

**The Control and Agency Dialectic of a Guest Worker Program: Evidence from Chinese Construction Workers in Japan's Technical Intern Training Program (TITP)**

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*Key words:* guest worker program; labor agency; labor migration; Japan; China; construction industry

**Abstract**

Guest worker programs entail an intrinsic tension between control over temporary workers' mobility and workers' agency. Scholars have analyzed this tension in terms of a dichotomy. The scholarship of control emphasizes how states, employers and brokers constrain workers' mobility and monopolize their labor (Martin, 2017; O'Connell Davidson 2013; Surak, 2018); workers' agency is portrayed to be antagonistic to control, in particular, when workers abscond to resist unequal relations with employers (Perry, 2019; Rogaly, 2009). By drawing on the qualitative data from Chinese construction workers in Japan's Technical Intern Training Program (TITP), I argue that the tension between control and agency is dialectical, not dichotomous. I collected data through fieldwork in the Tokyo area and China in 2018 and 2019, and through virtual ethnography during the COVID-19 pandemic. My findings suggest that employers and brokers seek to constrain workers' mobility, but their practices can also induce workers to abscond. Staying in the program is not an outcome of effective control over workers' mobility. Rather, it is an agentic act that workers take, responding to the ease of control brought by Japan's changing immigration policies and the punitive elements of China's surveillance policies.

During the recruitment process in China, recruiters impose penal contract and deposit fees to ensure workers' future return to China. Meanwhile, recruiters withhold information of actual working conditions, and exaggerate prospective earnings in Japan. However, after arriving in Japan, my interviewees reported feeling deceived by recruiters because they commonly suffered violence, discrimination, or other abuses by their Japanese employers. Under the subcontract system of the construction industry, employers usually have subcontracts at various construction sites. To minimize cost and to control interns' mobility, employers drive interns across construction sites to perform specific tasks. However, this frequent movement inadvertently provides interns opportunities to connect with Chinese co-ethnics of different legal statuses. Frustrated at employers and recruiters, some interns choose to abscond by using these connections with co-ethnics.

However, some interns choose to stay in the program out of the following considerations. First, China's social credit system discourages workers from absconding from the program. Workers know that absconding will eventually lead to deportation, a process which would inevitably involve the Chinese consulate. Thus, a criminal record may be placed on their social credit record, which could significantly affect their future life in China. Second, to secure labor demand of the 2021 Olympic Games, the Japanese government expanded the TITP in 2014 by allowing construction interns to continue working in Japan for up to three years after the first three-year contract, under *tokutei shūrō* visa status. This status is associated with higher payment. The 2018 new immigration act, moreover, created a semi-skilled visa category (*tokutei ginō*), under which construction interns can work in Japan for up to five years after the first three-year contract. Afterwards, they are eligible to apply for permanent residence. Interns are motivated to stay to gain the benefits of becoming a permanent resident.

The paper highlights the need to situate accounts of the constrained and varied labor agency in context, taking into consideration changing state policies, relations with co-ethnics, and industry-specific features. The control and agency dialectic suggests that constraining workers' mobility has the contradictory effect of pressing them out of the program. Therefore, to keep workers in guest worker program, it is essential for policy makers

to think of ways to empower workers. One such solution is to provide workers more protections and humanitarian assistance. Another is to create legal pathways to permanent residency or citizenship.

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**Title: Japan's Agriculture and ruralities in the 21<sup>st</sup> Century; an analysis of the ways policy reviews the role of overseas workers to address labour shortages.**

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Keywords: Labour, Japan, Sustainability, Overseas labour, Internships, Agriculture, 21<sup>st</sup> Century

This article provides an overview of labour shortages in Japan. It reflects on the impact on the agriculture sector while considering the roles of overseas labour as a potentially sustainable solution. With the ageing population and a decline in interest in these sectors, Japan has had to reconsider the source of its labour force in the 21<sup>st</sup> century, turning to overseas labour as a possible solution (see Strausz (2019) and Gordon (2003)). Despite these needs, the number of overseas migrants has yet to meet the demands.

With the 20<sup>th</sup> century historical review of the agriculture sector as a departure point and following the changes in the need for labour as Japan industrialised, the article steps into the 21<sup>st</sup> century reactionary policy changes that come about in response to increases in labour shortages—unpacking the historical policy developments such as the Japan Revitalization Strategy (2014), the introduction of the “Specific Skills” (特定技能, *Tokuteiginō*) visa in 2019, and changes to the formulation of trainees in the Technical Intern Training Program (技能実習制度, *Ginō Jisshū Seido*) (TITP) (Liu-Farrer 2020). Through a close reading of policy documents alongside their historical moments, this article demonstrates that migration policy driven by economic needs alone does not necessarily translate to favourable conditions for overseas labourers or local Japanese communities.

This article attempts to show the possibilities of migrant policy that addresses labour shortage sustainably rather than economically by explaining the changing essence of labour, specifically how labour changed in the 20<sup>th</sup> century and seems to be leaning towards overseas labour importation. Part one reviews the labour shortage dilemma in Japan's agricultural sector at the turn of the 21<sup>st</sup> Century, specifically looking at how and why this sector is less or more amenable to overseas labour. It also references data about overseas labour acquisition in agriculture, explicitly reflecting on the Japanese government's initiatives to bolster labour supply with overseas workers through TITP (Yoshida 2020).

In part two, the article examines the difficulties and delights of overseas labourers as depicted in scholarly works of the 21<sup>st</sup> century. This section serves as a meeting point of labour policy and the realities, challenges, and hopes of overseas migrants. These links and meeting points between the policies and people are essential for an understanding of sustainability in Japan that views overseas labour not as an economical means to maintaining capital ends or a vast process of labour optimisation but rather as a mechanism to forge new expressions of migrant-settler connexions to ensure sustainable livelihoods, forests and agriculture by meeting the needs of the

present without compromising the ability of future generations to meet their needs (Manzenreiter, Lützel and Polak-Rottmann 2020).

The Japanese government's concerns over the demographic crisis, labour shortages and unsustainable agriculture and forestry sectors have, in a sense, dealt with the inclusion of overseas workers as temporary, possibly unsustainable, parts of the solution. The article questions how the overseas labourer is viewed as an economic necessity, frequently devoid of the potential for sustainable change to agriculture. If labour is necessary to prevent farmland abandonment (Okahashi, Su and Chen 2018) and the inevitable collapse of plantations, how could or have the overseas actor feature?

The article concludes with the possibility that part of the solution to the sustainable future rests in the overseas labourers. The paper seeks to investigate how the changes in policy regarding migrants came about due to demands for labour that Japanese citizens could not supply and asks whether the response has the potential for sustainable labour supply in the 21<sup>st</sup> century and beyond.

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## Comparing student migration in the UK and Japan

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Keywords Student migration; higher education; policy; UK; Japan

Studying abroad gives students the opportunity to learn new languages, meet new friends and colleagues from different cultures, and the chance to experience a new environment. Most students who can study abroad return to their home country after their graduation. However, a growing and significant number of students choose to stay overseas, and the experience of studying abroad becomes the foundation of a long-term migration journey (Riaño et al., 2018). In this process, the educational institutions at which these students study have become the vectors by which some young people migrate across international borders (van den Broek et al., 2016). This trend has not been lost on the world's policymakers, who are increasingly aware of the potential educational and economic advantages (and possible political disadvantages) of retaining international graduates post-study (Ziguras & Law, 2006). The UK and Japan are two contexts in which student-migration, as described above, is both a quantitatively significant phenomenon and a salient policy issue. Since the late 1990s, both countries have been the site of expansion in inbound student mobility, and have introduced new policies to manage the post-study pathways of these students (Brotherhood, 2021; Hamaguchi, 2019; Lomer, 2018). In this presentation, I will take an extended look at these two contexts, looking first at the evolving policy environment for student migration over the past two decades, before drawing on years of conversation with international students who chose to stay and build a life in the UK and Japan after finishing their studies. This study reveals that the two countries exhibit contrasting policy environments in terms of: (1) their receptivity to student-migration, (2) their stability over time, and (3) their transparency and intelligibility. The study also reveals that these contrasting policy environments have tangible effects for individual student migrants. These effects require that individuals draw on a range of agentive resources, and reveal the dynamic nature of individual agency when navigating post-study migration trajectories.

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## **Skill development and migratory trajectories of Korean IT professionals in Japan**

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Recent studies on labor migration have paid increasing attention on the skills and competences migrants acquire through migration experiences. With emerging groups of professionals whose career paths span multiple national boundaries, studies point to a changing nature of labor migration where migrants may engage in continuous migration, especially in the context of skilled migration in East Asia. In order to develop a framework which accounts for migratory trajectories that do not presume the tight link between labor migration and permanent settlement in the host country, this study examines career development and migratory trajectories of Korean IT professionals who migrated to Japan. Drawing on in-depth interviews with 43 Korean IT professionals, we suggest a framework that focuses on the process of skill development, thereby illuminating the differing training regimes between sending and receiving countries, as well as corresponding subjects of skill development in different migration and skill development stages. By taking a processual approach, this study extends our understanding of skilled migration by taking into account the evolving and changing nature of migrants' skill and career development that shapes their migratory trajectories.

Keywords: labor migration; skill development; IT professionals; Korea; Japan