

## **CLANDESTINE MALAYSIAN WORKERS IN JAPAN: FATE AND FORTUNE**

Abdul Rashid Abdul Aziz\*  
School of Housing Building and Planning  
Universiti Sains Malaysia

*Kertas ini membincangkan hasil kajian lapangan yang telah meneliti rakyat Malaysia yang bekerja secara haram di Jepun. Walaupun terdapat kajian lampau mengenai pendatang asing yang bekerja secara tidak sah di Jepun, namun kajian yang memberi tumpuan khusus ke atas rakyat Malaysia amat berkurangan. Data dikumpul melalui temuramah secara individu dengan 90 lelaki yang pergi ke Kedutaan Malaysia di Tokyo untuk memperbaharui atau melanjutkan pasport Malaysia mereka. Kertaskerja ini memberi butir tentang aspek penting mengenai populasi kajian, iaitu magnitud aliran buruh, status kemasukan, halatuju (mengikut geografi dan sektor), pendorong migrasi, umur, tempat asal dan sikap kerja. Kajian ini menunjukkan yang anggapan umum, sangkaan dan mitos yang diutarakan oleh perbagai pihak tidak tepat, antaranya ialah peranan orang tengah dalam aliran buruh Malaysia-Jepun, penglibatan yakuza dalam perdagangan buruh, tanggapan yang pengaliran keluar tenagakerja Malaysia mahir yang diganti pula dengan yang kurang mahir, pengenaan gaji minimum sebagai kaedah untuk mengurangkan pengaliran keluar tenagakerja Malaysia, tarikan Jepun sebagai tempat bermastautin tetap dan sikap orang Jepun terhadap kerja '3-K.' Kertaskerja ini menutup dengan menekankan beberapa isu yang patut penggubal dasar Malaysia berikan tumpuan dalam usaha membenters pergerakan buruh Malaysia-Jepun.*

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## **INTRODUCTION**

Malaysia has played host to foreign workers from near and far over the last two decades, and neighbouring high wage countries, in turn, have played the same role to job-seeking Malaysians. Among the countries that have been a strong economic lure to Malaysians is Japan. While there is a plethora of studies on foreign labour in Malaysia (for example, Abdul Rashid, 1999; Narayanan, 1992; Pillai, 1992; Gill, 1988; Kassim, 1988), studies of Malaysian workers abroad are harder to come by.

Malaysians in Japan are of interest because they are among Japan's 'new' wave of foreign migrant workers, in contrast to the Koreans and Chinese who made their mark generations earlier (Mori, 1995). Additionally, beginning from the late-1980s, job-seeking Malaysians in Japan have increased to such an extent that by 1990, they have earned the notoriety of being among the top three largest groups of illegal aliens. Despite this, very little is known about Malaysian workers in Japan.

This paper has four objectives. First, it describes the salient features of the Malaysian workers in Japan. This includes the magnitude of the labour outflow, the status of entry, the distribution of workers (both geographically and sectorally), the motive for migration, and the key characteristics of migrants.

Second, it explores two issues of current interest: are Malaysian migrants to Japan seeking permanent residence in the country? This is important given the reluctance of the Japanese government to open the country to foreign settlers. The other issue concerns the future of Malaysian workers in Japan. In the past they were seen as not competing with Japanese workers because they occupied positions shunned by the local workers (the so called 3-K jobs). Will this situation continue or will the prolonged downturn in the Japanese economy force Japanese workers to reconsider their preferences?

Third, several generalizations with respect to migration found in the literature was tested within the context of Malaysian migration to Japan and found to be without support.

Finally, the study evaluates a proposal made by the Malaysian Trade Union Congress (MTUC). It had recommended a minimum wage of RM600 a month as a means of retaining Malaysian within the domestic labour market. The data from this study demonstrate that this measure is unlikely to be effective.

## **METHODOLOGY**

For almost four months in the summer of 1999, the author spent his days at the Malaysian Embassy in Tokyo ‘casually’ striking up conversation with male Malaysian overstayers who turned up to renew or extend their Malaysian passports. Permission to conduct the study within the premise of the Embassy was obtained beforehand from officials. Empirical research on illegal workers is never easy as such workers tend to shy away from scrutiny. Those who were approached for the study were therefore done delicately without revealing the true intention behind the conversations. In all, 90 men were interviewed. Apart from Azrim Zamri of the Consular Section at the Embassy, an interview was also conducted with Michael Chong of the MCA Public Complaints Bureau based in Kuala Lumpur. This organization, which is affiliated to a political party, has in the past assisted distressed Malaysians working overseas including Japan.

## **A REVIEW OF MALAYSIA-JAPAN LABOUR FLOW**

### **Magnitude of the Labour Flow**

Japanese authorities estimated that 24,150 Malaysians were in employment illegally in Japan, at the peak in November 1992 (see Tables 1a-c). However, with the protracted slowdown in the economy, that figure has now reduced substantially to 9,989 as of January 1999, a trend which fits with the overall downward decline in overall number of illegal workers (see Table 2).

Table 1a: Trends in the number of exposed illegal migrant workers by nationality and sex, 1984-1989.

Country of origin	1984	1985	1986	1987	1988	1989
Total number	4783 (350)	5629 (687)	8131 (2186)	11307 (4289)	14314 (8929)	16608 (11791)
South Korea	61 (34)	76 (35)	119 (69)	208 (109)	1033 (769)	3129 (2209)
Iran	-	-	-	-	-	15 (13)
Malaysia	-	-	-	18 (15)	279 (265)	1865 (1691)
Thailand	1132 (54)	1073 (120)	990 (164)	1067 (290)	1388 (369)	1144 (369)
Philippines	2983 (96)	3927 (349)	6297 (1500)	8027 (2253)	5386 (1688)	3740 (1289)
P. R. China	-	-	-	-	7 (5)	39 (26)
Taiwan	466 (136)	427 (125)	356 (161)	494 (210)	492 (223)	531 (275)
Hong Kong	-	-	-	-	3 (2)	18 (15)
Pakistan	3 (3)	36 (36)	196 (196)	905 (905)	2497 (2495)	3170 (3168)
Bangladesh	0 (0)	1 (1)	58 (58)	438 (437)	2942 (2939)	2277 (2275)
Others	138 (27)	89 (20)	115 (38)	150 (70)	287 (174)	680 (461)

Source: Ministry of Justice, cited in Japan Immigration Association, various years.

Notes:

1. Figures in brackets indicate the number of males included in the total.
2. Dashes indicate that a separate figure for the number of nationals is not available. In such cases, these nationals are included in the figure for the category entitled 'Others.'
3. Owing to the revision of the Immigration Law in 1990, a large number of illegals surrendered themselves to the Immigration Bureau, thus leading to a jump in figures compared to preceding years.

Table 1b: Trends in the number of exposed illegal migrant workers by nationality and sex, 1990-1995.

Country of origin	1990	1991	1992	1993	1994	1995
Total number	29884 (24176)	32908 (25350)	62161 (47521)	64341 (45144)	59352 (40029)	49434 (32106)
South Korea	5534 (4417)	9782 (8283)	13890 (11204)	11865 (8473)	7730 (6694)	10529 (6089)
Iran	652 (648)	7700 (7611)	13982 (13781)	8886 (8730)	5628 (5530)	3246 (3178)
Malaysia	4465 (3856)	4855 (3892)	14303 (11301)	11913 (8932)	8576 (6308)	5260 (3970)
Thailand	1450 (661)	3249 (926)	7519 (2408)	12654 (5160)	10654 (4600)	6948 (3185)
Philippines	4042 (1593)	2983 (1079)	3532 (1466)	4617 (2246)	5260 (2414)	5476 (2168)
P. R. China	481 (428)	1162 (981)	3167 (2599)	4989 (3964)	7311 (5646)	7595 (5635)
Taiwan	639 (351)	460 (225)	656 (374)	674 (347)	601 (315)	474 (231)
Hong Kong	22 (20)	43 (36)	144 (125)	114 (91)	88 (64)	69 (50)
Pakistan	3886 (3880)	793 (793)	1072 (1068)	1406 (1403)	1531 (1526)	1326 (1322)
Bangladesh	5925 (5915)	293 (292)	390 (387)	717 (712)	918 (908)	831 (814)
Others	2788 (2407)	1588 (1232)	3506 (2808)	6506 (5086)	8055 (6024)	7680 (5373)

Source: Ministry of Justice, cited in Japan Immigration Association, various years.

Notes:

1. Figures in brackets indicate the number of males included in the total.
2. Dashes indicate that a separate figure for the number of nationals is not available. In such cases, these nationals are included in the figure for the category entitled 'Others.'
3. Owing to the revision of the Immigration Law in 1990, a large number of illegals surrendered themselves to the Immigration Bureau, thus leading to a jump in figures compared to preceding years.

Table 1c: Trends in the number of exposed illegal migrant workers by nationality and sex, 1996-1998.

Country of origin	1996	1997	1998
Total number	47785 (31160)	41604 (25781)	40535 (24808)
South Korea	11444 (6446)	10346 (5074)	9360 (4173)
Iran	3180 (3130)	2225 (2193)	2219 (2186)
Malaysia	2124 (1405)	1579 (958)	1350 (967)
Thailand	5561 (2568)	4483 (1936)	3604 (1579)
Philippines	5646 (2409)	5067 (2117)	5631 (2122)
P. R. China	7403 (5479)	7810 (5685)	7224 (5108)
Taiwan	437 (198)	557 (208)	429 (154)
Hong Kong	82 (61)	112 (80)	53 (30)
Pakistan	1418 (1411)	1152 (1145)	1255 (1237)
Bangladesh	926 (910)	930 (918)	1067 (1042)
Others	9474 (7143)	7343 (5467)	8343 (6210)

Source: Ministry of Justice, cited in Japanese Immigration Association, various years.

Notes:

1. Figures in brackets indicate the number of males included in the total.
2. Dashes indicate that a separate figure for the number of nationals is not available. In such cases, these nationals are included in the figure for the category entitled 'Others.'
3. Owing to the revision of the Immigration Law in 1990, a large number of illegals surrendered themselves to the Immigration Bureau, thus leading to a jump in figures compared to preceding years.

Table 2: Estimated number of illegal over-stayers in Japan.

Year	Number
1990, July	106,497
1991, May	159,828
1992, May	278,892
1993, May	298,646
1994, May	293,800
1995, May	286,704
1996, May	284,500
1997, July	281,157
1998, January	276,810
1999, January	271,048

Source: Ministry of Justice, obtained from a visit to Japan Immigration Association.

We focus on Malaysian men as they constitute the major part of the influx of illegal foreign workers from the mid-1980s, taking on the '3-K' jobs— that is, *kitsui* (difficult), *kitanai* (dirty) and *kiken* (dangerous). These are jobs which Japan's populace shun (Spencer, 1992). Previous to that, in the 1970's, the violators had been mostly females from South East Asia working in 'water trade' (*mizu shobai*) as hostesses, strippers and prostitutes (Sellek, 1994).

According to Pillai (1992), it was the 1985-1986 domestic economic recession (when unemployment rate reached 8.3%) that encouraged Malaysian males to seek jobs, mainly illegally, in previously unexplored countries including Japan. According to Michael Chong of the MCA Public Complaints Bureau, it was the drop in tin prices in the late 1980s that particularly affected the tin-mining state of Perak. The statistics in Tables 1a, 1b and 1c, and the legacy of people outflow from Perak which remains till today (discussed later) give credence to the latter's viewpoint. Coincidentally, Japan was experiencing the 'bubble economy' (excessive liquidity which led to speculative purchases of stocks, land, works of art and such like) which attracted job-seeking foreign migrant workers from everywhere (Nagayama, 1996). Labour market became tight pushing hourly wages up quickly, and as the yen

rapidly appreciated the economic reward of working in Japan became even more compelling.

It is interesting to note that Japan is one of the largest foreign investors in Malaysia. According to conventional neo-classical theory, the movement of capital should substitute for the movement of labour between countries (Lim, 1996). Job opportunities created by foreign investors should in theory help retain Malaysians at home. The reality however is that, "Japan's economic presence in the countries of origin has been instrumental in exposing potential migrants to Japanese mores, culture and economic success, encouraging them to seek jobs in the new land of opportunity... In addition, Japanese multinationals move trainees from their overseas subsidiaries to work in the parent company" (Lim, 1994).

Table 3: Real gross domestic product (1990 prices) (in billion yen) and unemployment rate in Japan.

Year	Real Gross Domestic Product		Unemployment rate
1986	3,563	(3.1)	
1987	3,732	(4.8)	2.8
1988	3,955	(6.0)	2.5
1989	4,131	(4.4)	2.3
1990	4,360	(5.5)	2.1
1991	4,489	(2.9)	2.1
1992	4,506	(0.4)	2.2
1993	4,528	(0.5)	2.5
1994	4,557	(0.6)	2.9
1995	4,684	(2.8)	3.2
1996	4,833	(3.2)	3.4
1997	4,798	(-0.7)	3.4

Source: Economic Planning Agency and Ministry of Labour and Coordination Agency.

Note: Figures in bracket denote percentage change from preceding years.

Japan's economy has been on a roller-coaster ever since the collapse of the bubble economy in 1991. So protracted is the current economic



doldrums that the National Personnel Authority, which has made recommendations on public servants' wages to the Diet and the Cabinet since 1948, asked for the first time in its history, for pay cuts for central government employees in fiscal 1999 to reflect the economic difficulties in the private sector (*Japan Times*, 1999a). With the protracted economic downturn, domestic unemployment has been rising. The figures for 1996 and 1997 were the highest level since records were kept in 1953 (see Table 3).

Apart from the powerful economic force, stringent entry requirements have also been significant in reducing the volume of labour movement from Malaysia to Japan. In place of the visa-exemption agreement, Malaysians have been 'encouraged' to obtain visas prior to entering Japan. This move was mooted by the Malaysian government partly to protect the good name of the country and partly to stem the outflow of Malaysian labour as the country was then experiencing severe labour shortages. The initiative certainly coheres with Malaysia's non-promotion of 'labour exports' as part of her development plans (Lim 1996). Watanabe (1998) praises Malaysia for doing her part in helping to curb the illegal migration of workers to Japan. Concurrently, Japan exercises greater inspection at all ports of entry. To cite one particular case, in 1995, a group of 8 Malaysians from Ipoh arrived at Fukuoka airport falsely claiming that they were visitors to Ipoh's twin city (Japan Immigration Association, 1996). The table below shows the number of Malaysians who were refused entry into Japan for various years.

Table 4: Number of Malaysians denied entry at the port of arrival in Japan.

Year	Number
1990	3,408
1991	4,875
1992	2,262
1993	2,279
1994	721
1995	1,768
1996	1,635
1997	671
1998	478

Source: Ministry of Justice, cited in Japan Immigration Association, various years.

## **Entry Status**

Official statistics for 1992 on Malaysians caught working illegally showed that 14,172 entered Japan as temporary visitors, 25 as pre-college students and 2 as college students (Japanese Immigration Association, 1993). The profile of those interviewed also showed the preponderance of Malaysians coming in under the pretence of temporary visitors (see table 5).

Table 5: Status of apprehended Malaysians caught working illegally in 1992 and sample population (figures in percentages)

Status	Apprehended Malaysian illegals	Sample population
Temporary visitor	99.8	95.8
Precollege student	0.2	2.1
College student	1.4	1.1
Trainee		1.1

Source: Japanese Immigration Association (1993) and field survey.

There were repeat violators among the interviewees who have made multiple trips to Japan to work, drawn by high wages they can never possibly enjoy in Malaysia, although re-entry is not as easy as it was before as mentioned earlier. Today, Malaysians intending to visit Japan are recommended to apply for visa. Even so they may still be denied entry at the airport on grounds of suspicion. Under the latest ruling, the exclusion period during which deportees are denied re-entry to Japan is 5 years. For these reasons, the Malaysians who work clandestinely in Japan tend to stay for as long as possible before contemplating returning home. Many who were spoken to indicated 10 years or thereabouts as their intended period of stay.

## **Geographical and Sectoral Distribution of Workers**

Even though Malaysian illegal workers disperse all over Japan in search of work, the focus has been on major cities, notably Tokyo (77.8%), Nagoya (7.4%), Yokohama (2.5%), Osaka (1.2%) and others (11.1%). They work on construction sites (54.4%), in factories (35.6%) and restaurants (10.0%). Those in the construction industry were

particularly hit as opposed to the least affected - those who worked as cooks and waiters. This is reflected in the compiled statistics on the sample population; 16.3% of those engaged in the construction sector site were making plans to return in contrast to only 2.4% in other sectors.

Illegal foreign site operatives were not the only ones to suffer from the precipitous drop in construction workload (see table 6). For 1997, Japan's construction industry recorded the highest bankruptcy rate among all industries, i.e. 25.4% or 5,095 cases to be exact (Asahi Shimbun, 1998).

Table 6: Construction investment (in billion yen) and value of construction orders received by the top 50 contractors (in million yen).

Year	Construction investment		Contract orders	
	Value	% Change	Value	% Change
1986	53,563	(7.2)	11,977	(9.0)
1987	61,526	(14.9)	13,715	(14.5)
1988	66,656	(8.3)	17,000	(24.0)
1989	73,115	(9.7)	19,452	(14.4)
1990	81,440	(11.3)	24,748	(27.2)
1991	82,404	(1.2)	25,365	(2.5)
1992	83,971	(1.9)	23,343	(-8.0)
1993	81,693	(-2.8)	19,001	(-18.6)
1994	78,752	(-3.8)	18,356	(-3.4)
1995	79,017	(0.3)	18,342	(-0.1)
1996	82,808	(4.6)	19,182	(4.6)
1997	74,540*	(-11.1)	17,685	(-7.8)
1998	70,460*	(-5.8)	15,921	(-10.0)

Source: Ministry of Construction.

Note: Construction orders refer to prime contracts and construction for own use, and excludes subcontract orders. Works done abroad are not considered. Figures in bracket denote percentage change from preceding years.

\* Provisional.

Suicides among construction workers of small and medium-sized construction firms have been on the rise because of financial burden - 51 cases for 1998, 18 more than the previous year (Asahi Evening News, 1999). A survey of 561 homeless people in Kawasaki, Kyodo - the largest of its kind - found 77% were day labourers on construction sites before losing their jobs (*Japan Times*, 1999b). Obstinate Malaysian over-stayers who lost their regular construction jobs resorted to casual employment, getting different jobs from different employers on a day-to-day basis through their network of contacts. Others still in regular employment were forced to accept lower wage rates and/or less working days.

### **Reasons For Migration**

As for the reason for migrating, the entire sample population indicated that significant wage differentials provided the main stimulus. While their parents encouraged some young single men, others were advised against it. Those with families aspire for their families to have higher standards of living (e.g. better housing, education, cars, etc.). Stories of friends and relatives who achieved economic success tempted these people to emulate them. Even after allowing for the higher cost of living in Japan, Malaysians working in Japan are able to save and remit money back home due to prudent expenditure and frugal lifestyles. Earning as much money as possible has been the overriding objective for many of these people, and that is what they do when in Japan. The survey revealed that the vast majority refrain from conspicuous consumption and lavish past-time activities. Men with families to support back home are the most motivated in this regard. The survey, however, did come across odd cases of single young men who squandered their savings on drinking and *pachinko* (a favourite gambling pastime in Japan). The economic rewards spurred some Malaysians to make repeated trips to Japan.

While the dearth of employment at home provided the initial stimulus in the mid-1980s, the huge income disparity was instrumental in sustaining the momentum of Malaysia-Japan labour movement. Up until the time when East Asia was hit by the Asian financial crisis in 1997, Malaysia enjoyed a ten-year high growth period, which led to severe labour shortages in the economy. Table 7 indicates that 96.5% of the sample

population left Malaysia for Japan when there was no shortage of employment opportunities at home.

Table 7: Trends in Malaysia's gross domestic product (GDP) (at 1978 prices) and the years when the sample male Malaysian illegal workers left for Japan.

Year	GDP (millions of RM)		Percentage of sample population who left for Japan in a particular year
1986	57,751	(1.2)	
1987	60,863	(5.4)	
1988	66,303	(8.9)	1.2
1989	72,297	(9.0)	5.8
1990	79,329	(9.7)	5.8
1991	86,149	(8.6)	16.3
1992	92,866	(7.8)	12.8
1993	100,617	(8.3)	19.8
1994	109,976	(9.3)	4.7
1995	120,272	(9.4)	24.4
1996	130,621	(8.6)	3.5
1997	140,684	(7.7)	2.3
1998	133,939	(-4.8)	3.5

Source: Economic Reports, Malaysian Ministry of Finance, various years, and fieldwork.

Note: The figures in brackets denote percentage change over preceding year.

It is interesting to note here that in a recently completed major study of foreign construction workers in Malaysia (Abdul Rashid, 1999), it was found that perceived abundant work opportunities rather than high wages was the most significant 'pull' factor. This observation ties in well with Azizah Kassim's study (1986) that found that perceived greater employment opportunities (76.8%) was the main driving force behind the Indonesia-Malaysia migration. The replacement function of migrant workers from neighbouring countries to Malaysia, and from Malaysia to Japan had been driven by slightly different causation factors. While those who ventured to Malaysia were attracted to plentiful job opportunities, Malaysians left for Japan for higher wages.

Table 8: 'Pull' factors for foreign site operatives to migrate to Malaysia.

'Pull' factors	Percentages
Abundant work prospects	74.1
Better work offers	20.4
Better wages	6.0
Common culture/ lifestyle	0.7

Source: Questionnaire survey on foreign site operatives.

### **Characteristics of Migrants**

#### *Age*

The young are more willing to seek their fortune in foreign lands as they tend to be healthier, are less attached to their home countries (either financially or psychologically) and have more working years to recoup the costs of securing employment in a foreign country (Stalker, 1994). The age profile of foreign migrant workers reflects them at their most productive period. The economic sectors which Malaysian illegal workers penetrated benefited by way of rejuvenation of the workforce. For a country that is experiencing a rapidly ageing workforce, this point is worth noting.

Table 9: Age distribution of the sample of male Malaysian illegal workers when they entered Japan (figures denote percentages).

Age bracket	16-20	21-25	26-30	31-35	36-40	41-45	Total
Sample population	10.0	35.7	25.7	17.1	7.1	4.3	100

Source: Field survey.

#### *Ethnicity & Malaysian State of Origin*

About 94 % of the surveyed Malaysian male illegal workers in Japan were of Chinese ethnic origin due to their similar physical appearance with the Japanese that aids concealment, ability to read *kanji* (for those who were Chinese educated) and the absence of religious restraints from eating certain food (such as pork for the Malay Muslims). The dominance of the Chinese ethnic group is also the consequence of chain

migration whereby early arrivals serve as bridgeheads for newcomers, often extended families and friends, by providing initial assistance in settling down and securing jobs (Lightfoot, 1990). The same phenomenon of chain migration was also evident among the Malaysian Indians, the other but much less pronounced ethnic group. Comprised of trainees brought in by Japanese multinationals, they and subsequently their family members joined the mass of illegal overstayers. Chain migration also manifests in certain states in Malaysia that were more prominent suppliers of labour to Japan. The most dominant is Perak, which contributed approximately 60% of the Malaysian male illegal labour stock (see table 10).

Table 10: States of origin of the sample of male Malaysian illegal workers in Japan (figures denote percentages).

States in Malaysia	Overall
Perak	60.0
Selangor	15.3
Negeri Sembilan	7.1
Penang	7.1
Pahang	5.9
Johor	1.1
Kedah	1.1
Sabah	1.1
Sarawak	1.1
Total	100

Source: Field survey.

### *Migration Motive*

The vast proportion of Malaysians working in Japan is single-minded in their pursuit to earn money. They refrain from causing any disturbance in their neighbourhood, knowing fully well that it would heighten the risk of deportation. In Japan's highly homogeneous society, foreigners stand out conspicuously. Even if the physical looks of the Malaysian Chinese may not betray their foreignness, their oral Japanese, no matter how long they reside in Japan, often does. Also, if need be, the Japanese authorities can easily trace all illegal foreign workers from the banks used for remitting money. Due to limited resources that has been allocated for the rounding up of illegal workers, most clandestine foreign workers are able to work for years without being harassed by the authorities. Their presence in Japan is only objectionable when they become a nuisance at work or to their neighbours. And so, despite the official hard-line prohibition of workers from overseas, foreign enclaves have prospered in areas such as Tokyo Metropolitan's Shi-Okubo, Ikebukuro and Shinjuku. The observation of this research concurs with the opinion of Nagayama (1996) who laments that, despite tough immigration law on unskilled foreign workers, efforts to eradicate the pool that is already in Japan has been inadequate. Since 1986, Immigration authorities have designated October and November as the month for taking action against illegal foreign workers including house raids. Nevertheless for Nagayama, the presence of thousands of illegal foreign workers constitutes *de facto* acceptance of unskilled labourers. "How can a single system so clearly eschew the entry of unskilled workers yet tolerate the presence of so many illegal unskilled workers?" questions Nagayama rhetorically (1996: 244).

The crimes committed by Malaysians tend to be of a petty nature -- among them producing fraudulent *pachinko* cards. The Malaysian Embassy has no record of Malaysians getting ensnared in the *yakuza*'s underworld activities. Of the foreign nationals in Japan, those from the People's Republic of China (P. R. C.) are notorious for serious criminal activities such as extortion, robbery, abduction and murder (Mo, 1998). The Chinese mafia is said to have taken root in Japan. Chinese snakeheads, an organisation of agents who smuggle people out of China to other countries, sometimes collaborate with Japanese *boryokudan* (mafia) on every aspect of labour smuggling (Watanabe, 1998). Because



of the bad reputation that the Chinese from P. R. C. have acquired, even the Malaysian Chinese refrain from being associated with them.

## **TWO ISSUES**

In the debate about foreign workers in Japan, two issues are of primary interest. First, the Japanese authorities have been anxious not to encourage permanent settlement in the country. Are these fears justified in the case of Malaysians? Second, the fact that Malaysians accept menial jobs has afforded them some sense of security since Japanese workers do not see them as competitors. It has been argued by some writers that the economic downturn in Japan has not resulted in any change in the Japanese preference for these menial jobs. Do empirical findings support this observation? We turn to these issues.

### **Permanent Settlers or Birds of Passage?**

Japan, like other host countries, is anxious that the foreign nationals do not become permanent residents (Rystad, 1992) resulting in tight restrictions on entry for foreign labour. Yet, this anxiety is not supported by field observation. The vast majority of Malaysian workers who were interviewed expressed the desire to return home once they achieve their economic target. The rationale is that they can lead reasonably well-off lives from their accumulated savings back in Malaysia than they can in Japan, where the cost of living is much higher. Even repeat violators perceived their stay in Japan as transient.

Marriage with Japanese women is frowned upon. Many middle-aged men who, upon hearing of fellow Malaysians marrying Japanese women with no plans to return home, looked down upon them for lacking in wisdom. Judging from the register of Malaysian-Japanese marriages kept at the Malaysian Embassy, many Malaysians have the common sense to stay unmarried in Japan. As a society, the Japanese tend to look down on foreigners. The stigma associated with the '3-K' jobs that foreigners take up is another deterring factor to Japanese women. Men who are married to Japanese women admitted of the deeply ingrained social discrimination they continue to endure. Thus, it would appear that

the Japanese authorities need not fear that Malaysians will seek permanent residence in Japan.

### **The Japanese Disdain for '3-K' Jobs**

Are Malaysians 'safe' in their '3-K' jobs since they do not deprive Japanese workers of their work opportunities? It appears not. The economic situation has worsened so much that the Japanese are more willing than ever before to accept the '3-K' jobs— a marked reversal of their previous attitude. As a consequence foreign workers find that they are in competition with, not only with each other, but also the Japanese in the labour market whom the local employers prefer. The consensus among the sample population is that locals are displacing them, an observation that contrasts with that of Watanabe (1998) who notes that even in the present depressed economic situation, Japanese still refrain from the '3-K' jobs. Having been squeezed out of the labour market, many illegal foreign workers have returned home voluntarily, another finding that does not concur with Watabane's view (1988). About 10.0% of the interviewees were intent on surrendering themselves to the authorities for voluntary deportation. While the rest still in employment prepare for all kinds of eventualities by updating their travel documents. This has prompted clandestine foreign workers to visit their embassies, Malaysians being no exception. In August 1999, *Nikkei Weekly* (1999) gave coverage on the daily stream of foreign workers who queue up at the Tokyo Regional Immigration Bureau in Kita Ward to present themselves to the authorities for deportation. Because of the number of people who turn up daily, the officials sometimes have to work until 10.00 pm to complete their enquiries.

### **SOME GENERALISATIONS CHALLENGED**

The finding from this study throw into question some generalizations prevalent in the migration literature with respect to foreign labour flows. These are discussed in turn.

## **Process of Migration**

While social networks play an important role in cross-border people movement, it cannot be presumed (as Michael Chong did) that no job-prospecting Malaysian went to Japan on his own. The survey came across the odd few who migrated with boundless optimism, a small reserve of money and unaided by anyone. To cite one example, a family man, aged 38, came to Japan in 1993. For the first one and half months, he was jobless during which time RM18,000 of his family savings were spent. Furthermore, although alluded to by Michael Chong and a few interviewees, the survey did not come across anyone who resorted to agents for the cross-border migration process. The Japanese Immigration officers at ports of entry occasionally come across *hakobi-ya* or labour brokers who accompany their clients to Japan (Japan Immigration Association, 1999). These *hakobi-ya* come from all over the world, but surprisingly Malaysians do not appear in the top list of *hakobi-ya* in official statistics, despite Malaysia being among the major suppliers of illegal labourers to Japan (Japan Immigration Association, 1990; 1992). The survey did come across those who depended on illegal employment agents in Japan to find them jobs, for 45,000 yen according to one interviewee. Employment agents in Japan are comprised of locals and foreigners. Malaysians also do not appear in the top list of labour brokers inside Japan (Japan Immigration Association, 1991; 1992). Interviewees who resorted to employment agents complained that they were not always given the jobs they asked for.

## ***Yakuza's* Involvement in Labour Trade**

It has been said that the Japanese organised crime gangs, or *yakuza* have diversified away from trafficking women to also act as labour brokers, recruiting foreign labour for construction, trucking and other businesses in which they are active (Schoenberger, 1988). These brokers not only provide jobs, but often arrange accommodations, sponsors (legally required for non-tourist residence in Japan) and enrolment in Japanese language schools (for student visas) (Pooi-choon, 1988). This study was not able to verify the linkage between the illegal employment agents and *yakuza*, simply because the sample population was not aware of such a linkage. Neither has the Malaysian Embassy any record of *yakuza's* involvement in the trafficking of labour. Takizawa (1994) argues that

too much emphasis has been placed on the role of *yakuza* in the labour market by western researchers (except for female entertainers). According to him, it is the tradition in the construction industry for daily workers to be recruited through *tehaishi* or recruiters, who are likely to have connection with *yakuza*. The connection is therefore tenuous at best.

### **Skilled-Unskilled, Outflow-Inflow Movement of Labour**

It is opportune at this point to debate the long-standing allegation that Malaysia has lost out in the international labour movement in the Asia Pacific region because Malaysians with skills migrate to other countries, including Japan, only to be replaced by less skilful people from countries such as Indonesia and Bangladesh (Gill, 1988; Kassim, 1988; Narayanan, 1992; Pillai, 1992). The field study found that jobs Malaysians secured in Japan were menial in nature. Moreover, from the sample population, it was found that only 12.9% were in the same occupation as they held previously in Malaysia. Hence, the vast majority had to acquire new skills while working in Japan.

Table 11: Percentage of surveyed Malaysian working in various sectors with similar work experience in Malaysia.

Sectors	Percentage
Manufacturing	16.7
Construction	10.8
Restaurant	11.1
Overall	12.9

Source: Field study

Particular examples of Malaysians working in unfamiliar jobs include salesman turned cook, taxi-driver or site operative turned factory worker, and fisherman turned construction worker. Table 11 shows that those who worked in the manufacturing sector were the most experienced. Closer inspection revealed that 75.0% of the individuals in this category was legitimately brought to Japan as trainees by Japanese companies, only to stay on beyond the permitted duration. Of course, the field study only tested the statement made by Gill (1988), Kassim

(1988) Narayanan (1992) and Pillai (1992) in the case of Malaysia-Japan labour flow, and not in the context of other countries favoured by Malaysians. It may well be that there is truth in what they said for Malaysians migrating to countries such as Australia, North America and Europe.

## **STEMMING THE OUTFLOW: WILL A MINIMUM WAGE WORK?**

The national labour body, the Malaysian Trade Union Congress (MTUC) has been pressing the government to impose minimum wages of RM600 per month in the hope of attracting more working age Malaysians to join the domestic labour market. The high cost of living, particularly in major urban centres, coupled with the ubiquitous cheap foreign labour are said to deny a segment of the adult population from earning decent wages and therefore deter them from joining the workforce.

It is difficult to envisage how such a proposal can stem the outflow of labour to high wage countries such as Japan. The surveyed Malaysian overstayers in Japan still in employment hinted to the kind of wage levels required. At the time of the survey, most of those in employment confided remitting or saving on average between RM3,000 to RM6,000 a month. One individual remarked that what most Malaysians in Japan earn exceed what a lot of people get back home. A middle-aged construction worker confided that since coming over to Japan in 1993, he has remitted RM 480,000 to his family back home. Even though there are those whose income falls below the majority, it is the success stories that tempt people to migrate.

Neither can it be expected that these people would have the same work attitudes in Malaysia as they exhibit in Japan. As with most migrant workers elsewhere, Malaysians working illegally in Japan conform to the universal characteristics of being diligent, docile and even servile. The working hours may be long. An electronics factory worker worked on 12-hour night shifts. Another who worked in a shoe factory put in 14 hours of work a day, 6 days a week. Apart from off-days, their daily routine is one of work, eat and sleep. Under pressure, they quickly learn

to understand and speak Japanese, and acquire new skills. Japanese employers lack patience and do not hesitate in reprimanding foreign nationals for not understanding their instructions. In interviewing Japanese employers, Inagami (1992) found that they had good things to say about the foreign workers they engaged. Their evaluation of foreign workers was 'fairly good' in terms of attendance, work attitude and ability compared with ordinary Japanese workers. Specifically, 80.9% of the employers in the sample rated Malaysians as 'better' than those of Japanese co-workers in terms of attendance, 64.5% rated them better in terms of work attitudes and 45.5% rated them better in terms of ability.

It is doubtful if Malaysians working clandestinely in Japan would put up with such a work regime for the wage levels in Malaysia. Having been accustomed to making good money for their labour in Japan, these individuals may prefer to live off on whatever investments and savings they made until such time when they feel compelled to migrate abroad once again in search of high pay. The fact that there are repeat violators in Japan among the sample population lends further credence to this observation. Of course the economic rewards of working in Japan has its attendant risks. These include forced deportation, mental breakdown (due to loneliness or excessive pressure to succeed) and the absence of insurance protection against work-related accidents. Even though there is a public insurance scheme that awards compensation for injury, disease, disability or death caused by work, illegal foreign workers and their employers may not report for fear of deportation (Okunishi and Sano, 1995). The possibility of being saddled with huge medical bills arising from injury and ill health is therefore real for these people. The MCA Public Complaints Bureau and the Malaysian Embassy have in the past arranged for the return passage of mentally unstable, seriously ill and injured workers. The most prevalent and mundane risk, however, is the non-payment or partial payment of wages especially in the current poor economic climate.

## **CONCLUSION AND POLICY IMPLICATIONS**

Japan has thus far resisted the freeing up of entry requirements for foreign labour. This stiff immigration stance has in a way benefited

foreign nationals who manage to enter Japan's labour market in a clandestine fashion. By constricting the pool of foreign labour, the financial rewards have been greater than otherwise. Throughout the course of the study, the author came across many individuals who were, not only financially well off, but also in good spirit and health. At the same time there were those whose experiences in Japan had been disappointing. Their numbers however are perceptibly small. There is consensus that the prosperous bubble economy of 1987-1991 is unlikely to be repeated. While the current prolonged economic downturn is tainting Japan's image as a prime destination for the roving international migrant workers, significant wage differential between Japan and her developing neighbours and the former's ageing population will ensure that it continues to remain an important factor in Asia Pacific's dynamic cross-border labour movement in years to come.

Malaysian policy-makers intent on curbing the clandestine movement of job-seeking Malaysians to Japan should take heed of the observations made in this study, notably that the minimum wage ruling will have minimal impact on the psyche of intending international migrant workers. Malaysia, in fact, does not lose out much from the Malaysia-Japan labour flow as the volume is relatively small and has been made up of mainly unskilled individuals. The daring ones travel to Japan with no contacts whatsoever in the host country. Furthermore the vast majority of these people are likely to return to Malaysia due to the steep social discrimination that prevails in Japan. Moreover, due to competition for '3-K' jobs from other foreign nationals and also the Japanese, the labour market is not as rosy as it once was. This gives an added incentive for Malaysians to return home once their economic objectives are achieved.

However, it cannot be assumed that upon return, they would become part of Malaysia's productive workforce. Having been accustomed to making good money, these individual may prefer to enjoy the fruits of their labour (i.e. savings and investments) before contemplating migrating overseas to Japan or other high-wage countries.

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