

## **The Man-Made Construct of Nationality and the Multilayered Nature of Cultural Identity**

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Who are the “Japanese people?” What defines a “Japanese” person? The Nationality Law spells out formal distinctions between “foreign nationals” and “Japanese citizens,” but people are apt to perceive nationality as a god-given attribute, one akin to gender. In reality, though, nationality is no natural endowment; a closer look at Japanese history shows just how artificial the entire construct is. Koreans were “imperial subjects” of Japan during the colonial era, for example, and the 1985 revisions to the Nationality Law expanded the scope of eligibility for acquiring Japanese nationality. Prior to those 1985 amendments, Japan’s Nationality Law espoused a patrilineal principle. Any child born to a Japanese father and a non-Japanese mother was Japanese by birth, automatically inheriting the father’s nationality. When Japan signed the Convention on the Elimination of All Forms of Discrimination Against Women in 1980 and officially ratified the document in 1985, however, that embrace of gender-egalitarian principles spurred amendments to the country’s Nationality Law, which promptly incorporated bilinear nationality principles. This became an examples of how an international law strongly influenced Japan’s domestic policies.

While the new Nationality Law may have broadened the definition of Japanese nationality, the revisions did little to stem the tides of the country’s dwindling population. On June 20, 2008, the Liberal Democratic Party’s “Caucus for the Promotion of Foreign Human Resources” and “Project Team for a Japanese-style Immigration Nation” submitted a report to then-Prime Minister Yasuo Fukuda. The proposals at the heart of the report centered on compensating for Japan’s shrinking labor force with an influx of immigrant workers via a variety of measures, including initiatives to overhaul the rather closed-off, inward-looking policies of the past, enact a new Immigration Law, and set up an Immigration Agency, but in-party deliberations on the terms of the proposals quickly fell to the wayside in the wake of the Great East Japan Earthquake and Tsunami in 2011. With that, Japan’s immigration policy quickly took a big step backward—and that retreat has left a dearth of much-needed activity on the front lines. However, without making radical transformations in its immigration policies, Japan cannot stand any chance against the labor shortages looming 50 or 100 years down the road, and thus has no bright future. The government’s priorities need to be in the right place, too: in confronting the question of who will support Japanese society into the future, the discourse should focus on building relationships with a commitment to appreciating the rich cultural dimensions so vital to people’s individual identities—a cultural component both international and domestic in nature—before seeking radical changes in the Japanese mentality.

Japanese law essentially makes dual nationality an impossibility. The media likes to cover as broad a scope as possible with its “Japanese triumph!” headlines, of course, bestowing nationality-infused acclaim on athletes like tennis player Naomi Osaka, baseball players Yu Darvish and Rui Okoye, track runners Asuka Cambridge and Julian Walsh, as well as intellectuals like Nobel Prize winners Shuji Nakamura (the researcher responsible for the invention of blue light-emitting diodes) and

Kazuo Ishiguro (an acclaimed author). The fact of the matter, though, is that some of those big-name “prides of Japan,” like the ones above, have dual nationalities—or have even renounced their Japanese nationality altogether. In the West, there are so many citizens with dual nationality that touting one as the “triumph” of a specific citizenry or ethnic group would be problematic; given the context, media outlets stay away from playing up an individual victory as a “national” achievement and instead frame the success as a personal accomplishment. In Japan’s system of cultural values, nationality tends to overwhelm the notion of individual identity—and areas ranging from law and economics all the way to politics are susceptible to the pull of that powerful cultural current.

### **Moving Away from the “Foreigner” Label**

With globalization constantly churning forward, the idea of “immigrant integration” has become a vital cog in the formulation of immigration policies. The word “immigrant” has never had much currency in Japanese society, however; the black-and-white dualism of “Japanese” and “foreigners” is still the accepted mindset. While countries around the world are exhibiting more and more signs of exclusionist attitudes toward immigrants, in Japan, the “foreigner” phrasing is what betrays an exclusionary stance against non-Japanese nationals and is used against a perceived “other” in society.

That said, the tides do seem to be shifting. The phrase “foreign residents” has broken into the Japanese lexicon, for one, and the government did away with the long-standing “Alien Registration Act” in July 2012 as the idea of non-Japanese nationals being just as important as Japanese nationals—fellow residents, not “aliens”—has gained traction. Immigrant nations have systems by which new entrants can proceed through a series of status stages, from “foreign resident” to “permanent resident” until ultimately acquiring the nationality of their adopted country. In the United States, for example, immigrants can get “Green Cards” (permanent residency cards) with no work-related restrictions in around three years’ time, provided that they meet certain requirements. The system enables eligible immigrants to secure official US citizenship, as well, after living in the country for around five to ten years. Immigrants in the United States can, if they so choose, follow a set path—a step-by-step life plan—to membership in the nation. While immigrant societies may see their share of discrimination in a variety of forms, countries with immigration systems like the ones in the United States rest squarely on the conceptual foundation of treating immigrants and native citizens on a level plane, a commitment to the principle of equality between “nationals” and “foreign nationals.”

### **The Multilayered Nature of Cultural Identity**

Due to the rise of antforeignism against immigrants, the European Union is dealing with a host of complicated issues at the moment, but the flow of people needs to remain open and free as long as the area can maintain peaceful conditions. There will inevitably come a time, I think, when Asians, too, will need opportunities to travel throughout the continent, free to encounter other cultures, without a passport. Japan can lead the Asian community forward by taking a new position on the nationality issue, one that abandons *jus sanguinis* (the “right of blood”) for the *jus soli* (“right

of soil”) principle that Western countries abide by. People hold their homes close to their hearts, and those geographical roots have an enormous impact in shaping people’s individual identities. To establish better immigration policies and give a sliver of light to people hoping to make Japan a better place, the first step for Japan will be to align its Nationality Law with the *jus soli* principle. Take a closer look at all the foreign residents and the people with foreign roots that homogeneous society tends to obscure, and you can see that Japan is actually a multicultural state. For instance, *Zainichi* Koreans (long-term residents of Japan who trace their roots to Korea under Japanese rule, along with their descendants), who have traditionally struggled to find work, have consistently shown an entrepreneurial drive—and those among them with business skills and a desire for upward mobility have sought self-realization through their commercial pursuits. And those entrepreneurs have often outperformed the majority in terms of business success. While the United States might be what people imagine when they think of immigrants making their own successes, especially considering the ideal of the “American Dream,” Japan is also home to a substantial amount of entrepreneurial activity by residents with non-native nationalities.

In the case of *Zainichi* entrepreneurship, however, Koreans in Japan who started their own businesses did so in their Japanese aliases. Thus, even if they proved successful, their Korean roots remained under the surface, “invisible” to the public. When Masayoshi Son appeared atop the *Forbes* ranking of Japan’s top taxpayers in 2007 (a rare occurrence when a *Zainichi* name made an appearance in the ranking), however, Japanese society had to come to grips with the factuality of multilayered identities. The coming years will see the traditional concepts of individuality grow blurrier and blurrier, as it has become harder to identify someone based on the traditional distinguishing attributes, such as skin color, nationality, race and location. In that changing milieu, Japan, too, is expected to change.

*The contents of this article reflect solely the opinions of the author.*