who were listed as part of a family registry in metropolitan Japan and those who were part of a family registry in so-called “external territories” which had included Korea and Taiwan (Morris-Suzuki, 2002). After the surrender in August 1945 and the sudden re-emergence of multiparty democracy, Japanese officials chose to limit the right to vote only to those citizens listed in a family registry in Japan proper. In effect, Japan appeared to be reverting to the original spirit of the Nationality Law of 1899. Passed in an era when romantic nationalism still held sway in much of the Western world that Japan’s leaders were seeking to emulate and learn from, the 1899 law had enshrined citizenship by descent as the key principle. Japan’s imperial expansion in later years had undercut this principle by extending citizenship to non-Japanese in Korea and Taiwan, but the distinction based on family registries allowed for a tiered system to emerge which gave ethnic Japanese citizens an advantage.

Therefore, Koreans and Taiwanese had always occupied a precarious position in metropolitan Japan despite being citizens of the country. But in late 1945, with occupying Americans watching and hoping to fully democratize the country, going one step further and simply stripping resident Koreans and Taiwanese of their Japanese citizenship was not yet a step that Japanese officials could afford to take. Imperial Japan’s decision to treat nearby overseas territories and their native inhabitants as integral parts of the country was creating unanticipated complications in a completely transformed postwar environment. Again, there was no real counterpart to this type of situation in the defeated Western European states. The example that may have come closest was a brief and very limited attempt by the Italian government to extend a kind of special but not full Italian citizenship to natives of Libya in 1939 as total war on the European continent approached. But this was only done for the purpose of allowing small

numbers of Libyans to participate in fascist and paramilitary organizations, and these limited citizenship provisions were valid only within Libya and therefore not applicable to the very few Libyans residing in Italy (McLaren, 2006). In addition, any question of even limited Italian citizenship for natives in Libya was rendered moot when British and French armed forces took over administration of the Italian colony during wartime in 1943 following the North African campaign.

The American-dominated SCAP authority in Japan would eventually come to adopt a highly ambivalent attitude towards the status of Koreans and Taiwanese in Japan. In the early years of the occupation, SCAP had adopted the practical view that retention of Japanese citizenship for Koreans and Taiwanese made sense for the purpose of ensuring maximum tax revenues from the working citizen population. But Cold War realities had changed everything by the early 1950s, especially with regard to Koreans and their ominous participation in events like the first Kobe riots in 1948 and a second set of Kobe riots two years later in 1950. Some Japanese politicians openly favored mass deportations of Koreans in particular, but such a step was never taken. Instead, bilateral disagreements and the signing of an official Peace Treaty in September 1951 between Japan and other belligerents of World War II provided a pretext for taking the different path of simply making Koreans and Taiwanese stateless and putting the onus on them to acquire citizenship in another country.

The San Francisco Peace Treaty was signed on 8 September 1951 between Japan and dozens of belligerents who had participated in World War II. The signing of this treaty effectively began a countdown to the restoration of Japan's full sovereignty in April 1952. Crucially, South Korea was not a signatory to the Peace Treaty and the continuing existence of bad blood and mutual distrust in Tokyo and Seoul would prevent the establishment of diplomatic

relations between the two countries until the year 1965. Japan and South Korea were not on the same page regarding the status of Korean residents in Japan. While South Korea understandably wished to see all Koreans in Japan declared citizens of the ROK without their having the option of declaring allegiance to its communist rival and wartime enemy the DPRK, Japanese officials simply wanted all resident Koreans declared foreign. Negotiations on determining citizenship status and choices for Koreans in Japan had begun in September 1951, but they fell apart and Japan eventually got its way.

The Diet had passed a revised Nationality Law in 1950 that affirmed citizenship by blood (*jus sanguinis*) as the guiding principle for being Japanese. The wartime slogan of “one hundred million hearts beating as one”—in 1940, that had meant some 70 million Japanese, 20 million Koreans, and 10 million Taiwanese—was clearly dead both within Japan proper and outside of it. Shortly after Japan regained its sovereignty on 28 April 1952, the Ministry of Justice announced the unilateral decision to strip resident Koreans and Taiwanese of their Japanese nationality and declare them foreigners. A liberal democracy that had just emerged from six and one-half years of military occupation by the United States—an occupation initially staffed by idealistic, young, diehard supporters of the New Deal in America—was able to make hundreds of thousands of its own residents stateless and force them to choose becoming citizens from a list of countries many of them would never visit for the rest of their lives.

Japan’s identity was now fixed in the Cold War arena. It was a national security garrison state that would not allow troublemakers to keep or easily acquire citizenship and therefore become a potential source of more votes for the Japan Communist Party (JCP). Unlike West Germany, which in 1956 would ban communists from legally operating in politics on the grounds that anti-democratic parties such as the Nazis had destroyed the Weimar Republic, Japan

did allow communists to compete in elections. Nevertheless, Japanese conservatives like Yoshida had figured out a way to limit the appeal of the JCP by disenfranchising a group of people seen as most amenable to radical goals such as abolishing the monarchy and turning Japan into a republic aligned with China and the USSR. Conservatives had become the leading power in government in 1948, and they would not relinquish that position until the year 1993.

The underlying induced preferences and resulting institutional configurations that would dictate Japan's immigration policy during the Cold War period were essentially fixed by the middle of the 1950s. An important institutional change occurred at this time which would further solidify the strongly security-oriented nature of immigration policy in Japan. The reform and centralization of Japan's migration controls system prior to the restoration of sovereignty in April 1952 led to the establishment of an Immigration Bureau that came under the overarching authority of the Ministry of Justice. This marked a major departure from prewar practices, when immigration controls had been more decentralized and handled by local police agencies and the offices of prefectural governors. The Ministry of Justice in Japan would become the dominating face of immigration policy in Japan, in charge of detention centers around the country and imbued with a strong sense of purpose around the goal of protecting Japan.

Looking at the case of Japan in comparative perspective, there are logical reasons for why the country ended up with an Immigration Bureau controlled by a government ministry that prioritized law and order over economic or cultural considerations. In other countries, many of them as staunchly allied with the United States as Japan came to be after the war, different institutions employed alternative methods for ensuring national security which would have been anathema in postwar Japan. In Turkey, the military took very seriously its goal of guaranteeing stability by carrying out three *coups d'état* between 1960 and 1980. In West Germany, postwar

leaders preempted any chance of an anti-system political party like the Nazis of the 1930s from gaining power by banning anti-democratic parties on both extremes of the political spectrum (this meant not only neo-Nazis but also communists as well). This attitude was embodied in the phrase that came to be known as “militant democracy.”⁷⁰ In Italy, as will be discussed in a later chapter, one solution to ensuring postwar stability would be through emigration to the United States.

None of these options suited Japan’s circumstances very well. The postwar military was emasculated, shorn of its authority and any credibility in the domestic arena due to its perceived role in the destruction of Japan’s civilian-led government in the 1930s. The outright banning of political parties would have run afoul of Japan’s new progressive constitution and also would have made little sense in a country where political parties were not held responsible for the disastrous path towards total war that the country had taken. There was no counterpart in Japan to the Nazi Party’s legitimate, democratic acquisition of power in Weimar Germany, and therefore no historical precedent to cite as a logical reason for banning anti-system political parties. Unlike in West Germany, the Japan Communist Party would be allowed to legally operate and participate in elections year after year.

Reducing the appeal of the Japan Communist Party and other radical groups by alleviating poverty through the emigration of Japanese citizens was an option, but it was not pursued especially vigorously. Unlike Italy, there did not exist in Japan a strong inclination among elites towards viewing the state as a whole as a “country of emigration” and the postwar Japanese-American immigrant community that resided in the United States was neither as large

⁷⁰ For more on this concept, see Capoccia, “Militant Democracy: The Institutional Bases of Democratic Self-Preservation,” *Annual Review of Law and Social Science*, Vol. 9 (Nov. 2013, pp. 207-226)

nor as politically active as the Italian-American community there. While both Japanese-Americans and Italian-Americans had been targeted during World War II as potential enemies of the United States and placed in internment camps, the targeting of Japanese-Americans for internment was far larger and longer lasting. As a potential lobbying group for the increased emigration of Japanese to the United States in the postwar period, the Japanese-American community was far more reticent than its Italian-American counterpart and hobbled to a far greater degree by the stigma of wartime targeting.

Therefore, when the United States reaffirmed its commitment to national origins quotas for immigrants with the passage of the McCarran-Walter Act of 1952, Italian-American lobbying groups mobilized in an effort to get around restrictions on the migration of Italians to the United States but Japanese-Americans did not mobilize in a similar way on behalf of people who may have wished to relocate out of Japan. Instead, a little-known and not very successful alternative was pursued by Japan in the form of state-sponsored emigration to South American and Caribbean countries such as Brazil, the Dominican Republic, and Bolivia. A total of nearly 70,000 residents of Japan migrated to Latin American countries between 1952 and 1969 (Endoh, 2000).

There is evidence that this migration policy was at least partially motivated by political considerations and a desire to reduce unrest (Endoh, 2000). A disproportionately large number of the emigrants were rural residents of Japan's relatively poor and restive southwest, a region marked in the postwar era by labor disputes such as the massive Miike coal mine strike in 1959 and 1960. The islands comprising Okinawa, also located in the southwest and in fact under direct U.S. military occupation for a much longer period until 1972, were also a significant source of migrants to Bolivia in particular. Poverty in Okinawa and grass-roots opposition to occupation

by U.S. armed forces may have played a role in persuading American officials to support schemes for emigration. Many of these Japanese migrants had unhappy experiences with resettlement, and a group of them who had moved to the Dominican Republic eventually filed a lawsuit⁷¹ decades later against the Japanese government for being falsely promised tracts of arable land and other good conditions.

This plan for emigration to Latin America, however, never gained much traction as Japan's economy began to grow rapidly in the late 1950s and continued on a remarkable upward trajectory until the first oil crisis of 1973.⁷² Instead, the main player in Japanese migration policy would be the Ministry of Justice (MOJ) and its priority on closely monitoring the resident foreign population and making sure that entry into the country for unskilled workers or anybody resembling such workers would never be easy or even allowed. By the time Japan had emerged as a major world economic power in the 1970s, prominent enough to be given a seat at the table at the inaugural G6 meeting in France in 1975 which I mentioned in the opening chapter, the country was transformed and governing institutions were firmly in place. The privation and uncertainty of the immediate postwar period and into the early years of the post-Occupation period after 1952 had been left behind in the dust. But the fears aroused by the political unrest of that era had not been forgotten. Korea remained divided and the priority of keeping Japan politically stable had been joined by the task of keeping Japanese people safe in their homes and out in public.

⁷¹ See "Caribbean Immigrants to Sue Japan," *The Japan Times*, 16 May 2000.

⁷² Numerous figures have been cited to explain how rapid Japan's economic growth was, especially from the years 1960 to 1973. One author estimates that the average annual GDP growth rate in Japan during these 13 years was an extraordinary 9.6%. See Saito Mitsuo, *The Japanese Economy*, World Scientific Publishing, 2000.

The following pages will skip ahead and begin looking at how growing labor shortages challenged Japan's immigration status quo in the 1980s. But before moving on I wish to make it clear that one should not be under the impression the 1960s and 1970s were characterized by absolutely no instances of in-bound migration in Japan, despite the ample supply of native-born labor in those decades. Periodic crises in nearby Asian countries arising from vicious crackdowns by authoritarian governments as well as Cold War-related proxy conflicts occasionally led to the exerting of international pressure on Japan to accept refugees from countries such as Taiwan, South Korea, and especially Vietnam after 1975 when hundreds of thousands of people fled that country in the wake of the war's end there and the victory of the communists.

But it was the MOJ that took the lead in controlling such refugee inflows, as its bureaucrats felt it had the prerogative to handle what it viewed as a border control matter. Arakaki (2008) points out that while MOJ bureaucrats claimed that they were part of one of the "least politicized organizations" in the Japanese government and therefore well equipped to handle the emotional refugee issue in an evenhanded manner, the MOJ's preference for treating refugees as a border control rather than humanitarian matter obviously politicized the issue from the start.

The results of this perspective were predictable. Shiraishi (1990) writes that the MOJ did not accept any Vietnamese refugees into Japan until 5 September 1978, more than three years after the crisis of the "boat people" fleeing Indochina had begun. By March 1980, the MOJ had accepted 325 refugees—a very small number considering the hundreds of thousands of Vietnamese who were seeking assistance. Refugee intakes by Japan would increase modestly in

the 1980s due to both international criticism and sympathy within Japan for the boat people. But the MOJ had set a precedent for being very restrictive about letting refugees into Japan.

The detailed explanation offered thus far in this chapter of changes to immigration policy made in Japan during a few short years in the early 1950s is necessary for understanding how and why events unfolded as they did more than a generation later. The second and last section of this chapter will analyze the first major challenge to retention of the status quo in postwar Japanese immigration policy. This challenge, dating from the 1980s, occurred as a consequence of Japan's own remarkable successes in the areas of raising wages and bringing about lower fertility rates and a concomitant slowdown in annual population growth. Even with these new developments bringing significantly changed conditions, the view of immigration as a security issue did not shift to the point where policy accurately reflected how different a country Japan had become. Is this because Japan's policy position on immigration had somehow evolved from being an induced to an imputed preference that now formed a constitutive part of the nation's fabric? My answer to this question is no, this was not a case of an aversion to immigration and immigrants turning into a kind of immutable quality ascribable to a group of people based on their ethnic background. What the case of Japan illustrated and still illustrates today, however, is the staying power of an induced preference based upon the security imperative.

5.2 Carnival in Kawasaki: Why Japan Opened the Door to Co-Ethnics From Brazil

Brazil is about as far away from Japan as you can get on planet earth. In the 1980s, probably very few people imagined that citizens of Brazil would soon come to rival citizens of South Korea as one of the largest foreign national populations in Japan. Then again, few people could have predicted the ups and downs of Japan's national fortunes in the twentieth century.

The migration of Brazilian citizens of Japanese origin to the country of their forebears capped a stunning turn of events for a country that had become home to the world's second largest national economy by the 1980s. The first Japanese to have ever migrated to Brazil had arrived there less than one hundred years earlier, in the year 1908. Japan at that time was an independent state and a rising power in East Asia, but it was also still relatively poor and agrarian. Reaction against continued migration by Japanese to Hawaii and the west coast of the United States was already building up among xenophobic and nativist white Americans. Brazil would emerge as an alternative, and the Japanese who settled in and around the city of Sao Paulo would give rise to a large immigrant community in the country which eventually topped one million people.

Japan's turn to foreign laborers was a long time in the making. Beginning in the late 1940s, Japan's government embarked on arguably the most successful effort undertaken anywhere to reduce fertility rates among women. Yoshida, the early postwar prime minister who notoriously likened Koreans in Japan to ants in the belly of a lion, also had strong opinions on abortion as a method of promoting sustainable population growth. He went so far in 1949 as to call abortion "a fundamental solution to Japan's population problem."⁷³ Though still largely outlawed in the United States until the *Roe vs. Wade* decision by the Supreme Court in 1973, abortion was legalized in Japan under U.S. occupation in 1948 and came to be strongly supported as a permitted medical procedure not only by women's groups but also by doctors who saw it as a lucrative source of income. Japan's fertility rate consequently plummeted following a short baby boom in the late 1940s. By the late 1980s, the annual fertility rate in Japan had been below the rate of replacement (2.1 children per female) for the better part of more than twenty

⁷³ Quote cited in Winter and Teitelbaum, *The Global Spread of Fertility Decline: Population, Fear, and Uncertainty*, Yale University Press, 2013.

years.⁷⁴ The prospects for retention of a native-born workforce large enough to fill all the available jobs in the years to come were bleak.

And there were plenty of jobs to fill, for by the late 1980s Japan had a powerful manufacturing-based economy that depended upon a steady supply of young, impressionable, and mostly unskilled workers. These ranks had been filled for decades by young men and women, often educated up to the junior high school level only, who poured into the country's industrial areas from the countryside. But that process had largely run its course by the 1980s, with the countryside of Japan severely depopulated and more young people in Japan aspiring to work at a desk rather than on a factory floor. What was the solution for a country where immigration policy was governed by a set of laws passed during the Korean War?

The solution offered by the MOJ in 1990 and ultimately implemented was a back-door mechanism that allowed foreigners who could provide evidence of Japanese ancestry the opportunity to work in Japan on unrestricted and easily renewable visas. In reality, this meant that Japan's manufacturing companies could now more easily seek out as a source of labor members of the large ethnic Japanese communities in the countries of South America where incomes were generally much lower. The parallels with British firms deliberately recruiting laborers in the 1950s and after from Sylhet, a relatively poor division of East Pakistan (now Bangladesh), were clear enough to see. But this was not a case of an ex-colonial power looking to former subject peoples as a source of cheap labor. Nor, however, was it a case of the Japanese government attempting to provide a refuge for co-ethnics who faced persecution or worse in

⁷⁴ The fertility rate dipped below the rate of replacement in the postwar era for the first time in 1957 at 2.04. It was below 2.1 in six straight years (1959-64) before climbing and remaining at or slightly above the 2.1 mark for several years during an "echo baby boom" in the late 1960s and early 1970s. The rate fell below replacement level in 1974, and it has stayed there ever since. It has been below the 1.5 mark in every year since 1994. Source: Japanese Ministry of Health, Labor, and Welfare.

another country. Ethnic Japanese living mostly in Brazil but also in Peru and Bolivia faced no such threats to their safety. Such reasoning would serve as the basis of West Germany's policy of providing a refuge for ethnic Germans fleeing from the communist states of Eastern Europe. What, then, explains best the decision of Japan's government to open the door ever so slightly to the ancestors of people who had left Japan after the turn of the twentieth century?

The obvious answer would be that Japanese officials understood the labor market pressures at work but wished to keep the country ethnically cohesive according to the dictates of cultural nationhood. But the basis for preserving any sort of cultural homogeneity among voting citizens in Japan was not well grounded, as it was in West Germany owing to the precarious status of ethnic Germans in other European countries and the resulting need to prioritize welcoming and integrating them over other potential migrants. In fact, the decision to unilaterally strip ethnic Koreans and Taiwanese of their Japanese nationality in the early 1950s had been an explicitly political act rooted in the desire to keep Japan firmly planted in the pro-Western, anti-Soviet camp.

Furthermore, it was never the intention of Japan's government to provide a pathway to citizenship for Brazilian, Peruvian, and other South American laborers employed in the country on a short-term basis. Instead, my argument here is that the framework for viewing the necessity of keeping Japan politically stable had changed over time to keeping the country safe and relatively free of crime. In other words, a migration policy rooted in political nationhood would prove to be more durable and more difficult to dislodge. Japan's postwar migration policy had never been based on protecting or promoting either Japanese culture or people around the world of ethnic Japanese background. The steps taken to recruit ethnic Japanese laborers from South America did not deviate from the intensely political and security-oriented nature of that policy.

By any measure, Japan was one of the safest countries in the world by the end of the 1980s. Over the preceding 40 years, the country had enjoyed a stunning drop in the homicide rate from around 3.62 murders per 100,000 people in 1955—amounting to more than 3,000 homicides in that one year alone, a postwar record that has never been matched or exceeded since—to a figure of only about 1.0 per 100,000 people by 1990 (Johnson, 2008). There were many possible reasons for this positive development. Japan in that time grew not only richer, but more equitable. Very restrictive gun control law made firearms ownership exceedingly difficult and tedious. Demographically, the country was much older and therefore the cohort of individuals most likely to commit violent crimes—young males—formed a smaller proportion of the population as a whole. As for resident Koreans, the stripping of their status as Japanese citizens in 1952 had led many of them to leave the country or obtain naturalization through marriage or another procedure. By the year 1985, citizens of North Korea and South Korea together who were residing in Japan numbered fewer than seven hundred thousand (OECD iLibrary) out of a population of more than 120 million. Their ability to influence politics, so feared by the Ministry of Justice in the early 1950s, had diminished greatly.

The change in demographics towards a much older population had arguably made Japan safer, but that change also contributed to the labor shortages (real and projected) that would create a lasting dilemma for the country. Japan still had in place an official ban on the recruitment of unskilled laborers from overseas, but that does not mean domestic companies eager to employ easily exploitable migrants did not find a way to get around the rules. It was, in the end, actions taken by Japanese employers to hire foreign workers illegally if necessary that pushed Ministry of Justice officials to create an exception for what turned out to be mostly Japanese Brazilians but also smaller groups of Japanese Bolivians and Japanese Peruvians. A

pattern had been set for the post-Cold War era in which the needs of Japanese industry would repeatedly conflict with the law-and-order mentality of the government ministry which had taken control of migration policy during a critical juncture in the early 1950s. The next chapter will examine what has and has not changed in Japan during the so-called era of globalization.

CHAPTER SIX: JAPAN, PART TWO

6.1 *Globalization and Japan: Change and Stasis*

“The Cold War is over, and Japan won.” The origins of this now outdated phrase are uncertain, but as late as the year 1992 it was being repeated or paraphrased in public by U.S. presidential candidate Paul Tsongas.⁷⁵ Why did somebody as well-informed as a highly respected former senator from Massachusetts like Tsongas come to believe that the true winner of the Cold War had been Japan and not the United States? In the aftermath of the bipolar confrontation’s end in the early 1990s, there were multiple reasons to believe this line. For starters, in the U.S. the economy stagnated and rates of violent crime reached stratospheric levels, with New York City alone reporting a record 2,245 homicides in the year 1990.⁷⁶ Authors Donald Barlett and James Steele spoke for many at that time when they published a book (1992) entitled *America: What Went Wrong?*

Meanwhile, Japan appeared ascendant and looked like a country that could do no wrong. During the Cold War, Japan’s pacifist constitution had ruled out participation of virtually any kind by the country’s soldiers in overseas wars. The country was at peace the entire time and granted very generous access to the world’s most lucrative consumer market in the United States while keeping its own domestic markets protected in the name of building up industrial prowess. These favorable terms formed part of a grand bargain that allowed U.S. armed forces to maintain military bases throughout Japan well after the Occupation officially ended in 1952. In exchange for compromising its sovereignty in this manner, Japan reaped enormous economic benefits in its

⁷⁵ *The Sun Journal* (Lewiston, Maine), 15 January 1992.

⁷⁶ *The New York Times*, 23 April 1991.

relationship with the world's richest country. All of these factors held true for the state of West Germany as well, but Japan appeared to be an even bigger "winner" of the Cold War because it had been a unitary country since the end of World War II and never divided.

In the years after the Cold War's end, Japan's annual rate of economic growth would slow down considerably and the country's formerly rapid economic development would cease to be seen as unique among non-Western nations with South Korea, Taiwan, and eventually China rapidly catching up and coming to occupy core positions in the world system of assembly and manufacturing. The Japanese economic miracle would give way to a general East Asian economic miracle. In one sense, however, Japan would continue to be held up by some people as a breed apart in a positive way. Specifically, it would be cited as being the G-8 country which had best managed to avoid the alleged pitfalls and headaches of multiculturalism. This way of viewing Japan among xenophobes would gain international attention in 2011 when it was revealed that the anti-Islamic Norwegian mass murderer Anders Breivik, who killed 77 people in Oslo on 22 July of that year, had published a lengthy manifesto in which he extolled the virtues of "monocultural" countries such as Japan and South Korea.⁷⁷

This kind of publicity was unwanted and embarrassing to the governments of both countries, but the apparent fondness of a white nationalist in Norway for how Japan had organized its society revealed a discomfiting view of the country that was not entirely unwarranted. Japan was and is not monocultural, but the previous chapter explained how the national government in Tokyo had essentially targeted ethnic Koreans in the early postwar era

⁷⁷ Breivik's manifesto, entitled "2083: A European Declaration of Independence" and published under the name "Andrew Berwick," may actually be little more than a series of cut-and-pasted comments. Nevertheless, Breivik never denied authorship of the document. It can be seen online at <https://publicintelligence.net/anders-behring-breiviks-complete-manifesto-2083-a-european-declaration-of-independence/>

for either expulsion or the unilateral stripping of Japanese citizenship on grounds that were political in nature. The purpose of taking that action in 1952 had been not to make Japan monocultural per se, but rather to reduce the likelihood of political upheaval in the direction of a radicalism which opposed the Japanese monarchy and the new alliance with the United States.

At this point, it is prudent for me to acknowledge that the line between blood or culture and security is very much blurred in the case of Japan. Although ethnic cleansing had not been the explicit purpose of the Japanese government's decision to make resident Koreans stateless in 1952, over time it was undoubtedly the case that many Japanese came to believe that their country was secure *because* it was ethnically homogeneous and monocultural. In fact, an extensive literature known as *Nihonjinron* (meaning "theories/discussions about the Japanese people") developed in the postwar decades around the very idea of Japanese people as unique and distinct from everybody else.

In the preceding chapter, I attempted to explain through the lens of security the rationale behind the decision of Japan's government to allow South Americans of Japanese heritage to work in the country on flexible visas that could be extended indefinitely. The best way to find out whether there really was any line of separation between security and cultural homogeneity in the minds of those Japanese bureaucrats who made this decision would be to peruse archives in Tokyo and interview current and former government officials employed there in relevant offices. Unfortunately, I was unable to conduct such fieldwork in Japan during my period of dissertation research. For the purpose of turning this dissertation into a book, I intend to carry out such research in the near future.

Until then, however, I argue that the circumstances under which Japan's precedent-setting laws on nationality and immigration were enacted in the early 1950s added on a

significant layer of institutionalized thinking oriented towards not just culture but also towards law and order. If foreigners were allowed to enter Japan and work freely because they were of ethnic Japanese background and therefore regarded as more likely to keep the society undisturbed, this was entirely different from the admission into West Germany of co-ethnics whose very lives were perceived to be in danger in the communist-ruled Warsaw Pact countries.

So what had been implemented as a political measure came over time to be interpreted by some, even those not as extreme as Anders Breivik, as a cultural measure. This second chapter about Japan will seek to show that the security imperative continued to be a key driver of immigration policy in the country even as alarming demographic statistics and the resulting implications for the country's worsening fiscal situation in the 1990s and 2000s made the case for immigration liberalization more compelling from the standpoint of economic rationalism. Thus, the stance taken by defenders of the status quo in Japan was political and not cultural. The Cold War era fear of ethnic Koreans as potential agents of communist subversion was transformed into a general fear of foreigners as a destabilizing influence in the well-ordered and almost unbelievably safe world that the people of Japan had come to inhabit by the twentieth century's end.

6.2 1990s: *Lost Decade, Big Questions*

It is telling that, after all these years, the official name of the Immigration Bureau of Japan in the Japanese language is still *nyuukoku kanrikyoku*. Translated into literal English, this phrase actually means something like the “bureau for management of entry into the country.” The Japanese language does have another term for “immigration” (*imin*) but that word is absent from the bureaucracy's official name. While I argue that facts like these show how the essential

political identity of Japan as a state did not change significantly relative to what happened in Germany after the Cold War's end, that does not mean there were not substantial changes. Symbolically, Emperor Hirohito passed away in January 1989 and brought to an end a remarkable and tumultuous reign of sixty-two years that had begun on Christmas Day in 1926. He was replaced as figurehead monarch by his son, Emperor Akihito, who among other things had been tutored as a boy in the postwar era by an American Quaker educator named Elizabeth Gray Vining. The contrast with his father, who had been born into an era of unbridled Japanese imperialism at the start of the twentieth century in 1901, was great.

On the political front, change and turmoil characterized Japan's political scene in the 1990s. The somewhat inaccurately named Liberal Democratic Party (LDP), in fact a generally conservative political party that had governed Japan without interruption since its formation in 1955, fell from power in 1993 after thirty-eight years at the helm. In a general election held in July 1993, the LDP did in fact win a plurality of seats in the lower house of the National Diet but not a majority. A resulting and very unwieldy eight-party coalition opposed to the LDP formed a majority government and managed to stay in power for less than one year before falling apart in June 1994. The LDP then proceeded to rejoin the ruling government in a coalition that included the Japan Socialist Party (JSP), its longtime rival and ideological opponent during the Cold War. The next general election held in 1996 yielded results that once again made the LDP the dominant player in the ruling coalition. From 1996 to 2009, after a brief period of two and one-half years that had seen politicians from other parties including the JSP in the prime minister's office, every Japanese prime minister (seven in 13 years) would be an LDP politician.

This kind of turmoil, with many prominent politicians switching political parties and the two archrivals of the Cold War era serving in the same coalition government from 1994 to 1996,

bewildered voters in Japan and appeared to render party affiliation virtually meaningless. The end of the Cold War had removed a pillar of stability and gave the media and voters an opening to more critically assess the practices of the long-ruling, deeply entrenched, scandal-ridden LDP. While briefly in power in 1993 and 1994, the eight-party coalition that had toppled the LDP passed a significant electoral reform law that replaced Japan's old system of multi-member districts with a hybrid system that combined single-member districts and proportional representation. Single-member districts comprised a majority of the seats in the more powerful lower house, initially accounting for sixty percent (300 out of 500) of the total and rising to about 63 percent (300 out of 475) today. This electoral system has been used in all seven general elections held since the law's passage in 1994. A similar kind of reform took place in Italy in 1993. In both countries, the goal was to change institutions so that high and entrenched levels of corruption would be reduced and give way to a more policy-oriented style of politics that compelled candidates for office to stake out substantively different positions in order to attract votes.⁷⁸

In theory, therefore, these developments should have led to an elevated level of debate about immigration at the national level. Politicians concerned about particularistic constituent demands should have become outnumbered by those more concerned with broad policy matters. These political changes were accompanied by serious economic problems throughout the 1990s that led commentators inside and outside of Japan to retroactively label the entire era a "lost

⁷⁸ There is a vast literature on this topic. One of the most widely cited works is John Carey and Matthew Shugart, "Incentives to Cultivate a Personal Vote: a Rank Ordering of Electoral Formulas," *Electoral Studies* 14:4, December 1995.

decade” for the country.⁷⁹ The bursting in the early 1990s of a massive, asset-inflated bubble created a whole set of devilishly complex problems that made commonplace such arcane phrases and terms as nonperforming loans, debt as a percentage of gross domestic product, liquidity trap, and deflation. The allowing of Japanese Brazilians and co-ethnics from other South American countries to fill labor shortages could have provided an opening for entrepreneurial politicians representing districts in need of such laborers to play a leading role in shaping a new immigration policy that fully recognized changes in Japan’s economy and society at large.

Alas, this seizing of the initiative by politicians was not something that happened in Japan. Rather, immigration policy continued to be dominated by career bureaucrats in government ministries that had established their preponderant role decades earlier. The interplay among key players in Japan would differ greatly from what unfolded in Germany and Italy. In both of those countries, politicians would play key roles in formulating immigration-related legislation and institutional configurations and reforms would matter a great deal in terms of what kinds of laws got passed and when. In Japan, however, what unfolded was a struggle among mostly unelected officials that reflected conservative predilections.

In the context of my argument, the continuing aversion to immigration among Ministry of Justice and other bureaucrats in the 1990s was puzzling. The old fear of leftist subversion was rendered a moot point in the country when JSP member Murayama Tomiichi served as prime minister from 1994 to 1996, the first socialist to occupy that office since 1948. By agreeing to serve in a coalition government with the LDP, the JSP effectively signaled its embrace of centrist policies and more or less waved the white flag with respect to challenging fundamental aspects

⁷⁹ For an example of this kind of discourse in use, see “The 1990s in Japan: A Lost Decade” by Hayashi Fumio and Edward C. Prescott, August 2003 (http://fhayashi.fc2web.com/Prescott1/Postscript_2003/hayashi-prescott.pdf).

of Japan's political and economic order. Meanwhile, the Japan Communist Party (JCP) remained a minor player in the Diet and saw its chances of winning seats reduced by the switch to a system that favored large, catch-all parties which stood a better chance of winning in single-member districts. Leftism as a threat to Japan appeared over, but immigration as a threat to law and order proved to be a versatile and fungible concept that did not need the concern of political subversion to remain salient in the minds of people who made decisions.

The biggest shift that occurred in the 1990s was the growth of Japan's Brazilian population. Numbering just 14,500 in 1989, the number of Brazilian citizens residing in Japan by the year 2000 exceeded 254,000 (OECD iLibrary). The transformation of some of Japan's most heavily industrialized areas was meaningful. Aichi Prefecture, home base of Toyota, recorded a total of 54,458 Brazilian nationals living there by the year 2009. This amounted to a Brazilian population of about 0.73 persons per 100 people living in one of Japan's most populous prefectures. Several prefectures bordering Aichi reported similar population ratios for Brazilians, as did areas north of metropolitan Tokyo.⁸⁰

One of the supreme ironies of this back-door policy is that it completely violated Japan's commitment to avoiding "guest-worker" type arrangements that had allowed citizens of lower income and less developed countries to enter West Germany and ensure that factories there did not run out of workers. For all intents and purposes, South Americans brought over to do the "dirty, dangerous, and difficult" jobs of corporate Japan were guest workers and treated as such. Their ethnic Japanese background did not easily mask the fact that they were citizens of developing countries who often lacked the language skills and knowledge of cultural norms to fit as seamlessly into Japanese daily life as the formulators of this policy perhaps imagined they

⁸⁰ Figures found at "Statistics Japan: Prefecture Comparisons" (<http://stats-japan.com/t/kiji/11623>)

would in the late 1980s. Apparently one critical mistake made among Japanese officials visiting Brazil to initially evaluate the prospects of recruiting laborers from there was to focus more of their attention on older Japanese Brazilians who had retained their knowledge of the language and customs of their country of origin.⁸¹ For the most part, though, they were not the ones who boarded Tokyo-bound airplanes in Sao Paulo and Rio de Janeiro. Instead, it was mostly younger Japanese Brazilians who had assimilated into the Portuguese-speaking society around them who ended up applying for opportunities to earn lucrative wages in Japan.

In one other kind of back-door policy begun in the 1990s, Japan's blanket prohibition on guest workers was effectively violated. As an outgrowth of Japan's large and generously budgeted foreign aid program (called official development assistance, or ODA), a program for bringing mostly young men from less developed Asian countries to engage in manual labor in Japan was introduced. Ostensibly, the purpose was to provide a means of transferring skills to foreign workers who could then put their newly acquired knowledge to good use in their home countries upon returning from Japan after one or two years. One author (Murakami, 2007) called this program "epoch-making" because it did bring another group of the heretofore taboo unskilled migrant laborers into Japan on a temporary basis. Administered under the auspices of an "Industrial Training Program" established in 1990 and a "Technical Internship Program" established in 1993, these programs offered small and medium enterprises the opportunity to employ foreign laborers on fixed contracts that did not allow for much flexibility. Unlike ethnic Japanese from South America, their visas did not allow employment in any field.

This move was another concession to businesses in Japan that desired to make use of cheap, easily exploitable foreign workers who were to be rotated in and out of the country and

⁸¹ *The New York Times*, 25 September 2013.

not viewed as prospective immigrants. This arrangement kept in place the principle of not allowing permanent settlement by unskilled laborers. Professional or technical workers staying in Japan from overseas increased from 46,845 in 1990 to 120,914 in 2003 (Murakami, 2007). But these increases, along with the increase in the number of ethnic Japanese from South America, triggered concerns about crime and security among both members of the Japanese citizenry and government officials. In particular, the overstaying of one's visa—a non-violent crime that Japanese citizens cannot commit—came to be viewed as an unacceptable breach of conduct that had to be dealt with harshly. Unlike in Italy, there were few advocates for offering ex post regularizations or what is more commonly known in the United States as amnesty. The Immigration Control and Refugee Recognition Act, the landmark legislation passed in 1990 that created new visa work categories and also provided for ethnic Japanese from abroad to work in the country on fixed visas, was further strengthened by reforms in 1998 and 1999 that mandated punishments not only for immigrants smugglers but for the people overstaying their visas (Cornelius and Tsuda, 2004).

Thus, broadly speaking the 1990s in Japan were years in which the frames through which immigration was viewed did not change much. Security and safety were the top priorities, even though evidence for real increases in crime was inconclusive and a good deal of the anxiety was driven by anecdotal and sensationalistic media reports. The increasing anxieties of the business community were taken into account enough to allow for the entry of some unskilled laborers, but those anxieties never took precedence over the fear of what would happen to Japan if the labor needs of business were truly met with the recruiting of hundreds of thousands or even millions of foreign workers. The fear of politically radical Koreans during the Cold War had expanded into a general fear of foreigners in general. The line here between political and cultural concerns is

admittedly a blurry one, but the role of the Ministry of Justice in holding the line points to fewer concerns about the diminution or transformation of Japan's culture and greater concerns about ensuring a political and social order no less stable than during the Cold War era. This desire for continuity in the face of notable political changes displayed the staying power of a security-oriented political nationhood rooted in the events of the late 1940s.

The next section of this chapter will examine developments in Japanese immigration policy since the year 2000, when the landmark United Nations report on demographic projections was released. The data presented in that report were alarming, projecting that Japan would need to take in an average of 343,000 new immigrants per year for a half-century (2000-2050) just to ensure that the country's year 2000 population of 126 million remained at that number by the middle of the twenty-first century. Otherwise, assuming zero migration, the report projected that Japan's absolute population would decline by about one-sixth to a bit less than 105 million in 2050. This scenario also projected that more than 30 percent of those 105 million people in 2050 would be over the age of 65.⁸²

Continuing worries about Japan's low birthrate did not abate, but neither did concerns about immigration's impact on Japan's long-term stability. Initiatives by other government ministries, non-governmental organizations, and even politicians in Japan were launched to challenge the dominant narrative that had been set in the 1990s by concerns over unskilled laborers. In the long-run, the most important consequence of lingering worries in Japan about immigration may ultimately prove to be turning to the underemployed and underutilized women of the country as an alternative source of labor and resulting tax revenue generation. This

⁸² Data on Japan's projected population through 2050 can be found at the following PDF released by the United Nations: <http://www.un.org/esa/population/publications/ReplMigED/Japan.pdf>

discussion, which has surprisingly intensified since 2012 under the premiership of conservative leader Abe Shinzo, is not without problems given the underlying view that women should work more in service to the state rather than fulfilling their own goals. On the immigration side, there has been an interesting shift from emphasizing laborers for the country's shrinking manufacturing sector to attracting high-skilled migrants through innovations such as the points system used in Canada and Australia.

6.3 *Events Since 2000: Japan's Third Opening, But "Human Capital" Included?*

In recent years it has become common among journalists and other analysts to optimistically state that Japan is in the midst of a "third opening" to the world in modern times.⁸³ The first opening occurred in the middle of the nineteenth century following the arrival of Commodore Matthew Perry of the United States and his fleet of so-called "Black Ships" in 1853. Perry, a figure of inordinately greater importance in Japan than in his own native country, is credited with initiating a process that ended Japan's self-imposed isolation and long-standing policy of maintaining virtually no ties with any nations except for Korea and China. The second opening is said to have occurred after World War II during occupation by the United States. The country and its people, chastened and defeated utterly in wartime, accepted what amounted to a social experiment conducted on their territory by young American New Dealers. Complications resulting from the emerging Cold War rivalries, though, turned American influence in a decidedly more conservative direction after just two or three years.

⁸³ For an example of this, see this article from *The Wall Street Journal*, 14 November 2011: <http://www.wsj.com/articles/SB10001424052970204190504577035632121604686>

What exactly is meant by Japan's third opening? Broadly speaking, it can be interpreted as the slow but nevertheless unmistakable acceptance by Japan's leaders of the need to move away from a protected, coordinated market economy model to a liberal market economy characterized by less government-led administrative guidance, fewer protections for sectors of the economy from international trade, tolerance of ownership by foreigners of key assets in the country, and a less constricted labor market that emphasizes merit-based over seniority-based pay for workers. Japanese have been slow and reluctant to accept these kinds of changes, given the well-known vagaries and pitfalls of neoliberal economic doctrine, but pressure from abroad and the souring of Japan's own economic model in the 1990s led to some changes. Deregulation which allowed "big box" foreign retailers like Costco to open stores in the suburbs of Tokyo may not seem like a major change at first glance, but in a tightly controlled domestic market such shifts were profound.

Immigration reform would logically form a major component of any relatively insular country's opening to the world, but the association of foreigners with crime appeared too powerfully embedded in Japan for major legislation to get passed even after maverick politician Koizumi Junichiro became prime minister in 2001 and held office for five years. Koizumi's rise to power was revolutionary in the context of Japanese politics, even though he was yet another hereditary LDP politician⁸⁴ who was not an especially young 59 years old when he took office. But he promised to reform his party from the inside out, tackling the personalistic factionalism

⁸⁴ Hereditary politicians are extremely commonplace in Japan, especially in the LDP. As an indication of this, all 5 men who served as prime minister of Japan from 2001 to 2010 were the sons and/or grandsons of elected politicians. For more on this topic in Japan, see Daniel Markham Smith, "Succeeding in Politics: Dynasties in Democracies," Ph.D. dissertation, University of California at San Diego, 2012.

that had characterized the LDP from its founding in 1955 and pushing for the passage of a postal privatization scheme that was deeply unpopular among entrenched conservatives.

Looking back, perhaps the most far-reaching consequence of Koizumi's term in office was the enactment of an amendment in 2003 to the Temporary Work Agency Law. Regulations for governing the employment of temporary dispatch workers, who typically get paid low wages and receive few if any benefits, were loosened and lifted in virtually all sectors of the economy. This change had the effect of significantly increasing temporary workers both in absolute terms and as a proportion of the overall workforce. The change was especially striking for women in Japan, as the irregularly employed came to make up a majority of all female workers in Japan by the year 2007 (Watanabe, 2012).

There was less movement on the immigration front. The association of foreigners with crimes both violent and non-violent had become a mainstay of Japanese thinking going back to the 1980s. Notorious incidents such as the stabbing to death in 1991 of Igarashi Hitoshi, the Japanese translator for author Salman Rushdie's controversial novel *The Satanic Verses*, cast a cloud of suspicion over the Iranians, Pakistanis, and other citizens of Muslim-majority countries who had found a way to settle in Japan either legally or illegally during the height of the bubble economy era when labor was in short supply. Igarashi's murderer was never found, but it was long suspected that a non-Japanese Muslim angry over his decision to translate an allegedly blasphemous book was behind the killing. A spokesman for Pakistani Muslims residing in Japan was quoted in 1990 as stating that members of their community "cannot forgive the novel."⁸⁵ This certainly did not mean they were inclined to commit acts of violence against translators and

⁸⁵ *The New York Times*, 13 July 1991

purchasers of the book, but such statements sounded ominous and alarming in an avowedly secular country.

As mentioned earlier, the failure by Japanese elites to anticipate the difficulties that co-ethnics from South America would have with integrating into the society also produced anxieties regarding the general social order. Apparently there were also shortfalls in properly investigating the backgrounds of some Brazilian, Peruvian, and citizens of other South American countries who applied to work in Japan. This was driven home by the notorious 2005 case of a Peruvian national who may very well have lied altogether about having Japanese ancestry at all. Using the false Japanese family name of Yagi, this man (whose real name was Jose Manuel Torres Yake) confessed to killing a 7 year-old girl in Hiroshima. It was later discovered that he had been suspected in Peru of molesting a girl in the year 1995. How such a person was able to get past the ostensibly competent Japanese authorities and enter the country generated less interest than the fact that he was a foreigner who had committed murder in Japan.

The data linking foreign nationals to higher crime rates in Japan is far from conclusive and can only be labeled correlational at best. Crime rates in Japan during the 1990s and 2000s remained very low by developed country standards, and the homicide rate never even came close to approaching the peak figures seen in the middle of the 1950s. The deadliest crimes committed in Japan during this era, such as the sarin gas attack on the Tokyo subway that killed twelve people in March 1995 and the killing of eight children at an Osaka elementary school in June 2001, were committed by native-born, ethnic Japanese citizens. Kobayashi Hitoshi (2010) drew the careful conclusion in his data analysis that more immigrants in a prefecture of Japan may be positively correlated with felonious violent crime rates, but not with total crime rates or property crime rates.

But perceptions continued to matter more than reality, and the changing international environment only reinforced the belief among Ministry of Justice bureaucrats and many others in Japan that the status quo would be better in the long run even if the ratio of non-working elderly to tax-paying workers reached crisis proportions. The 11 September 2001 terrorist attacks were followed one year later on 17 September 2002 by shocking revelations from North Korean dictator Kim Jong Il that Japanese citizens had been kidnapped from areas lying along the Sea of Japan (or East Sea) coast and taken to the DPRK. Acts of terrorism abroad largely unrelated to Japan led to the conclusion that the country was fortunate to both maintain a low profile in international affairs and limit the importation of unskilled laborers despite the best efforts of businesses to get around such restrictions. The news that North Korean agents had kidnapped Japanese from the shores of their own country revived latent feelings of hostility towards Koreans and a determination to prevent them from exercising political power.

Overall, Japan's use of unskilled laborers yielded some unhappy results for those workers and unwanted negative publicity for the country. South Americans found it hard to assimilate, Asians brought in under the auspices of the Technical Internship Program after 1993 were often not treated well by employers who took advantage of their restricted visa status in the country, and the Cold War era view of Koreans as threatening to national security was effectively transferred and applied to the anonymous migrant worker in the context of public safety. Very few developed countries have ever handled well the task of incorporating unskilled laborers from overseas into their political and social orders, so the case of Japan is not exceptional. What did make Japan's leaders and elites different was how they effectively possessed, at the outset of the post-Cold War era, a ready-set framework and identity for doubting the efficacious nature of immigrant absorption and incorporation. There was nothing inevitable about how security would

come to override all other factors in how Japanese immigration policy would come to be viewed during a time of acute labor shortages and considerable hand-wringing about low fertility rates. But the durability of legislation enacted in the early 1950s withstood such tests and proved very difficult for business interests, human rights advocates, and nongovernmental groups to overcome.

6.4 *Recent Developments*

How Japan's elites view the world at large has not changed much since the late 1940s. Overall, the strategy employed has been a very successful one from the standpoint of ensuring the nation's peace and prosperity after the turmoil and violence of the period up to 1945. Japanese bureaucrats in the post-World War II era have never really deviated from the essential goal of treating the outside world like a kind of single developing area. This may sound cynical and overly critical as well, but conceiving of Japan's relations with the outside world in this way makes sense. During the decades of high economic growth from the 1950s into the 1980s, priority was given to importing massive quantities of natural resources and raw materials, acquiring the technological know-how to use those resources to assemble high-quality manufactured goods, and then exporting those goods right back to the very places from which those raw materials and natural resources had been obtained. Importation of manufactured goods was made prohibitively difficult, and natives from the "periphery" were not exactly welcome to settle in the core area.

Problems with Japan's once-vaunted economic model and shifts in labor market needs changed the calculus somewhat after 1990, but no event comparable to reunification in Germany occurred which rendered obsolete certain preconceived notions about how to organize and run

the country's affairs. Recent efforts to attract skilled migrants are not inconsistent with this conclusion and uphold the view of Japan's bureaucratic elites as determined to adhere as closely as possible to both the spirit and letter of laws passed prior to the end of the U.S. occupation in 1952. Mechanisms to bring in more skilled workers in the areas of nursing, engineering, medicine, and other fields have been pursued largely through two avenues—economic partnership agreements (EPAs) handled by the Ministry of Foreign Affairs (MOFA) on a bilateral basis with its counterparts in Southeast Asian countries, and the introduction of a points-based system for admitting qualified applicants that is handled by the Ministry of Justice (MOJ).

Gabriele Vogt (2006) has argued that officials in the MOFA are more amenable to letting nurses in particular enter Japan as the population rapidly ages and the ranks of home-grown nurses fail to keep up with the need to care for so many elderly. Using its own bureaucratic powers, the MOFA found a way to maneuver around the MOJ and negotiated bilateral EPAs with Indonesia and the Philippines in 2008. These agreements included commitments to bringing qualified nurses from those two countries to train in apprentice-like arrangements for the purpose of eventually passing the required exams for working in Japan.⁸⁶ In the years since, the extreme difficulty of passing language examinations has emerged as a persistent problem in enabling nurses from these countries to work in Japanese hospitals. Nevertheless, the inclusion of such a provision in EPAs with Indonesia and the Philippines signaled an awareness of the predicted nursing shortage in Japan and the power more open-minded MOFA bureaucrats wielded in overcoming objections that surely must have existed among more conservative members in their ministry.

⁸⁶ *Nikkei Asian Review*, 30 May 2014

The recent move, introduced by the MOJ in 2012, to create a points-based system for so-called “highly skilled foreign professionals” is another sign of incremental change. Point systems literally award points to applicants (ranging anywhere from five points to fifty) on the basis of criteria such as academic background, age, Japanese language skills, achievements such as patents or publications, and so forth.⁸⁷ Applicants who score seventy points or more and provide adequate documentation to back up their claims are entitled to privileges such as a flexible five-year visa, the easing of requirements to obtain permanent residence after residing in Japan for five years, and allowing the spouse of a highly skilled foreign professional to work in Japan as well. Not included, however, is an accelerated pathway to Japanese citizenship for these professionals or the possibility of citizenship at birth for their children born in Japan. For these reasons, Komine (2014) argues that Japan effectively has adopted a kind of denizenship policy for foreign residents rather than one which explicitly offers full Japanese citizenship as a means of winning the global search for talent.

One question arising from these recent developments is why these opportunities were made available for nurses and skilled professionals over a period of several years from 2008 to 2012. One answer could be the change of government that did occur in Japan in August 2009 when, for the first time since the LDP’s founding in 1955, a political party other than the LDP (the left-of-center Democratic Party of Japan, or DPJ) won a plurality of the seats in a general, lower house election in Japan. The DPJ’s short term of three years in power (2009-2012) before the LDP’s return, however, was for the most part disastrous. Its efforts to take on bureaucratic power were ineffective, and it lost the power to enact legislation after only several months at the

⁸⁷ For details, see Immigration Bureau of Japan website: http://www.immi-moj.go.jp/newimmiact_3/en/system/index.html

helm when it lost control of the less powerful but still important upper house of the Diet in July 2010 elections. Japan's system is characterized by strong bicameralism, and so the DPJ was essentially hobbled for its last two-plus years as the ruling party from July 2010 to December 2012.

Rather, changes in Japan's political economy and also geopolitics played roles in leading to these modest reforms for attracting nurses, engineers, scientists, and the like. The labor shortages in manufacturing eased somewhat as Japan outsourced automobile and other types of production offshore to plants in Southeast Asia in line with the "flying geese" theory of Japan's relations with the lesser developed economies of Thailand, Malaysia, and Indonesia (Hatch, 2010). The focus shifted to the tertiary sector of the economy and the need to compete in that field with not only Japan's rivals among the advanced industrialized capitalist democracies but also increasingly with neighboring South Korea, Taiwan, and China. A sign of continuity, however, remains a reluctance to relax options for acquiring Japanese citizenship. Is there a fear that Japanese culture could suffer and become diluted if engineers from India and medical professionals from Canada or Europe can more easily become citizens? Probably not, but the prospects for opening up the political world to such denizens and making commonplace voting constituencies composed of people who were born elsewhere and brought up in non-Japanese households may not be something that Japan is ready to embrace for some time.

6.5 Conclusion: Japanese Women as Beneficiaries of Aversion to Immigrants?

Japan's postwar model of male breadwinners, female homemakers, and the exclusion of potentially troublesome non-Japanese from involvement in the country's society and politics stopped working at an optimal level some time ago. Although Japanese women are among the

longest-living people in the world, enjoying a quality of life that is by any standard very high, Japan fares quite poorly in international rankings that measure gender equality. Chapter Four cited figures from the OECD showing that women in Italy spent nearly four times more minutes per day on routine housework compared to men. In Japan, the ratio appears to be even more lopsided at a rate of more than eight to one. In the year 2011, according to the OECD, Japanese women spent 199 minutes per day on routine housework compared to just 24 minutes for men.⁸⁸ And according to the Global Gender Gap Index tabulated by the World Economic Forum in the year 2014, Japan ranked 104th out of 142 countries listed.⁸⁹ Questions have been raised about the methodology of these types of rankings, but Japan has consistently performed so poorly in multiple published reports on gender equality that denying the existence of a problem has become increasingly difficult.

In the coming years it is possible that women may benefit from the pressing fiscal need to increase the ranks of the country's tax-paying workers in order to offset the huge costs associated with providing welfare state provisions for the elderly. Kathy Matsui, a Japanese-American equities strategist based at the Tokyo office of Goldman Sachs, has gained some notoriety in recent years for promoting the term "Womenomics" as a way of arguing in favor of a higher rate of workforce participation for Japanese women⁹⁰. Her argument points in the direction of

⁸⁸ Data from OECD can be found at:
<http://www.oecd.org/gender/data/balancingpaidworkunpaidworkandleisure.htm>

⁸⁹ See the World Economic Forum at: <http://reports.weforum.org/global-gender-gap-report-2014/rankings/>

⁹⁰ Matsui has authored or co-authored multiple reports on this topic going back to the year 1999. Her most recent co-authored "Womenomics" report, released in May 2014, claimed that closing the gender employment gap in Japan could potentially boost the country's overall GDP by nearly 13%--a figure equal to more than a half-trillion US dollars. The 2014 report can be found at: <http://www.goldmansachs.com/our-thinking/outlook/womenomics4-folder/womenomics4-time-to-walk-the-talk.pdf>

economic rationalism, making the case that Japan's annual economic growth would surely increase in tandem with the increase in female workforce participation.

Matsui also claims that a more balanced lifestyle for working women would facilitate an increase in the national fertility rate. Key factors to increasing female workforce participation in Japan that are regularly cited are things like greater availability of daycare facilities, flexible working hours for salaried employees, increasing chances for promotion into managerial positions, relaxing restrictions on the employment of foreign domestic workers, and generally less discriminatory treatment. "Womenomics" has become a prominent enough term in Japan now that it apparently caught the attention of current Prime Minister Abe Shinzo.⁹¹

There are reasons to be cautious in thinking that Japan's notoriously male-dominated workplaces may become more female-friendly anytime soon. Abe is far more of a nationalist than he is a feminist, and his interest in promoting female workforce participation is related to his overall program of revitalizing the Japanese economy for the purpose of confronting an assertive China. In other words, female workforce participation is more about service to the Japanese state than it is about the fulfillment of individual goals among those women. It may well be the case, however, that Japanese women will be able to gain equal representation and treatment in the workplace well before either unskilled or highly skilled foreign workers are given better opportunities to more easily obtain Japanese citizenship and potentially shape political outcomes through voting and even running for public office in significant numbers.

⁹¹ See "Goldman's Matsui Turns Abe to Womenomics for Japan Growth," Bloomberg, 21 January 2014.

CHAPTER SEVEN: CONCLUDING REMARKS

In this dissertation, I have explained variation in the outcomes of recent immigration policies in three major advanced industrialized capitalist democracies. Japan, Italy, and Germany were all established as unified, modern nation-states at around the same period of time in the 1860s and 1870s. Modern state formation in each country was initially influenced by the romantic, nineteenth century notions of nationalism based upon cultural nationhood. But the trauma of defeat in total war by 1945 and either outright occupation or heavy influence by the United States and other foreign powers in the years afterwards created critical junctures that produced different kinds of induced preferences regarding citizenship, immigration, and nationality policies. These induced preferences were the products of different outcomes in identity formation resulting from the postwar settlement. In turn, differing preferences created different institutional setups for handling the hundreds of thousands and eventually millions of foreign nationals who desired to work in the growing economies of these three countries.

In Japan, fears of communism and leftist subversion came to be associated with residents of ethnic Korean background in the early postwar era. Conservative Japanese politicians found a ready partner in officials of the U.S. occupation, who were willing to give the people they had conquered the benefit of the doubt regarding nationality and citizenship laws. The essentially restrictive nature of these laws has not been fundamentally altered in the decades since. Even with the ending of the Cold War and the ostensible relaxation of concerns about internal security, the association of foreigners with crime became a new issue that replaced the old concerns about communism. The intensely political view of immigration in Japan has never been dislodged.

In Italy, the country's pre-World War II legacy of being a country of mass emigration resumed in the postwar era, with Italian-Americans playing a major role in convincing the

United States government that loopholes for getting around national origins quotas would serve the newly reconstituted Italian state well in its bid to reduce poverty and the resulting attraction to communism among voters. This orientation had some unexpected consequences for policy, as in-bound migration was tolerated and not seen as a threat to the country for many years. Much has changed in recent years, however, with the rise to prominence of the Northern League and the collapse of Libya as a buffer zone for preventing the unimpeded flow of migrants from sub-Saharan Africa into sovereign Italian territory in the Mediterranean Sea. Given the worsening security conditions in Libya, it appears likely that Italy has finally come to embrace an induced preference which views immigration policy through the prism of law, order, and stability.

Germany was the only state among the three countries analyzed here that suffered the trauma of being not only defeated in total war but divided afterwards for decades. This change had the effect of leading to continuity in nationality policy, as the new state of West Germany identified itself as a refuge and homeland for ethnic Germans who faced privation and worse in East Germany and other areas of Europe under direct Soviet rule or domination. Restrictions in extending nationality to ethnic Germans did not preclude West Germany from recruiting unskilled foreign workers who were not viewed as presenting any kind of threat to the state. With German reunification in 1990, the rationale for restricting nationality to ethnic Germans largely disappeared and by that decade's end a law dating from 1913 was at last reformed.

One aim of this dissertation has been to show that different types of political nationhood exist, some being more restrictive than others. The kind of political nationhood that took hold in postwar Japan was restrictive and retains a tight grip on that country to this day. For outsiders, it is difficult to foresee how a country as wealthy and as stable as Japan would have problems with a citizenry and a voting electorate more ethnically diverse than the one which exists today. The

threat of leftist subversion is gone, as the very mainstream policies pursued by socialist prime minister Murayama during his 18 months in office from 1994 to 1996 demonstrated. The doubling of the country's foreign national population from 1990 to 2010 did not conclusively make Japan a more dangerous place, and in fact homicide figures show that Japan may be safer today than ever before. Nevertheless, Japan continues to be ruled by the conservative LDP and opposition parties are currently in disarray. The year 2015 marks the sixtieth anniversary of the LDP's founding in 1955. The LDP has been the government in power for about 56 out of those 60 years, and its party elders remain powerfully wedded to the status quo and uninclined to challenge the Ministry of Justice on immigration policy matters. An exogenous shock that reorients the Japanese state towards viewing greater ethnic and racial pluralism in politics and society as positive developments is always possible, but when and how that will happen is difficult to imagine given the durability of a security-dominated orientation.

But if a future crisis of one kind or another leads to a lengthy period of time in Japan that can be characterized as a critical juncture in which elected and unelected government officials possess heightened contingency to enact reforms in immigration and other policy areas, it is doubtful that such a period will take place under occupation by a foreign power. This is a critical factor to keep in mind when making predictions about future government policies in Japan based upon the details of those that were enacted between 1945 and 1952. The occupation at that time by the United States was virtually unilateral and heavily informed by concerns about maintaining Japan's internal security. What issues will be foremost in the minds of politicians and bureaucrats in Japan the next time they possess as much room for maneuver as they did in the years after World War II is anybody's guess. But the virtual certainty that they will be acting with greater autonomy in such a future case means that history will not repeat itself.

In Germany and Italy and other European countries in general, there is also reason to believe that security may come to assume a more central role in determining immigration policies. This dissertation has discussed in detail the role that geographical proximity to unstable areas has played in shifting mainstream Italian attitudes more towards views held by Northern League hardliners. At the same time, however, Italian society remains powerfully influenced by the humanitarian impulses of both the Catholic Church and left-wing political parties. But overall, the spillover of turmoil in the Middle East and North Africa into neighboring regions may come to override concerns Europeans have about adhering to human rights norms and ensuring fiscal solvency through the process of replacement migration. Germany has reached the point where the co-leader of a significant minority political party, now known as Alliance 90/The Greens, is a German-born ethnic Turkish man named Cem Ozdemir. This is impressive to see, but it remains to be seen how far Germans collectively can go not just in assimilating but also in accepting the large numbers of ethnic and racial minorities who reside in their country.

The main theoretical contribution of this dissertation to the literature on immigration politics lies in its emphasizing of institutions as entities that may act and behave independently of factors related to either economics and/or culture. Immigration policies are so complex that the human mind is understandably tempted to simplify the matter and view immigration as a kind of binary compound involving just economic interests and somewhat nebulous sociocultural factors. This dissertation has highlighted the need to understand additional reasons behind the flexibility or inflexibility of institutional structures set up decades earlier for regulating immigration policies in particular countries.

Regarding avenues for future research, this author would be delighted to see the framework of this dissertation applied to other cases among both developed and developing

countries. In 2015, there appears to be a feeling of growing crisis worldwide as mass migrations of people from areas affected by civil wars, ethnic cleansing, poverty, and also climate change are posing grave challenges to the immigration policies of Turkey, Malaysia, Australia, and even an economically devastated Greece. Looking back, tracing the development of immigration regulations, and identifying patterns of institutional development may help us in getting a better sense of how prepared or unprepared these nations will be to reform their systems in the coming years as pressures mount.

To conclude, the immigration policies of a given country are best understood as the products of induced and not imputed preferences. These induced preferences themselves are not the cause of particular policy outcomes, but they play an important role in shaping whether more permissive or more restrictive institutions are designed. Circumstances change, and they matter. The emergence of critical junctures can present politicians and bureaucrats with opportunities to design institutions of varying durability. The preferred immigration policies of Japanese, Germans, and Italians in the year 2015 cannot be ascribed to immutable qualities and are therefore not set in stone. The transformations or lack thereof which affected each of these countries starting some 70 years ago in 1945 led to different outcomes in how members of the ethnic majorities in these countries came to view and treat members of ethnic and other minorities. A change just as profound but hopefully not as violent could occur again in the twenty-first century, shifting the immigration-related preferences of the voters and leaders of these and other countries in line with their transformed national identities. In turn, these shifts could give rise to institutions entirely different from those which existed or continue to exist in so-called non-immigration countries.

BIBLIOGRAPHY

Chapter One: Introduction

Brubaker, Rogers. *Citizenship and Nationhood in France and Germany*. Cambridge, MA: Harvard University Press, 1992.

Chung, Erin Aeran. *Immigration and Citizenship in Japan*. Cambridge, UK: Cambridge University Press, 2010.

Eurostat. Web. <<http://epp.eurostat.ec.europa.eu/portal/page/portal/eurostat/home>>.

Joppke, Christian. *Citizenship and Immigration*. Cambridge, UK: Polity Press, 2010.

Kuru, Ahmet T. *Secularism and State Policies toward Religion: The United States, France, and Turkey*. Cambridge, UK: Cambridge University Press, 2009.

Mahoney, James and Kathleen Ann Thelen (Eds.). *Explaining Institutional Change: Ambiguity, Agency, and Power*. Cambridge, England: Cambridge University Press, 2010.

Milly, Deborah J. *New Policies for New Residents: Immigrants, Advocacy, and Governance in Japan and Beyond*. Ithaca, NY: Cornell University Press, 2014.

Organization for Economic Cooperation and Development iLibrary.
<<http://www.oecd-ilibrary.org>>.

Snyder, Jack. *Myths of Empire*. Ithaca, NY: Cornell University Press, 1991.

Statistics Bureau of Japan. Web. <<http://www.stat.go.jp/english>>.

United Nations, Department of Economic and Social Affairs.
<<http://www.un.org/en/development/desa/index.html>>.

The World Bank. <www.worldbank.org>.

Zolberg, Aristide. *A Nation by Design: Immigration Policy in the Fashioning of America*. Cambridge, MA: Harvard University Press, 2006.

Chapter Two: Literature Review and Theory

Bonacich, Edna. "A Theory of Ethnic Antagonism: The Split Labor Market." *American*

Sociological Review 37.5 (1972): 547-59.

Brettell, Caroline and James F. Hollifield (Eds.). *Migration Theory: Talking across Disciplines*.

New York: Routledge, 2000.

Capoccia, Giovanni, and R. Daniel Kelemen. "The Study of Critical Junctures: Theory, Narrative,

and Counterfactuals in Historical Institutionalism." *World Politics* 59.03 (2007): 341-69.

Collier, Paul. *Exodus: How Migration Is Changing Our World*. New York: Oxford University

Press, 2013.

Cornelius, Wayne A., and Marc R. Rosenblum. "Immigration And Politics." *Annual Review of*

Political Science 8.1 (2005): 99-119.

Cornelius, Wayne A., Philip L. Martin, James F. Hollifield, and Takeyuki Tsuda (Eds.).

Controlling Immigration: A Global Perspective. Stanford, CA: Stanford University Press,

2004.

Dolmas, Jim and Gregory W. Huffman. "On the Political Economy of Immigration and Income

Redistribution." Department of Economics, Vanderbilt University: Working Paper No.

03-W12, May 2003.

Freeman, Gary. "Migration and the Political Economy of the Welfare State." *Annals of the*

American Academy of Political and Social Science 485 (May 1986): 51-63.

Goldin, Claudia. "The Political Economy of Immigration Restriction in the United States." In

Claudia Goldin and Gary D. Libecap (Eds.), *The Regulated Economy: A Historical*

Approach to Political Economy (pp. 223-258). Chicago, IL: University of Chicago Press,

1994.

- Hacker, Jacob S. "The Historical Logic of National Health Insurance: Structure and Sequence in the Development of British, Canadian, and U.S. Medical Policy." *Studies in American Political Development* 12.01 (1998): 57-130.
- Hainmueller, Jens and Michael Hiscox. "Attitudes toward Highly Skilled and Low-skilled Immigration: Evidence from a Survey Experiment." *American Political Science Review* 104.1 (February 2010): 61-84.
- Hall, Peter A. and Rosemary C. R. Taylor. "Political Science and the Three New Institutionalisms." *Political Studies* 44.5 (1996): 936-57.
- Katznelson, Ira and Barry R. Weingast (Eds.). *Preferences and Situations: Points of Intersection Between Historical and Rational Choice Institutionalism*. New York: Russell Sage Foundation, 2005.
- Keohane, Robert O. *After Hegemony: Cooperation and Discord in the World Political Economy*. Princeton, NJ: Princeton University Press, 1984.
- Kohn, Robert E. "A Heckscher–Ohlin–Samuelson Model of Immigration and Capital Transfers." *Open Economies Review* 12.4 (October 2001): 379-387.
- Krasner, Stephen D. "Approaches to the State: Alternative Conceptions and Historical Dynamics." *Comparative Politics* 16.2 (1984): 223-46.
- Massey, Douglas S. "The Political Economy of Migration in an Era of Globalization." In Samuel Martinez (Ed.), *International Migration and Human Rights: The Global Repercussions of U.S. Policy*. Berkeley, CA: University of California Press, 2009.
- Meyers, Eytan. "Theories of International Immigration Policy-A Comparative Analysis." *International Migration Review* 34.4 (2000): 1245-1282.
- Morris-Suzuki, Tessa. *Borderline Japan: Foreigners and Frontier Controls in the Postwar Era*.

- Cambridge: Cambridge UP, 2010.
- O'Rourke, Kevin H. "Heckscher-Ohlin Theory and Individual Attitudes Towards Globalization."
National Bureau of Economic Research: Working Paper 9872, July 2003.
- Pierson, Paul. *Politics in Time: History, Institutions, and Social Analysis*. Princeton, NJ:
Princeton University Press, 2004.
- Putnam, Robert. "Diplomacy and Domestic Politics: The Logic of Two-Level Games."
International Organization 42.3 (Summer 1988): 427-460.
- Rosenblum, Marc. "The Interstitial Politics of Immigration Policy: Lessons from the Bracero
Program." *Political Power and Social Theory* 16 (2004): 139-182.
- Ruggie, John Gerard. "What Makes the World Hang Together? Neo-utilitarianism and the Social
Constructivist Challenge." *International Organization* 52.4 (1998): 855-85.
- Sassen, Saskia. "Regulating Immigration in a Global Age: A New Policy Landscape¹." *Parallax*
11.1 (2005): 35-45.
- Spiro, Peter J. "Federalism and Immigration: Models and Trends." *International Social Science
Journal* 53.167 (2001): 67-73.
- Tsuda, Takeyuki (Ed.). *Local Citizenship in Recent Countries of Immigration: Japan in
Comparative Perspective*. Lanham, MD: Lexington, 2006.
- Waltz, Kenneth N. *Theory of International Politics*. Reading, MA: Addison-Wesley Publishing
Company, 1979.
- Weiner, Myron. "Security, Stability, and International Migration." *International Security* 17.3
(1992): 91-126.
- Weingast, Barry. "Political Stability and Civil War: Institutions, Commitment, and American

Democracy.” In Robert H. Bates (Ed.), *Analytic Narratives*. Princeton, NJ: Princeton University Press, 1998.

Whitaker, Reginald. *Double Standard: The Secret History of Canadian Immigration*. Toronto: Lester & Orpen Dennys, 1987.

Chapter Three: Germany

Anil, Merih. "Explaining the Naturalisation Practices of Turks in Germany in the Wake of the Citizenship Reform of 1999." *Journal of Ethnic and Migration Studies* 33.8 (2007): 1363-1376.

Brubaker, Rogers. *Citizenship and Nationhood in France and Germany*. Cambridge, MA: Harvard University Press, 1992.

Brubaker, W. R. "Immigration, Citizenship, And The Nation-State In France And Germany: A Comparative Historical Analysis." *International Sociology* 5.4 (1990): 379-407.

Green, Simon. *The Politics of Exclusion: Institutions and Immigration Policy in Contemporary Germany*. Manchester: Manchester University Press, 2004.

Horrocks, David, and Eva Kolinsky. *Turkish Culture in German Society Today*. Providence, RI: Berghahn, 1996.

Howard, Marc Morjé. "The Causes and Consequences of Germany's New Citizenship Law." *German Politics* 17.1 (2008): 41-62.

Katzenstein, Peter J. *Policy and Politics in West Germany: The Growth of a Semisovereign State*. Philadelphia, PA: Temple University Press, 1987.

Martinez-Herrera, Manuel. "Attractive Immigration Policies: 'A Worldwide Fight for the Skilled Workers.'" IUSLabor 1/2008. <http://www.upf.edu/iuslabor/_pdf/2008-1/EEUManuelMartinez.pdf>

Schmidt, Manfred. "Learning From Catastrophes: West Germany's Public Policy." In *The Comparative History of Public Policy*, Francis Castles, Ed., pp. 56-99, New York, NY: Oxford University Press, 1989.

Shachar, Ayelet. "The Race for Talent: Highly Skilled Migrants and Competitive Immigration Regimes." *New York University Law Review* 81.1 (2006): 148-206.

Chapter Four: Italy

Ambrosini, Maurizio. "Surviving Underground: Irregular Migrants, Italian Families, Invisible Welfare." *International Journal of Social Welfare* 21.4 (2012): 361-71.

Ambrosini, Maurizio. "Immigration in Italy: Between Economic Acceptance and Political Rejection." *Journal of International Migration and Integration* 14:1 (February 2013): 175-194.

Battisti, Danielle. "The American Committee on Italian Migration, Anti-Communism, and Immigration Reform." *Journal of American Ethnic History* 31.2 (2012): 11-40.

Capussotti, Enrica. "Internal Migration and Racism in Turin, Europe: 1950s and 1960s." <http://uninomade.org/wp/wp-content/uploads/2012/05/Nordisti-contro-Sudisti.-Internal-Migration-and-Racism-in-Turin-Europe-1950s-and-1960s.pdf>

Clayton, Marina Maccari. "Communists of the Stomach: Italian Migration and International Relations in the Cold War Era." *Studi Emigrazione* 41, no. 155 (2004): 327-336.

Colombo, Monica. "Discourse and Politics of Migration in Italy: The Production and Reproduction of Ethnic Dominance and Exclusion." *Journal of Language and Politics* 12.2 (2013): 157-79.

Del Boca, Daniela and Alessandra Venturini. "Italian Migration." *The Institute for the Study of Labor* (Bonn, Germany), Discussion Paper No. 938, November 2003.

- Di Martino, Alberto, Francesca Biondi Dal Monte, Ilaria Boiano, and Rosa Raffaelli. *The Criminalization of Irregular Immigration: Law and Practice in Italy*. Pisa, Italy: Pisa University Press, 2013.
- Downs, Anthony. *An Economic Theory of Democracy*. New York, NY: Harper, 1957.
- Duverger, Maurice. *Les Partis Politiques*. Paris, France: Librairie Armand Colin, 1951.
- European Election Database. <http://www.nsd.uib.no/european_election_database/>
- Levinson, Amanda. "The Regularisation of Unauthorized Migrants: Literature Survey and Country Case Studies." *Centre on Migration, Policy, and Society*. University of Oxford, 2005.
- Magnani, Natalia. "Immigration Control in Italian Political Elite Debates: Changing Policy Frames in Italy, 1980s-2000s." *Ethnicities* 12.5 (2012): 643-64.
- McLaren, Brian. *Architecture and Tourism in Italian Colonial Libya: An Ambivalent Modernism*. Seattle, WA: University of Washington, 2006.
- Nohlen, Dieter, and Philip Stöver. *Elections in Europe: A Data Handbook*. Baden-Baden, Germany: Nomos, 2010.
- Salis, Ester. "Labour Migration Governance in Contemporary Europe. The Case of Italy." *Fieri Working Papers* (Turin, Italy), April 2012.
- Sciortino, Giuseppe. "Immigration in a Mediterranean Welfare State: The Italian Experience in Comparative Perspective." *Journal of Comparative Policy Analysis: Research and Practice* 6.2 (2004): 111-29.
- Scrivano, Paolo. "Signs of Americanization in Italian Domestic Life: Italy's Postwar Conversion to Consumerism." *Journal of Contemporary History* 40.2 (2005): 317-40.
- Toniolo, Gianni, ed. *The Oxford Handbook of the Italian Economy Since Unification*. New York,

NY: Oxford University Press, 2013.

Van Hooren, Franca. "When Families Need Immigrants: The Exceptional Position of Migrant Domestic Workers and Care Assistants in Italian Immigration Policy." *Bulletin of Italian Politics* 2.2 (2010): 21-38.

Veugelers, John W.P. (1994). "Recent Immigration Politics in Italy: A Short Story." In Martin Baldwin-Edwards and Martin A. Schain (Eds.), *The Politics of Immigration in Western Europe*. New York, NY: Routledge.

Zincone, Giovanna. "The Making of Policies: Immigration and Immigrants in Italy." *Journal of Ethnic and Migration Studies* 32.3 (2006): 347-75.

Chapters Five & Six: Japan

Arakaki, Osamu. *Refugee Law and Practice in Japan*. Aldershot, England: Ashgate Publishing, 2008.

Chung, Erin Aeran. *Immigration and Citizenship in Japan*. New York, NY: Cambridge University Press, 2010.

Endoh, Toake. *Exporting Japan: Politics of Emigration toward Latin America*. Urbana, IL: University of Illinois, 2009.

Fuess, Scott M. "Immigration Policy and Highly Skilled Workers: The Case of Japan." *Contemporary Economic Policy* 21.2 (2003): 243-57.

Haig, Kenneth G.R. ".National Aliens, Local Citizens? Japan's Immigrant Integration Politics in Comparative Perspective." Ph.D. dissertation, University of California at Berkeley, 2009.

Hatch, Walter. *Asia's Flying Geese: How Regionalization Shapes Japan*. Ithaca: Cornell University Press, 2010.

Kobayashi, Hitoshi. "Immigration and Crime Rates In Japan: Does an Increase in Foreign-Born

- People Threaten Japanese Public Safety?" Master of Public Policy thesis, Georgetown University, 2010.
- Komine, Ayako. "When Migrants Became Denizens: Understanding Japan as a Reactive Immigration Country." *Contemporary Japan* 26.2 (2014): 197–222.
- Ministry of Justice, Japan. < <http://www.moj.go.jp/ENGLISH/index.html>>.
- Morris-Suzuki, Tessa. "Immigration and Citizenship in Contemporary Japan." In *Japan—Change and Continuity*, Javed Maswood, Jeffrey Graham, and Hideaki Miyajima, Eds., pp. 163-178, New York, NY: RoutledgeCurzon, 2002.
- Murakami, Eigo. "The Consequences of Policy Reform: Japanese Industrial Training Programs and Female Migrant Workers." *Journal of International Economic Studies* 21 (2007): 33–51.
- Shiraishi, Masaya. *Japanese Relations with Vietnam, 1951-1987*. Ithaca, NY: Southeast Asia Program, Cornell University, 1990.
- Vogt, Gabriele. "Doors Wide Shut? The Current Discourse on Labor Migration to Japan." *German Institute for Japanese Studies*, working paper 06/3, Tokyo, 2006.
- Watanabe, Hiroaki Richard. "Why and How Did Japan Finally Change Its Ways? The Politics of Japanese Labour-Market Deregulation since the 1990s." *Japan Forum* 24.1 (2012): 23-50.
- Watt, Lori. *When Empire Comes Home: Repatriation and Reintegration in Postwar Japan*. Cambridge, MA: Harvard University Asia Center, 2009.