Topic-Setting Program to Advance Cutting-Edge Humanities and Social Sciences Research

(Program Title)

Interdisciplinary research on the exclusivism and democracy in the globalized society

Progress Report

(Summary of Final Report)

[**Project Title**]

Can democratic states adequately respond to the challenges of racism in the age of refugee crisis? :
A comparative research

Core-Researcher:　　Fumio　Iida

Institution:　　　Kobe University

Academic Unit:　　Graduate school of Law

Position:　　　　Professor

Research Period:　FY2016 – FY2019

1. Basic information of research project

Research Area	Interdisciplinary research on the exclusivism and democracy in the globalized society
Project Title	Can democratic states adequately respond to the challenges of racism in the age of refugee crisis?: A comparative research
Institution	Kobe University
Core-Researcher (Name, Academic Unit & Position)	Fumio Iida, Graduate school of Law, Professor
Project Period	FY2016 - FY2019
Appropriations Plan (¥)	FY 2016 JPY 3,328,000
	FY 2017 JPY 9,393,000
	FY 2018 JPY 5,452,000
	FY 2019 JPY 4,352,000

2. Purpose of research

In most advanced countries including Japan, racism against refugees in particular and foreign people in general came to be a very important issue since the rise of so-called refugee crisis in the middle of 2010's. For instance, in Europe, where we have witnessed mass movement of refugees, there was a rise of extremist nationalist political parties and its counterpart expression in UK in the form of Brexit movement. In the United States, there were heated discussions and mass movements regarding the issue of undocumented migrants. In Japan, there was a spread of hate speech in the corresponding period.

It is quite likely that the problems related to racism will be far more serious and dangerous in the near future for several reasons. First, recent racism is far more serious because it targets towards wider foreign populations than in the past. So long as the recent racism targets towards undocumented migrants such as refugees or illegal migrants whose political status is far vulnerable than the traditional formal migrants, it tends to escalate. Second, due to the development of low-cost communication media such as SNS, the support for racism tends to spread through the whole society far quicker than it did in the past. Third, in contrast to the traditional racism that employs primarily physical violence, recent racism is associated with psychological harms. Therefore, it is quite difficult for the government to resort to direct legislative measures for the regulation of recent racism, because governmental regulations in these cases conflicts with such democratic values as freedom of thoughts and expressions.

This project aims to conduct international comparisons of the changing realities of racism and the protective measures against it since the migration crisis under the scheme of our research group who have been working on the issue of multiculturalism over the decades. It intends to contribute to the stable development of contemporary democracy by establishing international research network on racism studies because of the following reasons. First, in spite of the recent rise of refugee population, researchers on migration and racism are

currently conducting researches primarily within the national border, so it is necessary for us to establish international network of scholars to facilitate exchange and accumulation of research findings. Second, so long as racism is related to the harms on fame or honor and requires protective measures before the harm actually takes place, it is important for us to expect the harms of racism well in advance before it is inflicted by learning the experience of other countries beforehand. Third, as there were only limited numbers of refugee cases in Japan in the past, it is practically important for the Japanese researchers to lead the researches of refugee crisis in order to meet the criticism of the international society who have been denouncing restrictive Japanese refugee and migration policies.

3. Outline of research (Including study member)
Study Members
Core-Researcher: Fumio Iida, Kobe University, Graduate school of Law, Professor, Analysis of Theory and UK
Theoretical Analysis Group Leader: Yasuo Tsuji, Hokkaido University, Graduate school of Law, Professor, Analysis of Theory and Canada
Collaborator: Makoto Hayakawa, Rissyo University, Faculty of Law, Professor, Analysis of Theory and USA
Historical Analysis Group Leader: Taro Tsukimura, Doshisha University, Faculty of Policy Studies, Professor, Analysis of History and Balkan
Collaborator: Nobuaki Shiokawa, University of Tokyo, Faculty of Law, Professor Emeritus, Analysis of History and former USSR
Collaborator: Yumiko Tsuda, Kansai University, Faculty of Law, Professor, Analysis of History and Belgium
Collaborator: Ryosuke Amiya-Nakada, Tsuda University, College of Liberal Arts, Professor, Analysis of History and Germany
Collaborator: Shintaro Namioka, Meiji Gakuin University, Faculty of International Studies, Professor, Analysis of History and France
Collaborator: Takayuki Nishiyama, Seikei University, Faculty of Law, Professor, Analysis of History and USA
Collaborator: Kenjiro Shibuya, Kobe University, Graduate School of Law, Professor, Analysis of History and former USSR
1) Outline of research questions and methods
   This group attempted to consider issues of racism by classifying them into two distinctive categories. One is hate speeches, which are direct mass movements of racism, and the other is the extremist nationalist party activities, which are indirect movements of racism represented by selected politicians. Therefore, we have focused on the recent changes of hate speech and extremist nationalist parties since the refugee crisis in 2017 and 2018 respectively, and have worked on the recent changes of counter measures against it in 2019. In 2016, we have conducted preliminary research and attempted to establish communication network among group members.
   From 2017 to 2019, when the major research activities were conducted, we have conducted following types of research. First, in the former part of each year, we have focused on the examination of existing literatures dealing with hate speech, extremist nationalist parties,

and protective measures against racism. At this stage, we have divided the group members into theorist subgroup and historian one, and the members attempted to collect and analyze existing literatures under the direction of group leaders, Tsuji (Theorist Group) and Tsukimura (Historians Group), in order to share the relevant research findings through email exchanges and research workshops.

Second, in the middle of each year, we have visited the target countries in North America (US, Canada), Western Europe (UK, France, Germany, Belgium), Eastern Europe (Former USSR, Balkan), and conducted library research and interviews with scholars and policy makers, etc. In this process, we have attempted to clarify features of racism and its counter measures by highlighting such factors as variations of the victims of racism(undocumented migrants, political and economic refugees), their origin country, their causes of migration, major supporters of racism (majoritarian citizens, already incorporated foreigners),features of racism in content and method of expression, concrete policies of extremist nationalist political parties, counter measures for racism (legal regulations, counter movement).

Third, while we have visited the target countries, we have also considered features of hate speech and extremist nationalist political activities against formal immigrants and minorities in general such as women or handicapped persons in order to compare them with those of racism against nondocumented migrants. Therefore, we have collected corresponding data on discrimination against minorities in general in each target countries.

Finally, we have conducted corresponding research every year, and attempted to consider features of Japanese racism and counter measures and the possible future policies for Japan.
2) Important features of research questions and methods

There are three major features of our research designs and methodologies. First, the selection committee advised us to refine our research method, including adoption of empirical method. Therefore, when we considered the research designs and methodologies at the beginning of each year, we have spent considerable amount of time discussing methodologies, including opinion polls or interviews of ordinary citizens to analyze recent changes that took place at the level of mass supporters of hate speeches or extremist nationalist parties.

However, we have decided to focus on the changes of policy designs and policy discourse at the level of elites based on our preliminary researches. For that purpose, by employing the methods of the politics of ideas prevalent in comparative politics, we have followed the transition of policy designs or packages regarding the treatment of undocumented migrants and minorities in general presented by political elites such as party or hate movement leaders, bureaucrats, NPO specialists, who have stakes in minority policies. To do so, we have collected library data and conducted interviews.

There are several reasons for this choice of research method. First, when we consider hate speech in this project, we need to focus on systematic hate speeches continuing certain period with certain amount of supporters rather than sporadic ones that took place only at once by a single person. Thus, it is important for us to highlight qualitative changes such as establishment of racist groups, racist political texts, or policy designs or packages

presented by political elites, rather than mere quantitative changes revealed by the number of participants of racist movements or number of hate speeches. Second, as for the case of extremist nationalist parties, there are many cases in which its rise results in the qualitative changes of the policies of existing parties rather than the formation of totally new extremist parties. Third, as for the changes of counter measures for racism, what matters most are the policy orientations of elites who reconsider various different combinations of those measures. We believe that this strategic choice can be justified by the fact that many panels in major foreign conferences such as APSA, IPSA, or refugee crisis conference in Tromoso also employed similar research methodologies.

The second important feature regarding our research strategy was the selection of our research opportunities and settings. Although we have exchanged research findings with foreign counterparts on individual basis by visiting universities or governmental organizations, our main strategy was to read a peer-reviewed paper in major conferences with high impact factors in order to be recognized as a representative research group of Japan in a short period of time. Indeed, this strategy allowed us to meet leading figures of the academic circles of various countries and their follower quite efficiently.

The third important point feature was the support for early career researchers. To do so, we established advisory system for conference presentations and journal submissions, three funded research positions working for conference organizing, webpage maintenance, and so on.

4. Research results and outcomes produced

1) Research Results

A. Hate Speech

First, as for the hate speech, we have examined the common assumptions among existing literatures that there was a rise of hate speech since the rise of undocumented migrants since the latter half of 2010's and found out that this assumption has to be significantly revised. To be more concrete, as for the West Europe where the refugees finally settled down, although there were some sporadic hate speech cases, there were not persistent cases that came to be major national political issues. In Germany, Belgium, and UK, who admitted relatively large number of new refugees per population, the rise of racism has been effectively blocked by the legal regulation (Germany) or mass support of the protection of human rights for refugees(
Belgium).One slight exception was the case of France, where refugees cannot be included in the social protection for minorities for the unwarranted assumption on their connection to extremist Islam in the tide of the rises of terrorism by extremist Islam. In former Soviet areas and Balkans, there were not many new cases of hate speeches against refugees or minorities in general, except the few Russian cases of hate speeches against domestic intellectuals cooperating whit Western countries who wants to intervene in Russian politics. In general, Soviet and Balkan areas remained as a pathway of refugees to their final destination countries, and there were not many refugees who selected this area as their final destination. The biggest change has been observed in the US under the Trump administration, where Trump succeeded in representing isolated moral sentiment of white working class without

the significant increase of the actual number of undocumented migrants. In Canada, racism was successfully blocked due to the establishment of Liberal Party government who support minority protection. In Japan, there was a significant rise of hate speeches against Asian people, which was an exceptional phenomenon in the world.

Based on these reginal observations, we can summarize our research finding as follows. First, most existing literatures focused on the quantitative increase of unauthorized migrants as a determinacy regarding the rise of hate speeches. However, recent case studies show that the most important factor was the fear for unauthorized migrants due to radicalization of migrants or irrational accusation of majoritarian citizens who suffer from economic decline. We can conclude this from the analysis of France, whose admitted less refugees than Germany or Belgium but witnessed radicalization of them in the form of terrorism. Similar conclusions can be drawn from the analysis of US, whose white class workers accused undocumented migrants of their decline through Trump's presidential campaign. Second, although existing literatures highlight counter measures of domestic political agents as a decisive constraint on hate speeches, we have noticed the increasing importance of international norms of human rights protection. This is most apparent in the cases of European countries, notably the cases of Balkan that experienced civil war between different ethnic groups, where most countries accepted the norm of human rights protection as a necessary condition for entry into EU. Third, in addition to the case of hate speech that follows the visible harm of discourse, it is equally important to consider the problem of structural discrimination that goes through equal and legal application of official laws that has implicitly been designed to discriminate against certain groups in the society. We have found out that the analysis of structural discrimination is quite important in the case of undocumented migrants as well because discrimination against them also tends to become structural and invisible as the undocumented migrants settle down in the recipient country after years of their entry.

B. Extremist Nationalist Parties

Secondly, we would like to explore the findings on extremist nationalist parties along country lines. In Western Europe, unlike the case of hate speeches, most of the countries experienced the rise of extremist forces either in the form of new party formation or adoption of extremist party policy platform within the existing parties. In Germany and Belgium, new extremist parties such as Alternative für Deutschland or Vlaams Belang acclaimed wider support, whereas the existing party Nieuw-Vlaams Alliantie began to implement more restrictive refugee policies. In UK, the extremist nationalist parties such as National Party and Independence Party who once acclaimed increasing support declined and disappeared after the refugee crisis and Brexit because they lost their uniqueness once all parties agreed with isolationist policies and Brexit. Rather, the more important feature of UK party politics was the rise of extremism within non-extremist existing parties in the form of extremist supports for Brexit. A different tendency has been observed in France, where Front National and Rassemblement National came to withdraw extremist discriminatory policies as they gained mass support and came closer to actually seize ruling power. In former USSR and Balkan countries, due to the

fact that they allowed little number of final settlement of refugees, there were no significant rise of extremist nationalist parties directly originating from refugee crisis. However, both countries experienced rise of conservative and extremist forces of a different origin, either with the radicalization of Russian Orthodox Church (USSR) or the brain-drains of liberal intellectuals (Balkan). In North America, there was no threat of extremists due partly to the stable consensus for multiculturalism and partly to the limited number of incoming refugees in Canada, whereas there was a significant rise of extremism within Republican party under the rule of Trump. As the two party system is really dominant in the US, Trump administration who has very restrictive policy against undocumented migrants can be understood as the case of the rise of extremism without new party formation. Finally, in Japan, most parties totally lacked systematic policies for migrant admission as Japan came to accept decent number of migrants only recently.

We can summarize our research finding as follows. First, we need to reconsider the notion of extremist party due to the recent changes of the major policies of those parties. These days, due to the international consensus for human rights norms, it is unlikely that extremist parties propose absolute policies for exclusion of foreign people such as physical violence or racial discrimination. Therefore, more realistic criteria today would be to highlight relative policies for exclusion such as intolerance for foreign people, restrictive entry policy, or homelandism. Second, it is important for us to consider the rise of extremist forces within existing parties, in addition to the formation of new extremist parties, which has long been considered as the most typical case of the rise of extremism. As we have already pointed out in this report, recent cases of UK and US shows that, where there is a high barrier for new party formation due to the existence of strong existing parties, extremists tend to establish intra-party extremist factions and propose radial extremist slogans to secure hegemony within existing party. Third, it is important to note that the recent rise of extremist party depends not only on the number of refugees but also on political factors specific to the countries, such as the emergence of political leaders supporting extremism or existence of political traditions regulating party activities. This is exemplified by the case of UK and US, where the prime minister or president presented extremist policies on refugees or Brexit as important political agenda in the national public debate. Another example that indicates this tendency is Germany, where the rise of extremism was blocked by the existence of the constitutional clause that allows for the possibility of regulation of extremist party due to the history of Nazi party.

C. Counter Measures for Racism

Finally, we would like to summarize three major findings on the recent changes of counter measures for racism, based partly on our findings regarding the changing nature of recent racism. First, in most countries, counter measures for racism remains the same in spite of the recent changes of the racist movements themselves. In particular, there still exists a sharp distinction between European model, which relies primarily on the legal regulations such as the British regulations on hate speech or the German regulations on extremist

nationalist parties, and the American model, which rejects legal regulations. Second, many countries are beginning to realize that the issues on refugees and racism now requires international cooperation due to the limits of the capacity of single countries who attempted to solve the issues only by themselves. To be more concrete, many countries are beginning to support the establishment of international system of refugee quota, which mandates participating countries to accept certain number of mandatory refugees in order to irrational fear or oppressive treatment against refugees due to the excessive asylum requests in one country in a very short period of time. Third, given the tendency towards international policy coordination and the subsequent emergence of shared international norms regarding refugee treatment, it is quite unrealistic for the Japanese government to maintain its exceptionally restrictive asylum criteria while suddenly trying to open its door very widely to short time workers. We have noticed that there is a growing concern among international policy stakeholder that Japan should significantly revise its contradictory refugee policies in a more tolerant direction.

2) Features of Research Outcomes

As many of our research outcomes are in Japanese, it seems most meaningful for us, first, to overview numerical data describing our research outcomes. We then turn to some important features of each elements of research outcomes by highlighting on the activities conducted in English. Therefore, it is advised that this portion of the report should be read in reference to the Japanese version of this report, if one is eager to obtain comprehensive list of our research outcomes, including activities conducted in Japanese.

First, as for the numerical overview, we have published 23 articles (including one peer-reviewed one), 20 books, book chapters, or co-edited volumes, 44 conference presentations (including 11 invitational presentations and 21 international conferences), and organized 11 conferenced and talks (including 10 international ones).

As for books, book chapters and articles, one important feature was the publication of many books and translations by our members. For instance, Nishiyama translated J. Gest's "The New Minorities", and Hayakawa translated H. Pitkin's "The concept of Representation." Shiokawa completed his first draft of a two-volume level book on the fall of former Soviet Union. However, the most important contribution was Amiya's piece entitled," Different Legacies, Common Pressures, and Converging Institutions: The Politics of Muslim Integration in Austria and Germany." As this is included in The Palgrave Handbook of Ethnicity, it contributed greatly to increase our visibility in the global scholarship.

As for oral presentations, many of our members presented papers in major conferences such as Japan Political Association, Japan Comparative Politics Association, or APSA. However, one important point of our activity was that our group organized a panel in the IPSA conference in 2018, which attracted major international scholars such as Tariq Modood of Bristol University. In addition, Iida's presentation in the Norwegian conference "Refugees and Minority Rights" in 2018 requires special notice, as it was one of the most competitive conferences in the past decade, featuring most distinguished scholars such as David Miller,

Lea Yip, or Kasper Lippert-Rasmussen.

As for the conferences we have organized, the most important was our concluding conference held in December of 2019, which featured two most distinguished figures in migration and ethnicity studies throughout the world, Joseph Cares and Tariq Modood.

Finally, another important point of our project was the support for the early career researchers. For instance, Mami Kawamura, a PH.D candidate at Kobe University, joined our IPSA panel, which helped her obtain a visiting scholar status at University of Hawaii for 9 months. In addition, we have regular exchange of permanent teaching staff and graduate students with French-speaking Louvain Catholic University, which acclaimed high demand throughout our research period.

3) Future Prospects

We want to close by suggesting two future prospects. First, we aim to continue editing our English edited volume. To do so, we are trying to contact major English publishers, in addition to the one with collaborative contract with Kobe University. Unfortunately, due to the spread of the virus since this spring, it is substantially impossible for us to do anything due to the reduced working hours of publishers and the cancellations of almost all foreign conferences where we planned to attend to seek for further comments. We aim to resume those activities whenever it becomes possible.

Second, in order to secure long term research operations, we have succeeded in new research funding under the JSPS Funding A scheme from 2019 to 2022. As we have stressed so far, historical and theoretical research like ours requires decent amount of funding for the high cost of field research in Europe and America, whereas we have difficulty in research dissemination due to the high language barriers inherent in historical and theoretical researches. Therefore, it is important for us to pay due attention to the sustainability of our research resources, in addition to the quality of research itself, to develop our research network in a meaningful way.