The Difference that Security Makes: The Politics of Citizenship in Postwar Japan in a Comparative Perspective

Konrad KALICKI, Go MURAKAMI and Nicholas A. R. FRASER*

Upon dissolution of modern empires, post-imperial states came to different decisions about the legal status to be assigned to residents from their former colonies. Some states preserved their de facto citizenship rights, whereas other states excluded them from the new polity. Japan opted for the latter. It instituted an exclusive citizenship regime, turning (most of) its former colonial residents into foreigners. With an eye on the comparative context, this paper examines this postwar process of policymaking in light of two relevant theories—Rogers Brubaker’s ideational theory and Thomas Janoski’s regime theory. Its findings support Janoski’s approach: the degree of incorporation of former colonial subjects explains Japan’s decision better. However, the paper also argues that the exclusion of Taiwanese and particularly Korean residents was not simply determined by their inadequate institutional integration but occurred rather because they were judged to pose a security threat.

Keywords: citizenship; policy formation; ethnic minorities; postwar Japan.

1. Introduction

At the end of 1945, shortly after Japan’s defeat in the Second World War, Japan’s former colonial subjects residing in the metropolis were stripped of their hitherto citizenship rights. Further, upon the effectuation of the San Francisco Peace Treaty in April 1952, the Japanese government unilaterally deprived (most of) its residents from former colonies of their Japanese nationality, making them foreigners.¹ This act instituted a new citizenship regime. The institutional legacies of this action for

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1. Of the three largest groups of former colonial subjects residing in Japan proper in the aftermath of the war—who are the subjects of this paper—only Okinawans/Ryukyuans were included in the new polity, whereas Koreans and Taiwanese were excluded. Given space constraints, the Ainu, who were also included, are not considered in this study; however, we believe that this does not pose a challenge to the overall argument advanced below.
democratic inclusion have been long lasting, as illustrated by the periodically re-emerging debates on local voting rights for foreign residents in Japan (Kalicki 2008). To account for the postwar actions of the Japanese government, this paper systematically examines the available evidence in light of two contrasting theories of citizenship formation—Rogers Brubaker’s (1992) ideational theory and Thomas Janoski’s (2010) political economy/institutional theory. By situating the Japanese case among other former imperial states from Europe, which also had to address the legal status of their former colonial subjects in the process of decolonization, the study enriches both the empirical understanding of the case of Japan and the theoretical/comparative literature on the politics of citizenship.

The existing literature is divided on the question of why Japan’s former colonial subjects legally domiciled within Japan’s postwar borders were abruptly excluded from their hitherto national polity. Many Japanese-language studies aim to describe and interpret citizenship policy formation in the postwar period and often draw some normative implications. They criticize the Japanese government for its unilateral decision, discriminatory practices and attitudes, and unfair treatment of Korean residents, and in so doing these, scholars have questioned the legitimacy of said policies (e.g. Onuma 1993, 2004; Tanaka 1995; Yoon 1997; Kim 1999). These studies, to varying degrees, also tend to echo the argument, found for example in Fukuoka (1996) and Caprio (2008), that the ethnic/racial discourse and perceived inferiority of the former colonial subjects held by Japanese elites (and the public) shaped the exclusive citizenship regime.

In its more sophisticated form, this argument extends to consider the social order and internal/external security concerns posed by former colonial subjects (e.g. Onuma 1993; Kashiwazaki 2000b; Morris-Suzuki 2006; Chapman 2008). Although these studies do not engage directly with the question of causality, they suggest that postwar treatment of former colonials was motivated mainly by fears of political instability. Others point more directly to concerns over the ethnic Koreans’ link to Communist groups in Japan and its potential electoral consequences, or to the perceived threat to the Japanese political regime, as the basis for introducing exclusive citizenship laws (Matsumoto 1988; Onuma 1993; Mizuno 1996, 1997; Kim 1997). Similarly, Nantais (2010) argues that the deprivation of Japanese nationality from former colonial subjects domiciled in postwar Japan was not a racial matter but a legal/political one. Likewise, Morris-Suzuki’s (2010) recent work highlights the security dimension of migration/border control policy.

Other studies identify different causal factors, such as the economic incentives to reduce a burden of distributing food stamps to Koreans while exploiting their labor (Nishinarita 1997; Onuma 2004). Yet, such explanations often appear to be made in an ad hoc manner. Moreover, even when they attend to causal factors, such studies are lacking in theory.

Overall, the transforming legal status of Japan’s former colonial subjects has not been systematically addressed. Furthermore, virtually no attempt has been made to examine this issue in light of the existing generalizable theories of citizenship formation. This paper attempts to fill this gap. We have chosen to test two contrasting theories that are both prominent in the citizenship literature. They are also amenable to comparative analysis, and both are particularly pertinent to the case of Japan. As we have seen, much of the existing claims about the treatment of Japan’s former colonial subjects rest on assertions that Japanese political elites consciously strived to reshape the public discourse about

2. For a more general discussion of democratic inclusion in Japan, see Chung 2010 and Yamanaka 2004.

3. Two classic books on Japan’s occupation and postwar democratization (Dower 1999; Takemae 2002) do not deal with the citizenship question per se, but Takemae, too, hints that the handling of former colonial residents in Japan was conditioned by concerns about political instability.
Japanese identity—an argument that should give support to the ideational ‘cultural idiom’ theory of Brubaker. Janoski’s regime theory stands in sharp contrast to this logic. Indeed, in developing his theory, Janoski refers briefly to Japan, but his claim is not empirically substantiated. This is significant as Japan appears to be a crucial case for this theory: Japanese occupation of some of its colonial possessions is on the verge of passing a theoretical threshold of 50 years, after which inclusive citizenship policy is expected to follow.

The findings of this paper are two-fold. First, we find little support for the argument that ideational or racial considerations determined the institution of the exclusionary citizenship regime in postwar Japan. To be sure, we find evidence of the presence of an ethnic factor and hence this aspect cannot be entirely discarded. Early in the occupation, the American authorities in particular discussed former colonial residents—especially Koreans—in terms of their ‘undesirable’ qualities. Indeed, some of these views could be seen as congruent with Brubaker’s theory. Nonetheless, the bulk of the evidence points to a very different concern: the Japanese (and American) authorities were predominately guided by a perceived security threat in choosing not to recognize (most of) Japan’s former colonial subjects as citizens of the postwar Japanese state.

Consequently, we argue that Janoski’s regime theory better explains the case of Japan than does Brubaker’s ideational theory—albeit with some modification. In many ways, Imperial Japan did go through the stages laid out by Janoski’s theory to institutionally incorporate its colonial subjects, as the case of admitting Ryukyuan residents illustrates. Despite having made significant progress on the institutional path toward inclusive citizenship, however, Koreans and Taiwanese residing in Japan proper were not fully integrated into Japanese society when the empire crumbled. This is due to the unusually rapid process of institutional absorption—which took 50 years for Taiwan and only 35 years for Korea—coupled with intense resistance to assimilation on the part of the respective subjects. While in the immediate postwar period some officials were ready to admit them to the new Japanese state, as subsequent debates demonstrate, their institutional incorporation did not guarantee them access to Japanese citizenship. During this turbulent time, Taiwanese and Korean residents aroused mounting suspicion and were consequently excluded on the grounds that they posed a broad security threat. On the whole, we argue, therefore, that of the two theories, Janoski’s theory is more suited to explain the Japanese case, along with other comparable European cases. However, this overly structural and rather mechanical account needs to be modified: even a locked-in institutional path toward inclusive citizenship may be disrupted by exogenous factors unaccounted for by the framework.

This paper proceeds as follows. First, we introduce the two theories of citizenship formation examined here. Then, we clarify our method and data. In the subsequent section, we outline the treatment of former colonials in Japan and contextualize it vis-à-vis comparable European cases. What follows is a case study of Japan’s postwar citizenship policymaking in light of the theoretical framework. In conclusion, we discuss the implications of our findings for the theory of comparative politics of citizenship formation.

4. Although security has an objective dimension, we refer throughout to a perceived security threat in recognition that some security threats can also be subjectively interpreted (see Katzenstein 1996).
5. In a sense, this can be seen as an aberration of colonial policies under wartime conditions.
6. A caveat is in order here: clearly, the term ‘security’ covers a variety of meanings, including economic, military, ideological, border, and internal security. Throughout the paper, we discuss a perceived threat to the newly emerging sociopolitical order (i.e. to regime stability); although we are aware that finer distinctions can be made here regarding a causal link, it falls outside the scope of this paper. We recommend a deeper investigation of this in future research. Our main contribution lies elsewhere: with a focus on former colonial subjects, we seek to test two theories of citizenship formation in postwar Japan in a comparative context.
2. Analytical Framework

In a quest to provide both an internally coherent and social-scientifically generalizable explanation to the question of why an exclusionary citizenship regime was instituted in postwar Japan, we test two contrasting theories of citizenship formation—the ideational theory and the regime theory. Let us briefly summarize their major premises.

2.1. Brubaker’s Ideational Theory

First, we examine the ideational theory of nationhood that explains the formation of citizenship policies. In essence, this theory holds that ‘cultural idioms’ or discourses about distinctive understandings of nationhood, crystallized in a long history, determine the type of citizenship policy. This perspective, in its theoretically rigorous form, is best expressed by Rogers Brubaker (1992). In his account of the divergent developments of the institutions of citizenship in France and Germany, he attempts to demonstrate ‘how particular cultural idioms – ways of thinking and talking about nationhood that have been state-centered and assimilationist in France, and more ethnocultural and differentialist [i.e. exclusionary] in Germany – were reinforced and activated in specific historical and institutional settings’ (Brubaker 1992: 16). He further insists that ‘once reinforced and activated, these cultural idioms framed and shaped judgments of what was politically imperative, of what was in the interest of the state’ (Brubaker 1992: 16). In short, this approach is grounded in the politics of identity—that is, it stresses that cultural idioms constitute the interests of the state and express them. Although Brubaker’s theory is exemplified by France and Germany, it is clearly meant to be generalizable across other cases—and hence applicable to Japan too.

2.2. Janoski’s Regime Theory

An alternative explanation for the varying citizenship regimes is a political and economic approach. We look into nationality regime theories based on colonialism, as recently expressed in the writings of Marc Morjé Howard (2009) and, in particular, Thomas Janoski (2009, 2010). Janoski’s theory admittedly builds on Gary Freeman’s political economy/institutional approach, which suggests that certain institutional aspects of colonialism are important in crafting postcolonial citizenship and immigration policies. However, Janoski sharpens Freeman’s institutional insights and provides clear long-term causal mechanisms that bring about differential citizenship policies. States are assumed to play a very strong role in formation of nationality policies and that they need a compelling reason to adopt one approach rather than another: ‘benefits’ to the state are critical.

Essentially, Janoski argues that the longer the colonization lasts, the more problems related to social control colonizers will face. Thus, in order to control the colony and minimize costs, the colonizer begins incorporating colonized natives to its institutions (e.g. bureaucracy, governing bodies, police force and military). Consequently, as it does so, the colonized natives embark on a long process of obtaining citizenship. In effect, ‘[c]olonizing countries will be more open, allowing colonial natives to become citizens when they express their values as universal and available to natives, provide natives with education and positions in the bureaucracy, and enlist or conscript natives into their armies, allowing them to fulfill the duties of empire for which they can claim rights’ (Janoski 2010: 9). To be sure, this process must inevitably involve a high degree of conflict and discrimination, but over time, it results in granting citizenship to immigrants in the motherland. It occurs in five stages: (i) repression, (ii) colonial control, (iii) education, (iv) military service, and (v) eventual migration.
The repression stage is characterized by intolerance and closure toward external ethnic groups; a country that does not move beyond this stage is, in Janoski’s approach, an occupier rather than a colonizer. The consequence is a lack of access to the citizenship acquisition process for the external groups since the state has no incentive to offer it. The second phase, the control stage, occurs when the colonizer realizes high costs incurred by military occupation of the colonized country; it first pacifies armed resistance and then co-opts natives to the police force and colonial administration. The third stage, the education stage, involves further socialization of the natives to the colonial ideas; some cooperative subjects are sent to the colonizing country’s universities to improve their work for the colonial enterprise. In the subsequent stage, colonial subjects serve for the military of the colonizer, and this military service generates citizenship claims on the colonial state. This stage (giving weapons to the natives) requires a high degree of internalized social control over the colonial subjects as these are the very people that the colonizer represses. Finally, in the fifth stage, ‘colonial natives immigrate and claim citizenship rights, sometimes having legal status as citizens and other times not’ (Janoski 2010: 10). Importantly, Janoski (2010: 10) argues that ‘the multiple stages of colonization take at least fifty and as many as a 100 years’. Janoski applies a 50-year threshold: a country is a colonizer if colonization exceeds 50 years and is coded as an occupier if it is less than 50 years. As far as colonizer/occupier regimes are concerned, through detailed case studies, Janoski elucidates the relatively open post-imperial nationality regimes of the UK, France, Austria and the Netherlands (colonizers) versus the relatively closed nationality regimes of Germany and Belgium (occupiers).

3. Method and Data

In order to test these theories on the Japanese case, we trace the decision-making process for the period between 1945 and 1951, by examining theoretically relevant facts in a chronological order. This method, generally referred to as process tracing, which ‘attempts to identify the intervening causal process—the causal chain and causal mechanism’ (George and Bennett 2005: 206) between the independent and the dependent variable, is most suitable for our purposes. It has the advantage of articulating a stepwise causal chain by examining different theoretical implications at the micro level—even when the two theories predict the same outcome (here, exclusion of the former colonial subjects). To gain analytical leverage in testing these theories, we expand the scope of our analysis to include the treatment of Ryukyuans. Still, the instance of Taiwanese and Koreans is vital since they are a borderline case for Janoski’s theory that sets up the 50-year threshold. The two minorities had been incorporated as subjects within the Japanese empire for just less than that (50 and 35 years, respectively), and as such, a thorough scrutiny of the immediate postwar decisions about their handling can shed important light on our theoretical reflections.

To be sure, we recognize some trade-offs in adopting this method, most notably the weakness in generalization of theoretical implications for other cases (Collier et al. 2004; in general, see Gerring 2004). However, we insist that testing this uniquely suited, yet understudied, case of Japan makes a significant contribution to the literature of comparative politics of citizenship by exposing some (otherwise dormant) comparable causal factors.

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7. Janoski’s framework deals explicitly also with settler and Nordic countries, but this has little relevance for the purpose of our study. It should be further noted that Janoski’s nationality regime theory has a second aspect: political process streaming from left and green political power. He argues that the post-World War II presence of left and green political parties can further explain open policies and institutions—which then will cause higher naturalization rates. This, however, is beyond the scope of our research although we speak briefly in conclusion to the implications of this issue for the case of Japan.
Tracing the trajectory of the policy outcome requires detailed data, and we use both primary archival and secondary sources. More specifically, we employ some key documents drafted by the General Headquarters (GHQ) of Supreme Commander for the Allied Powers (SCAP), Diet meeting discussion records, official letters and statistics, memoirs, as well as reports and memos circulated among policymakers, while relying also on the existing historical studies. We judge these studies to be rich and qualitatively reliable enough to serve our purposes.

4. Citizenship and Empire

4.1. Japan’s Historical Background

The idea of Japan expanding beyond its recognized borders goes back to the 1800s—even before it had actually established a foothold on the Asian continent (Peattie 1984b). It was induced by multiple stimulus factors. As Jansen (1968) observes, the initial phase of Meiji expansion aimed at clarifying the national unit and establishing clear Japanese authority over neighboring insular territories in the Pacific—Sakhalin (Karafuto), the Kuril, Ryukyu (Okinawa), and Bonin (Ogasawara) Islands. As early as 1872, the Japanese government established the Ryukyu han under the jurisdiction of the Foreign Ministry and, in 1879, annexed the Ryukyu Kingdom, ending its sovereignty by establishing full control of the archipelago and its people and incorporating it as the Okinawa prefecture (Watt 2009). In the 1880s, Japanese elites advocated greater territorial expansion.

Taiwan (Formosa) was annexed by the imperial Japanese state in 1895. Upon its incorporation into the Japanese empire, Taiwanese were declared ‘imperial subjects’ (teikoku shinmin) and were formally decreed Japanese nationals after a local version of the 1899 Japanese Nationality Law was extended to Taiwan. Similarly, following the annexation of Korea by Japan in 1910, the inhabitants of Korea were also formally decreed imperial subjects and were since regarded as Japanese nationals (Chung 2003; Nozaki, Inokuchi and Kim 2006). Consequently, a large number of Taiwanese and

8. Earlier, in 1869, the Ezo Island—inhabited by the Ainu—was formally incorporated into the Meiji state as the Hokkaido prefecture.
9. Note that the idea of colonizing Taiwan had been explored by the Japanese government as early as 1874 (Watt 2009).
10. A legal framework for Japanese status in Meiji Japan was created with the promulgation of the jinshin koseki in 1872. This uniformed family registration system (koseki seido) played an important role in the formation of the modern Japanese state by bringing together diverse groups and confirming Japan’s newly forming national and imperial borders (both in terms of territory and population). Rather than through blood ties, the standing of being Japanese was gained through marriage or adoption. It was only the 1899 Nationality Law that defined Japanese nationality in terms of Western legal codes—although the registration on the koseki continued to function as a prerequisite for Japanese nationality (Chapman 2011b). In Japan’s case, this law centered on the patriarchal version of ius sanguinis—modeled upon the dominant principle of the time in continental Europe—defining Japanese nationals by ‘bloodline’. From the start, however, it included ‘Taiwanese blood’. Soon after also other categories of blood (i.e. of other colonial subjects) came to be legally redefined as ‘Japanese’ (Morris-Suzuki 2010). In short, the development of Meiji citizenship laws had little to do with any deeply entrenched ethnocultural understandings of nationhood (see also Kashiwazaki 1998a, 2000a).
11. During Japan’s colonial rule, the term introduced in the Japanese Constitution of 1889 shinmin, often translated with the English word ‘national’, referred to all ‘loyal subjects’ of the Meiji emperor. Around the same time, also the term kokumin (literally ‘people of the country’) became widespread. It was a privileged category reserved for those who had ‘a sound sense of nation (kokkateki kannen)’ (Gluck 1985: 25). And although in practice the term applied more to Japanese (Caprio 2009), it is important to stress that ‘[p]olitical assimilation – rather than ethnocultural identity – was a prerequisite for acquiring the status of kokumin’ (Chung 2010: 61). Following the introduction of the 1947 Constitution, the legal term kokumin undertook the meaning of the word ‘national’. 

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Korean colonial subjects migrated to Japan proper—particularly from the late 1920s onwards (see Morris-Suzuki 2008)—and started to settle in large numbers.

Given, however, that Japanese law, particularly at the outset, was not uniformly applied throughout the empire (especially political rights), it has been argued that colonial subjects ‘were not admitted into the Japanese “nation” in the proper sense of the word’ (Takenaka 1997: 144). Nonetheless, despite their second-class citizenship status, Koreans, as well as Taiwanese, who resided in Japan proper enjoyed many of the essential political rights that citizenship entails. For example, they were formally entitled to participate in local and national elections. Hence, following Kashiwazaki (1998b: 118), it can be argued that the policy of granting political rights to resident Koreans and Taiwanese ‘reflects the colonial state’s interest in the “inclusion” of its subject people’. As the empire evolved, this tendency was further reinforced by the extension of the uniformed obligations, such as military service, to all the empire’s subjects (Peattie 1984a). In short, absorption of colonial subjects into the Japanese empire was carried out through an ‘elaborate institutional apparatus’ (Uchida 2011: 356).

At the time of the Japanese defeat in the Second World War, there were 200,000 people from the Ryukyu archipelago, over 50,000 Chinese, some 35,000 Taiwanese, and more than two million Koreans residing in Japan proper (Watt 2009). Most of these people from the colonies rushed back home or were sent away, but many, including 600,000–700,000 Koreans, could not or did not return immediately and remained in the country (or left but returned to Japan shortly afterwards; Chae 2004). In December 1945, the Diet suspended the suffrage of these former colonial subjects on all government levels, limiting the franchise to those whose family registers (koseki) were in Japan proper. Nonetheless, Koreans and Taiwanese residing in Japan proper continued being treated as Japanese nationals—albeit with no citizenship rights. A slightly revised Nationality Law of 1950 retained the principle of the law of bloodline (ius sanguinis) but included no provisions on the nationality status of Taiwanese, Koreans, and Ryukyuans. This situation came to an end when, upon the effectuation of the Peace Treaty in San Francisco in April 1952, the Japanese government unilaterally deprived Korean and Taiwanese residents of their Japanese nationality, making them foreigners. Their residency in Japan could only be assured much later when the government awarded them the status of so-called ‘special permanent residents’ (tokubetsu eijūsha).

12. In addition, as ethnic ‘others’, many colonial subjects in Japan tended to face prejudice, oppression, and various acts of discrimination (see Nishinarita 1997: Chapters 5 and 6).

13. In fact, prior to the end of World War II, one Korean, Pak Chun-gum, was successfully elected to the Diet, while over 30 Koreans were elected locally (Weiner 1994; Kashiwazaki 1998b).

14. Indeed, colonial subjects living in the colonies were also eventually enfranchised. At the end of March 1945, by amending the election law (shūgiin giin senkyo), the Japanese government extended political franchise to colonial subjects in the Korean peninsula, Taiwan, and Sakhalin. Owing to Japan’s capitulation, however, which put an end to Japanese colonialism, no election was ever held under this amended law. Nonetheless, this signifies that the colonial subjects in those areas could have voted, and delegated representatives to the Imperial Diet, had the empire endured (see HoR 1945a for the government’s statement on installing these rights; see also Takenaka 1997; Kashiwazaki 1998b; Uchida 2011).

15. Starting from 1938, a voluntary military service system for Koreans was introduced, preparing them for a wider participation in the Japanese army. Eventually, the system of conscription was extended, taking effect in 1944 in Korea and in 1945 in Taiwan (Takenaka 1997; Kashiwazaki 1998b; Morris-Suzuki 2008; Uchida 2011).

16. In the Japanese empire, each colony had its own family registration system, which set a distinction between the ‘external territories’ (gaitechī) and ‘Japan proper’ (naitechī), and people were not free to transfer their registration.

17. This category was only created in 1991 with the passing of a new law (entitled the ‘Special Law for the Handling of Immigration Affairs of Persons Who Have Divested Themselves of Japanese Nationality on The Basis of Peace Treaties with Japan’) to cover former colonial subjects and their descendents, the vast majority of whom are South and North
4.2. Japan in a Comparative Perspective

The exclusion from the polity of (all or most) former colonial subjects residing in the metropolis after the downfall of the empire is not entirely unique to Japan. Many states undertook, to various degrees, a similar course of action while instituting modern citizenship regimes in the aftermath of their expansionist eras. For instance, in postwar Italy, in line with the 1912 *ius sanguinis* nationality law, Italian citizenship was considered to extend to Italians only; these were those who on or before 10 June 1940 resided in certain Italian territories—Dodecanese Islands, the Val d’Aosta, and Istria. Yet, although the principal requirements in this option was defined on the basis of language of use and domicile in Italy, ‘Italian ancestry’ was an additional requirement for legal citizenship (and social belonging) and hence, for example, Greeks and Slavs were excluded from opting for Italian citizenship. A notable exception were persons of mixed race from Ethiopia and Eritrea (but not ‘black natives’) who were eligible for Italian citizenship (see Ballinger 2007). Furthermore, after the Second World War, both Belgium (which still held onto some colonies in Africa) and Germany remained strict *ius sanguinis* countries with restrictive, though not insurmountable, naturalization processes. From the ethnорacial Reich Citizenship Law of 1935, Germany reverted to its original 1913 Nationality Law—closed *ius sanguinis* regime with provisions of the Auseidler (ethnic Germans who can gain citizenship upon arrival without having to naturalize; see Janoski 2009, 2010).

In contrast, many countries institutionalized very permissive citizenship regimes, opening their doors to former colonial subjects—especially those domiciled in the metropolis. Following the dissolution of the Austro-Hungarian multiethnic empire in 1918 and the subsequent formation of the Austrian Republic, citizenship was restricted to legal residents of a reduced Austrian state though the law also recommended a liberal application of double citizenship. Moreover, after the Second World War, Austria’s nationality regime reverted to its original multicultural approach (see Janoski 2009, 2010). After 1945, nationality in the Netherlands was mostly based on the principles of *ius sanguinis*—in accordance with the 1892 Dutch Nationality Act—though a provision had been made, for example, to facilitate the automatic naturalization of women who married Dutch citizens. However, with Dutch recognition of the national liberation movement’s victory in Indonesia in 1949 and the subsequent flows of people from the Dutch colonies in Asia to the Netherlands proper, the nationality law was amended in 1953, shifting in effect from a pure *ius sanguinis* to a partial *ius soli* (double *ius soli*; see Janoski 2010). Following the break-up of the Portuguese empire in 1974, colonial subjects, who as residents of overseas ‘provinces’ had been treated as full citizens, were stripped of their Portuguese citizenship. Yet, those born in the colonies could maintain their Portuguese citizenship if they had resided in the metropolis for the five years immediately preceding April 1974—a balance between *ius sanguinis* and *ius soli* (see Horta and White 2009). Furthermore, despite different colonial practices, both British and French empires made their colonial subjects citizens. They both brought significant numbers of immigrants from the colonies and, following the process of decolonization, continued with liberal nationality policies. Former British colonial subjects were allowed to retain their British citizenship until 1962, when the legislation changed, while after Algerian independence in 1962, France largely maintained its nationality policies, reforming some of them to become less restrictive (see Horta and White 2009; Janoski 2010).
The treatment of former colonial subjects residing in the mother country upon dissolution of the empire is summarized in Table 1. At a quick glance, these results fit well with the regime theory: former ‘colonizers’ adopted inclusive citizenship regimes, while former ‘occupiers’ implemented exclusive citizenship policies. This, however, may still be due to some ideational factors rather than institutional processes. To settle this, we need to conduct a within-case analysis—examining the discourse about the nature of states’ membership and identifying its causal link with citizenship policy formation. Here we only signal an overall fit of the theories tested.

### 4.3. Fit with the Theories: Prelude to the Analysis

Comparatively, Japan represents an exclusive citizenship regime. Interestingly, however, as shown in Table 2, it adopted divergent modes of incorporation for the different minorities: the postwar citizenship policy is inclusive towards the *naichi* subjects (Ryukyuans) and exclusive towards the *gaichi* minorities (Taiwanese and Koreans), even those resident in Japan proper. This seems at odds with the ideational theory and prompts the following question: why was inclusive citizenship extended to the ethnically non-Japanese Ryukyuans? According to Janoski’s indicators, it would not merely be the distinction between *naichi/gaichi* but the length of occupation and when conscription was uniformly applied to the occupied areas that could explain the difference in incorporation of the various ethnic groups. Furthermore, by the end of the war, Japanese authorities considered moving *koseki* of all *gaichi* subjects from the colonial periphery to the Imperial metropolis. Indeed, in November 1944, the Cabinet agreed to relocate Koreans’ family registers, but the war’s end put a stop to this plan (OSS 1945; Takemae 2002). Had this been done, Koreans and Taiwanese would have also become *naichi*. Yet, we find ample evidence that even though the *koseki* transfer had never materialized, in the war’s aftermath, the authorities were still discussing the inclusion of former *gaichi* colonial subjects into the new Japanese polity. The subsequent section details these policy formation processes.

### Table 1. Inclusive Versus Exclusive Citizenship Regimes in Selected Former Colonial Countries.

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<sup>a</sup>The exception being persons of mixed race from Ethiopia and Eritrea.

<sup>b</sup>The exception being Okinawans/Ryukyuans.

<sup>c</sup>Only for children of the third generation residents—applied retrospectively.

<sup>d</sup>Only for those who had resided in the metropolis for the five years immediately preceding April 1974.
5. The Case of Japan

5.1. Predictions of the Theories

If Brubaker’s ideational theory is applied to the Japanese case, we should find the decision-making process to be dominated by a reference to the presumed ethnocultural distinctiveness of the Japanese as the central criterion for the extension of citizenship rights. As such, in principle, we would expect the policy making process to be underpinned by exclusionary motivations towards all ethnic minorities resident in Japan, such as Koreans, Taiwanese, Chinese, and Ryukyuans. Conversely, Janoski’s regime theory predicts that policymakers would have been guided by the degree to which former colonial subjects were incorporated within the prewar Japanese state in order to determine whether or not they should be granted citizenship of postwar Japan. In effect, this could result in an uneven treatment of the same ethnic group (for example, those residing in Japan and those in the former colonies) if their levels of incorporation within the sociopolitical mainstream were judged to be different. In general, however, this criterion is related to the historical process of colonial incorporation. Thus, given the 50-year threshold set out by Janoski’s theory, we should observe an ‘in-between’ logic to apply to Taiwanese and Koreans domiciled in early postwar Japan. That is, we should come across some indicators of policymakers’ readiness to include these groups as citizens of the postwar Japanese state. For the same reasons, Ryukyuans residing in mainland Japan should have also been recognized as Japanese citizens. The observable implications for the two theories are summarized in Table 3.

Let us now review the citizenship formation process in postwar Japan by examining the relevant events alongside our two theories.

5.2. SCAP’s Initial View of Japan’s Former Colonial Subjects

The foundation of SCAP’s policy towards Japan’s former colonial subjects was laid in Washington prior to the end of the war. In the initial period, Chinese residents (not distinguished here from the Taiwanese) were perceived as ‘Allied nationals’, whereas Koreans as ‘enemy persons’ (Johansen 1944). Immediately after Japan’s surrender, however, they came to be perceived by SCAP not as Japanese nationals but rather as ‘externally displaced persons’, while Ryukyuans were referred to as ‘internally displaced persons’ (GHQ 1945). Thus, the perception of former colonial subjects changed over time. Indeed, the status of Japan’s former colonial subjects was quite ambiguous. This is expressed in

Table 2. Within-Case Analysis of Ethnic Minorities in Japan in Light of Janoski’s Regime Theory.

<table>
<thead>
<tr>
<th>Area of Occupation/Colonization</th>
<th>Ethnic Minorities</th>
<th>Length of Occupation/Colonization (Since)</th>
<th>Modes of Incorporation</th>
<th>Full Conscription Applied Since</th>
</tr>
</thead>
<tbody>
<tr>
<td>Okinawa</td>
<td>Ryukyuans</td>
<td>73 years (1872–)</td>
<td>Naichi</td>
<td>1902</td>
</tr>
<tr>
<td>Taiwan</td>
<td>Taiwanese</td>
<td>50 years (1895–)</td>
<td>Gaichi</td>
<td>1944</td>
</tr>
<tr>
<td>Korea</td>
<td>Koreans</td>
<td>35 years (1910–)</td>
<td>Gaichi</td>
<td>1943</td>
</tr>
</tbody>
</table>

*aConscription is considered as the benchmark of passing the fourth stage of institutional incorporation to the empire. In naichi Japan, excluding Hokkaido, Okinawa, and the Ogasawara Islands, conscription started in 1873.*
Table 3. Observable Implications for the Two Theories.

<table>
<thead>
<tr>
<th>Theory</th>
<th>Ideational (Brubaker 1992)</th>
<th>Regime (Janoski 2010)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key emphasis</td>
<td>Ethnic/cultural boundaries</td>
<td>Degree of incorporation</td>
</tr>
<tr>
<td>Modes of exclusion</td>
<td>Straightforward</td>
<td>Group specific</td>
</tr>
<tr>
<td>Excluded ethnic groups</td>
<td>All (Ryukyuans, Koreans, and Taiwanese/Chinese)</td>
<td>Koreans and Taiwanese: if domiciled in mainland Japan—‘on the border line’; Ryukyuans: included if domiciled in mainland Japan</td>
</tr>
</tbody>
</table>

a key occupation directive issued shortly after the war, November 1945, by the State, War, and Navy Departments to SCAP. ‘Basic Initial Post Surrender Directive to Supreme Commander for the Allied Powers for the Occupation and Control of Japan’ states:

You will treat Formosan-Chinese and Koreans as liberated peoples in so far as military security permits. They are not included in the term ‘Japanese’ as used in this directive but they have been Japanese subjects and may be treated by you, in case of necessity, as enemy nationals (JCS 1945: 145–146).

This ambiguity is an early but clear indication that security was a primary concern in SCAP’s policies toward Japan’s postcolonial minorities. Consequently, by the end of 1945, SCAP reserved authority to ‘treat [former colonial residents] when necessary as enemy nationals’ (SCAP 1949: 432).18

To be sure, there is evidence from the outset of the occupation that negative stereotypes of Japan’s former colonial subjects, particularly Koreans, were held by a number of US officials. As early as June 1945, for example, the Office of Strategic Services authored one of the first reports on minorities in Japan, entitled ‘Aliens in Japan’. The document depicts the perception of Koreans in terms of their ‘undesirable’ qualities. Among other things, it remarks that ‘[t]he Koreans, with few exceptions, are a distinct minority group, with a low social position […]. Their language, culture, and manner of life are quite different from the Japanese, and the Koreans have attempted to maintain their old way of life, separate and distinct from the Japanese community’ (OSS 1945: 14–15). Thus, the report concludes that their ‘segregation from the Japanese’ will be needed in the postwar period.

Undeniably, such bold references to distinct lifestyles and cultural practices can be seen as congruent with Brubaker’s ideational theory. However, it is important to note that this report prioritized the need for taking precautionary actions to control non-Japanese who might become ‘a menace to Allied military operations’. More importantly, we find ample evidence that, as it progressed, more emphasis was placed on this aspect of the occupation. The US authorities’ anxiety over security intensified even further, superseding all other concerns.19 Moreover, a perception

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18. This particular policy seems to have been derived from a concern about Korean and Taiwanese residents’ wartime engagement in armament production and in Japan’s war efforts as military personnel.
19. Undoubtedly, this shift was fostered by the changing geopolitical situation in postwar East Asia.
of a broad security threat seems to have also played a decisive role in the treatment of former colonial subjects when the Japanese authorities become solely responsible for the policy toward minorities.20

5.3. Legal Status of Ryukyuans

The legal status of Ryukyuans is a test case for our two theories. Prior to its annexation in 1872, the Ryukyu Islands had a tributary relationship with Japan. At that time, the general public and even some elites did not recognize Okinawa as naikoku (inside) Japan. Consequently, following its annexation, Imperial Japan had difficulty in establishing a legitimate claim to Okinawa. The biggest challenge lay in ‘proving’ that the Ryukyuans were ethnically, linguistically and culturally ‘Japanese’ (Gabe 1995; Oguma 1998; Mori 2001).21 Initially, the Ryukyuans were treated as an ethnic minority, for fear that their full-scale ‘Japanization’ might anger China (Gordon 2009), but soon after, they came to be institutionally incorporated into the mainstream sociopolitical system, as their naichi status and early conscription clearly indicate (Oguma 1998). Even so, as ethnic migrants, those Ryukyuans who moved to mainland Japan in the prewar period—particularly in the 1920s and 1930s—were subjected to racism and discrimination comparable to that suffered by Koreans and former outcastes, now known as burakumin (Gordon 2009).

With its defeat in World War II, Japan lost administrative authority over Okinawa, and the islands were occupied by the US until 1972.22 At that time, viewed pejoratively by most Japanese as ‘third-country people’ (daisankokujin), Ryukyuans—like Korean, Taiwanese and Chinese residents—‘played defiant roles on the margins’ of Japanese society (Dower 1999: 122). However, unlike Koreans and Taiwanese (see discussion below), the Ryukyuans residing in mainland Japan were not deprived of their citizenship rights despite the lack of Japanese sovereignty over the islands, which made it impossible for the Japanese government to maintain the same rights for those residing in Okinawa.23 Their suffrage was not revoked, and they did not cease to be regarded as Japanese nationals either by SCAP or the Japanese government. According to SCAP, ‘Japan agreed that its sovereignty would extend only to the four main islands [...] This [did] not, however, divest those Ryukyuans residing in Japan of their Japanese nationality’ (GHQ 1947). The Ministry of Foreign Affairs declared that ‘Ryukyuans are naichi Japanese in terms of their legal status, and thus there will be no difference in their treatment from that of other naichi Japanese, even though the administrative authority over Okinawa is suspended’ (Park 1981: 95).24 Importantly, this assertion emphasized the naichi/gaichi distinction, stating that ‘Zainichi Korean and Taiwanese are gaichi Japanese, thus their status and treatment will

20. In 1949, the American authorities took a ‘hands-off’ position on the question of ethnic minorities and encouraged bilateral negotiations between the Japanese and the newly inaugurated ROK government in particular.
21. Prior to the war’s end, Japan was commonly understood as a multiethnic empire (see Lie 2001). However, in the case of Ryukyuans, Japan made a conscious effort to ‘prove’ their Japanese origins so as to justify its claim over the islands in the dispute with the Qing Dynasty (Oguma 1998). Not surprisingly, therefore, some of the first concerted efforts on the part of the Meiji government to assimilate an ethnic minority through national schooling were promoted in Okinawa, particularly in the realms of language, culture, and the imperial ideology (see Rabson 1996; Noiri 2011).
22. The Ryukyuans in the Okinawa archipelago, which had been separated from the rest of the country, were placed under direct US military rule and subjected to strict migration regulations (see also note 33).
23. Note that also former colonial subjects residing in the Ogasawara Islands—ethnically non-Japanese descendents of the original settlers from Europe, America, and the Pacific Islands—had their Japanese citizenship rights suspended after the islands were placed under the US authority. This situation continued until the reversion of Japanese sovereign control over the islands in 1968 (for details, see Chapman 2011a, 2012).
24. Note: all translations from Japanese-language sources, including document titles, are by the authors.
be different from *naichi* Japanese, as was the case in prewar Japan’ (Park 1981: 95). In short, the legal rights (as Japanese nationals) of this marginalized group were simply assumed to carry over from the prewar period, even if at times their actual treatment was subjected to some adverse practices by the Japanese authorities and despite general uncertainty about the future of their native islands.

The Japanese government’s treatment of the *koseki* lost by the Ryukyuans during the war further suggests strong willingness to incorporate them into postwar Japan. Although most *koseki* of Ryukyuans were destroyed during the war, the government chose to recover and reissue the *koseki* records (*koseki okoshi*) in both Japan and Okinawa. Thus, not only was the Japanese government disregarding the ethnic divide but it was also ready to bear all the costs involved in this endeavor. As early as 28 August 1945, it started arranging a policy for the recovering of Ryukyuans’ lost *koseki*. Moreover, although the quality of information restored during the subsequent process was reportedly poor, the Japanese government showed flexibility in collecting voluntarily provided information and kept on treating the Ryukyuans as Japanese nationals (Nishihara 1975; Kugai 1990). Initially incorporated as a colony (albeit *naichi*), Okinawa was by 1945 fully institutionally integrated with Japan proper to the point that the Japanese government, breaching ethnic boundaries and disregarding its temporary lack of sovereignty, made a significant effort to restore the Ryukyuans’ *koseki* and include them in the new citizenship regime.

To be sure, the policy towards the legal status of Ryukyuans requires more research. Nevertheless, the fact remains that conscious attempts were made to include this ethnically ‘other’ minority into Japan’s postwar polity at this critical juncture, which could have resulted in a different outcome—this contradicts the ‘culture idiom’ theory. Indeed, if we look closely at the debates surrounding other former colonial subjects, such as Koreans and Taiwanese, we find further support for the regime theory.

### 5.4. Suffrage as the First Battleground

With the uncertain legal status of resident former colonial subjects in the aftermath of the war, the (active and passive) political rights of these minorities emerged as an immediate dilemma to be addressed. The Ministry of Internal Affairs initiated this debate. Consequently, the first draft of the Basic Outline for the Amendment of the Electoral System of the House of Representatives, approved by the cabinet on 23 October 1945, included Korean and Taiwanese/Chinese residing in Japan as...
eligible voters. The exact process of how this policy proposal came to be is not entirely clear, but Mizuno (1996) speculates two reasons for this: (a) it was simply a conventional practice for states to preserve political rights of their former colonial subjects, and (b) the Ministry of Internal Affairs might have hesitated to do away with their suffrage only five months after it had been granted.27

This idea, however, was challenged by a Diet member, Kiyose Ichirō (formerly Dainihon Seijikai, later Nihon Shimpotō), at an informal meeting of the members of the Special Committee for the Diet Institution with the bureaucrats of the Ministry of Internal Affairs on 26 October (Mizuno 1996). Soon after, Kiyose issued flyers advertising and validating his claim. His basic reasoning was simple: former colonial subjects are no longer Japanese nationals—because Japan lost sovereignty over its colonial possessions—and hence they should be disenfranchised. In addition, he listed two other reasons. First, he claimed that only those Koreans and Taiwanese who transferred their koseki to Japan proper before 1 September 1945, or who naturalized after that date, should be eligible.28 Second, he expressed security concerns about the electoral consequence of upholding suffrage for the ‘2 million Korean residents’. Implying their connection with the Japanese Communist Party (JCP), he warned that their ethnic block vote could be ‘linked to the philosophical issue’ and that ‘those advocating for abolishment of the imperial system are probably Korean nationals who reside in Japan’ (cited in Mizuno 1996). The first of these motives can be interpreted as an emphasis on the degree of incorporation of former colonial subjects, while the second is an expression of a perceived security threat.

Kiyose’s opposition seems to have had a substantial impact on the subsequent change in the policy. In a memorandum (The issue of suffrage for Koreans and Taiwanese) issued on 5 November, Satō Tatsuo, Counselor of the Department of Law of the Cabinet Legislation Bureau, pointed out that the legal status of former colonial subjects was in a transitional stage and urged for their political rights to be suspended until their status is finalized by a peace treaty with the relevant countries. A piece of ‘smoking gun’ evidence for Kiyose’s influence is found in another Satō memo (Important issues regarding the Election Law), which states that ‘it is crucially important to consider Mr. Kiyose’s opinion’ on said issue (Satō 1979). Thus, when a bill for change in the election law was submitted to the Privy Council on 19 November 1945, Horikiri Zenjirō, Minister of Internal Affairs, applied the very same logic to justify the exclusion of former colonial subjects from the list of eligible voters. By introducing the requirement of koseki in Japan as a precondition for electoral participation, in December 1945, the bill effectively disenfranchised Korean and Taiwanese residents—but, as noted earlier, not Ryukyuans residing in mainland Japan (Mizuno 1996).

This decision did not go unchallenged, however. In a committee meeting of the House of Representatives on 26 July 1946, Waseda Ryūemon (Nihon Jiyūtō) maintained that ‘well-behaved Korean residents […]’, who had lived in Japan proper for 20 to 30 years, became practically Japanese (cited in Mizuno 1997) and that those Koreans deserved suffrage. As such, he made a distinction among Korean residents, referring to their varying levels of incorporation (or assimilation) into Japanese society. Ōmura Seichirō, then Minister of Internal Affairs, answered that good behaving Koreans could obtain suffrage through naturalization; yet, he did express concern about their ‘lawless behavior that disrupts social order’ (cited in Mizuno 1997).

27. Note that Mizuno appears to be referring here to the March 1945 amendment of the election law that extended political franchise to all colonial subjects (see note 14). With Mizuno, we think it is reasonable to assume that the initial decision of the Ministry of Internal Affairs to include the former colonial subjects residing in Japan could have been affected by this then recent legal change.

28. This, especially the former, was virtually impossible given the rigid koseki system at that time. In Imperial Japan, only a female colonial subject married to a Japanese male, or adopted to a family in Japan proper, was allowed to transfer her koseki from gaichi to naichi (GHQ 1996; Kim 1999).
In the end, these fundamental citizenship rights have never been restored to Korean and Taiwanese residents. However, it is important to stress that they were seriously debated in the context of the former colonial subjects’ integration into Japan. Ultimately, however, the security concerns—rather than ethnic otherness—seem to have swayed the decision of the Japanese authorities. This marked an important shift that led to subsequent changes in the legal status of these two groups.

5.5. Alien Registration Ordinance

Both SCAP and the Japanese authorities agreed on the necessity of registering and controlling former colonial subjects residing in post-surrender Japan. The first such attempt was made on 17 February 1946, when SCAP ordered that all Koreans, Taiwanese, Chinese and Ryukyuans should be registered as foreigners within a certain period if they wished to be repatriated via government-assisted program (SCAP 1946). This call was repeated on 13 March 1946 through the Welfare, Interior and Justice ministerial Order No. 1. Again, its announced purpose was to register and survey the repatriation preferences of those with the principle registration (honseki) in Korea, Taiwan, China, and south of 30 degrees latitude north (including Kuchinoshima) or Okinawa (MoF 1946; see also Chapman 2011b). The real intention of the authorities, however, was to deport Koreans who had entered Japan illegally, or were deemed undesirable, ‘back’ to Korea. Along with the December 1946 Osaka Prefecture Korean Registration Ordinance (Osakafu Chōsenjin tōoku jōrei), these orders became stepping-stones to a series of subsequent registration orders, which aimed at policing and controlling former colonial subjects residing in mainland Japan (Onuma 1993).

In this context, the Alien Registration Ordinance was enacted on 2 May 1947. Its announced purpose was to identify and arrest illegal entrants by means of formal registration of foreigners. According to Onuma (1993, 2004), however, the actual intention of this law was to create the legal basis to deport unwanted Koreans, if necessary. This points to a curious contradiction: although legally defined as Japanese nationals, they simultaneously came to be ‘treated for the time being as foreigners’.29 In any case, it is clear that the Alien Registration Ordinance (Imperial Ordinance 207) did ‘not determine their nationality’ (GHQ 1947). Some regional branches of Korean associations in Japan, Choren and Mindan, criticized this eclectic treatment as unjustified and demanded to be treated as United Nations nationals. They agreed to register by the end of August 1947 only after the Ministry of Internal Affairs assured that this registration would be considered as a separate matter from their future nationality status and that the police would not abuse this registration system (Kim 1997). These promises, however, were broken in the later period (Kim 2010).

What explains this complex legal status of former colonial subjects? Although it is difficult to pinpoint a single causal factor, the diplomatic dynamics among SCAP, Japanese authorities and representatives of the ethnic minorities seem to have played a role. As early as October 1945, the Chinese government requested that all concerned residents in Japan register to recover their Chinese nationality. Further, after diplomatic negotiations, under the newly established Republic of China Mission’s instruction, Japan lost jurisdiction over Chinese residents registered on its territory—something that did not ensue for Koreans.30 The actual decision to recognize their right to be tried as United

29. In other words, the Japanese government made up an odd legal status of ‘Japanese-but-foreigners’, so as to police and, if needed, deport unwanted Koreans under Japanese criminal law. This is even more peculiar considering that Koreans were tried in Japanese courts as Japanese.

30. The Republic of China’s allied status in the postwar period allowed it to become a member of the United Nations, enjoying diplomatic recognition of SCAP and the Japanese government. In contrast, long nonrecognition of the Korean Provisional Government by the United States and, later, the division of the Korean peninsula into two occupation zones...
Nations nationals in occupation courts was made in February 1947 (GHQ 1996). Unlike Koreans, however, they were not subjected to deportations under Japanese criminal law (Park 1981).

Neither the ideational nor the regime theory can account for the different treatment of Koreans and Chinese/Taiwanese. Rather, this needs to be explained with reference to newly shaping diplomatic relations in the context of the changing geopolitical structure of postwar East Asia. Nonetheless, the intention to register and potentially deport former colonial subjects, regardless of their ethnicity, may be interpreted as driven by security concerns. This becomes more evident in the later discussions on finalizing their nationality status.

5.6. Loss of Japanese Nationality

Upon the effectuation of the San Francisco Peace Treaty on 28 April 1952, the Japanese government unilaterally deprived former colonial subjects of their Japanese nationality by notice No. 438 of the Chief Bureau of the Civil Affairs, Ministry of Justice. However, the Ryukyuans domiciled in Japan were not affected by this decision. In the process of reaching this conclusion, the Japanese government, and especially the Ministry of Foreign Affairs, changed its original plan, which would have allowed former colonial subjects to choose their nationalities. This change, as we show below, should be attributed to the perceived security threat rather than ideational considerations.

The Ministry of Foreign Affairs began considering the future legal status of the former colonial subjects as early as January 1946 in a Research Board Meeting for the Peace Treaty of the Bureau of State Affairs (Matsumoto 1988). A policy draft of ‘The General Outline of the Peace Treaty’ in December 1948 states that Korean residents in mainland Japan ‘will basically recover their Korean nationality. However, they will be able to choose nationality’, either Korean or Japanese (MoFA 1950: 88). Policy documents before this date also recommended a free choice between Korean/Chinese and Japanese nationalities (Matsumoto 1988).

The idea of giving former colonial subjects the right to choose their nationality is also present in the early Diet discussions. As early as 5 December 1945, for example, in the Committee on the House of Representatives Election Reform, Horikiri Zenjirō (then Minister of Home Affairs, Kenkyukai in the House of Peers) declared that ‘it is a convention that the Korean residents in naichi Japan should have a choice of the Japanese nationality’. This is clear-cut evidence that the government initially did not plan to strip Korean residents in mainland Japan of their Japanese nationality. For the purpose of testing our two theories, examining the reasoning behind this argument is instructive. Horikiri makes it explicit when he states later in this very speech that it is because ‘many Koreans and Taiwanese lived in Japan exactly like other naichi Japanese’ and that therefore ‘they would like to choose the Japanese nationality’ (HoR 1945b). By extending no concerns over a distinctive understanding of the ‘nationhood’ or the supposed ‘Japanese-ness’, ‘Korean-ness’ or ‘Chinese-ness’, this statement flies in the face of the ‘culture idiom’ theory.

The possibility of allowing former colonial subjects residing in Japan to choose their nationality is further evident in official discussions that took place as late as the end of 1949. On 21 December 1949, in the Foreign Affairs Committee of the House of Representatives, Kawamura Matsusuke complicated the international status of Koreans generally, and those in Japan in particular. When two legitimate governments on the peninsula were created in 1948, the United States and Soviet Union—as members of the Security Council—opposed each other’s Korean client state from gaining acceptance into the United Nations. However, by then, the US authorities recognized the right of the Korean government to establish a liaison office in Japan. When a similar request was made by the South Korean diplomatic Mission in April 1949, SCAP and the Japanese government refused to comply with it.
(Parliamentary Vice Minister for Foreign Affairs, Minshu Jiyūtō in the House of Councillors) answered similarly to a question from Sasaki Morio (Minshu Jiyūtō in the House of Representatives) on the nationality of Korean and Taiwanese residents in Japan. He expected ‘that [former colonial subjects] could choose whichever nationality they would like to have’ (HoR 1949). This fact, again, casts doubt on the ideational theory; if a distinct, ethnocultural understanding of Japanese nationhood played a major role in the later decision to exclude former colonial residents in Japan, how can this be squared with the fact that this decision occurred shortly after such a statement was made? Furthermore, the nature of the discourse in the Diet, as shown in Horikiri’s statement above, lends more support to the regime theory or, at the very least, contradicts the predictions of the ‘cultural idiom’ theory.

However, this initial policy proposal was revised. A revised document of ‘The General Outline for the Peace Treaty’, released internally by the Ministry of Foreign Affairs in September 1950, states that ‘as the matter of course’ Korean residents in Japan ‘would recover their Korean citizenship in a manner similar to Koreans in other countries’, which in effect meant a loss of their Japanese nationality altogether (MoFA 1950: 176). The idea of allowing former colonial subjects to choose between nationalities ceased to be a viable option after issuance of this document (Matsumoto 1988).

Prior to this, there had already been a foreshadowing of the upcoming change. For example, Kim’s (1997) study suggests that the potential policy shift occurred at the Wajima-Finn meeting on 3 February 1949. At this meeting, Richard Finn, the Third Secretary of the Division of General Affairs in the Diplomatic Section of SCAP, was told by Wajima Eiji, Director of the Control Bureau of the Japanese Foreign Office, that the basic interest of the Japanese state was to send all Koreans away from Japan. However, because the Japanese government was aware that this was unfeasible, Wajima—who maintained that ‘nearly all Koreans in Japan [were] extremely eager to acquire Japanese nationality’—proposed changing relevant laws ‘in such a way as to give [them] the status of non-Japanese in every aspect of the administrative field’. He propped up his argument by citing research that supposedly showed evidence for their racial inferiority and ‘primitive nature’ (cited in Caprio 2008).

Given Wajima’s remarks, ethnic difference as grounds for the exclusion of Korean residents cannot be entirely rejected. However, we argue that the policy shift with regard to the legal status of former colonial subjects can be better understood by looking elsewhere. The clear reasoning behind it is apparent in a report submitted by the Foreign Office of the Japanese government to SCAP in February 1948. This document stated that some parts of the Korean community in Japan were undesirable because of their tendency to commit crimes and that many Koreans belonged to a politically extremist camp, engaging in destructive activities along with Japanese extremist groups, which was an implicit reference to their link with the Japan Communist Party (FO JPN 1948; see also Matsumoto 1988). In short, this suggests that a broadly defined security threat was a driving force behind the policy toward the legal status of former colonial residents.

This is consistent with the apparent fears of the Japanese and Occupation authorities throughout the early postwar period. Following a release of political prisoners in October 1945, Korean and Japanese communist leaders began organizing joint activities aimed at overthrowing ‘the Emperor system’ and replacing it with a ‘People’s Republic’. In practice, they worked toward reconstructing the JCP, recruiting

32. Interestingly, shortly after, in April 1949, the ROK government issued its opinion on the question of Japan-based Koreans, stating that it did not call for their repatriation and urging that they remain under Japanese jurisdiction. This reluctance—quite distinct from the position of the Nationalist China’s government—was due to the supposed hybrid cultural characteristics of Koreans domiciled in Japan. Moreover, the Korean media called attention to their lack of sufficient ‘Korean-ness,’ essentially reiterating the viewpoint of the government.
party members, and reorganizing the nature of the political movement of Japan-based Koreans (Lee 1981). Consequently, fearing the spread of communism, both American and Japanese officials watched the Korean community suspiciously from the outset of the occupation. The division of the Korean peninsula along the 38th parallel and its political polarization naturally inflamed such fears since, as one senior US officer recalls, ‘[a]t least one-half of [Koreans in Japan] were under leftist influences by 1948’ (Finn 1992: 238). The problem of unsecured borders only exacerbated these concerns. The reverse flow of repatriated Koreans who re-entered Japan illegally was perceived to be connected with the activities of the Far East communist network, which intended to plant its agents in Japan. As SCAP Diplomatic Section’s major study on the issue from May 1948 (titled ‘Staff Study Concerning Koreans in Japan’) notes, ‘Koreans moving between Korea and Japan serve as the link between Japanese communists and those of the continent of Asia – Korean, Chinese, and Russian’ (cited in Caprio 2008).

The Japanese officials were well aware of this problem. This is expressed in records of communication between the highest Occupation and Japanese authorities. For example, in a letter to the Chief of Government Section (Courtney Whitney), dated 6 July 1949, Japanese Prime Minister Yoshida Shigeru wrote:

I would appreciate if you could keep this private, but a number of disruptive Koreans are tools of communism and are causing a serious trouble with the labor movement and social order in general. These Koreans are real troublemakers, and if they were in Soviet Russia, they would be taken away en masse. In addition, troublemakers like these are entering Japan illegally, smuggling, and raising funds for the (Japanese) Communist Party (in Sodei 2000: 134).

Likewise, in a letter to General Douglas MacArthur (around August 1949) regarding the issue of Korean repatriations, Prime Minister Yoshida recognized a problem of former colonial subjects remaining in Japan. In particular, he expressed concerns about the Korean population, asserting that ‘[…] there is a large percentage of criminal elements among the Koreans. They are habitual violators of our economic laws and regulations. A great many are Communists and fellow travelers, prone to commit political offenses of the most vicious kind’ (in Sodei 2000: 146–148). Furthermore, citing some statistics from the 1945–1948 period, Yoshida maintained that Koreans were excessively involved in crime. Consequently, he recommended that ‘[i]n principle, all Koreans should be repatriated at the expense of the Japanese government’. Indeed, the US compiled statistics from the same period reveal that Korean residents committed between 4,500 and 5,700 offenses against criminal and civil codes per year, the numbers disproportionately higher than those of any other ‘foreign nationals’ (SCAP 1952: Appendix F). This unlawful behavior was perceived as particularly troubling in the face of the weak law enforcement at that time. All in all, Koreans’ involvement in communist activities, their illegal (re-)entries to Japan, and their criminal behavior all contributed to an apparent threat to the stability of a new Japanese sociopolitical order.

33. Both American and Japanese authorities held high hopes that the newly installed ROK liaison office would mitigate the left-wing and so-called disruptive tendencies of the Korean population in Japan.

34. See Weil (2001) for a discussion of how, in general, unstable borders favor states’ more exclusive citizenship policies.

35. Official statistics from that period reveal that disproportionately high numbers of Koreans were indeed entering Japan illegally. For example, of the 20,384 ‘illegal immigrants’ to Japan who were apprehended only between June and December 1946, 20,041 were Koreans (228 Taiwanese, 35 Chinese, and 80 Ryukyuans; SCAP 1952: 135). For more details, see also Morris-Suzuki (2011).

36. This and similar remarks (made in the context of diplomatic negotiations) suggest that although the Japanese (and Americans) might have had an understanding of the diversity among the former colonial residents, the circumstances necessitated that—for pragmatic reasons—they be dealt with as distinct and unitary groups.
To be sure, Taiwanese were not perceived to pose a security threat of the same magnitude. This is due to the significantly smaller size of their community, lesser complications associated with diplomatic negotiations, and a narrower scope of their unlawful activities. Even though, clearly, ‘[b]oth the Korean and the Taiwanese populations were a source of concern for the Occupation and Japanese police’ (Caprio 2008). The ‘menace’ of Taiwanese was linked primarily to criminal activities and in particular their participation in the black market (yami-ichi). These activities began to spread shortly after Japan’s capitulation, playing an enormous economic role and, as Caprio (2008) asserts, involving in 1946 some 20,000 Taiwanese. Overall, about 30% of those engaged in the illicit market activities were the marginalized ‘third-country people’ from the former colonies (Takemae 2002). In July 1946, fierce territorial rivalries culminated in a violent clash between Taiwanese and Japanese gangs that came to be known as the ‘Shibuya incident’.37 This episode, and the public outrage and trial that ensued, put a spotlight on the Taiwanese population. It intensified the already strained interracial tensions and, needless to say, caused considerable distress among the authorities.

The diplomatic dynamics of the time, as indicated above, were further conducive to the decision to exclude former colonial subjects. Soon after the war’s end, the Chinese government was eager to extend Chinese nationality to Japan-based Chinese/Taiwanese. Similarly, the Korean government did not recognize the Japanese nationality of Koreans residing in Japan and insisted that they maintain a status separate from that of the Japanese (but it did not call for their repatriation from Japan). Chung Han Pum, a Korean Ambassador to the Diplomatic Section of SCAP, requested in May 1949 that Korean residents in Japan be recognized as Allied Nationals. Furthermore, he claimed that all Korean residents in Japan should have South Korean nationality. This preference was repeatedly expressed by the Republic of Korea government throughout the negotiations with the Japanese authorities on the status of Japan-based Koreans, which began in the late 1951 (Hida 1980; Kim 1997). However, the diplomatic factor cannot account for the series of (earlier) administrative decisions regarding—and their justifications of—the postwar status of former colonial residents in Japan.

6. Conclusion

With a focus on former colonial residents, this paper has examined the trajectory of citizenship formation in postwar Japan in light of two competing theories: Brubaker’s ideational theory and Janoski’s regime theory. Its findings support Janoski’s approach that centers on institutional mechanisms in the formation of citizenship policy. As we show, of the major groups of postcolonial minorities domiciled in mainland Japan, only ethnically ‘other’ Ryukyuans were included in the new Japanese state. Their citizenship rights were simply assumed to carry over to the postwar period, which contrasts sharply with the treatment of other former colonial subjects, namely, Koreans and Taiwanese. This is consistent with the predictions of Janoski’s theory: the Ryukyuans had been institutionally incorporated for 73 years, whereas the Taiwanese and Koreans for only 50 years and 35 years, respectively. Given their degree of institutional integration (a borderline case for Janoski’s theory), however, it is not surprising that the would-be status of Taiwanese and Korean residents came to be vigorously debated. Indeed, in the early stage of policy formation, the Japanese government considered upholding their suffrage and giving them the right to choose their nationality.

37 In a gunfight that broke out in the Shibuya district, involving hundreds of Taiwanese and a thousand Japanese, seven Taiwanese and one policeman lost their lives and many more suffered injuries (Dower 1999).
These plans, we have argued, however, were disrupted by some pressing considerations: Taiwanese and particularly Koreans were excluded from the new polity because they were thought to pose a security threat to the fragile postwar order. That is, in the turbulent sociopolitical situation, both domestically and regionally, the authorities were deeply troubled by their engagement in potentially dangerous communist activities and unlawful criminal behavior. Had this not been the case, they could have been, like the Ryukyuans, admitted to the new Japanese polity.\footnote{This finding points to an interesting historical parallel. As some scholars observed, security concerns seem to have also played a role in shaping the strict citizenship laws of the Meiji period (see Kashiwazaki 1998a).}

To be sure, we find that ethnic considerations—just like diplomatic dynamics—surfaced in the debates on the status of former colonial subjects and hence they cannot be wholly discounted. They might have guided policymakers to some extent. However, it is important to bear in mind that the presence of an ethnic factor in policymaking does not automatically prove Brubaker’s ‘cultural idiom’ theory. Although the Japanese and American officials were strongly prejudiced against Koreans in particular, we find relatively few arguments that tie squarely with the notion of a ‘distinct nationhood’. This finding is consistent with the fully accommodative treatment—in terms of legal status—of the Ryukyuans residents (in mainland Japan). Hence, overall, we argue that Janoski’s theory explains the Japanese case better than Brubaker’s theory.

However, we do not merely validate the regime theory with our case. Rather, we argue that the fairly locked-in institutional development toward a more inclusive citizenship regime was disrupted by factors, such as a perceived security threat (and diplomatic dynamics, to a lesser degree), that are outside the logic of this theory. Our brief survey of the few comparable European cases does not allow us to make a claim about whether similar dynamics had been at play there too, or whether this is unique to Japan. A threat of that kind may be very context specific and contingent upon other conditions. As such, we cannot regard it as a generalizable independent variable that travels across cases. An implication of this finding is that even if the regime theory can explain individual cases relatively well, an in-depth investigation of the localized (political) context is recommended in order to expose its otherwise dormant features.

Nonetheless, further research is advised for the Japanese case. Given our method, the time period investigated here is limited to the six postwar years. However, we recognize that there is room for extending this research to the prewar period. This is particularly true given that we have at hand two theories that speak to long-term historical developments. Testing them further may require examining ethnocultural discourses (Oguma 1995) that go back to the origins of modern citizenship rights in Japan. This goes beyond the scope of our paper, but future research should pay close attention to this period in theoretically rigorous studies.

Another recommended line of research has to do with Japan’s static citizenship regime after 1952 (see Tanaka 1995; Chung 2010). This paper has not dealt with the second aspect of Janoski’s (2010) theory: partisanship of the government in the post-World War II period and its impact on naturalization rates. At first glimpse, here too, Japan appears to fit well. With the postwar dominance of the center-right Liberal Democratic Party and the obvious absence of left and green political parties at the helm of the government, it is not surprising that Japan’s institutions are relatively closed—and hence naturalization rates low. However, again, this deserves more thorough analysis. All in all, therefore, we advocate more studies utilizing the case of Japan for testing and building theories of comparative politics of citizenship.
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