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Academic Apartheid Revisited

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Foreword

The problem of the dismissal of foreign teachers (gaikokujin kyoshi) from Japanese national universities came to a head during April 1995. This issue has been festering for years. It goes back at least to the Tsukuba case covered by Margaret Sawada's article in Chuo Koron in August 1985 and in Britain's Nature magazine in October 1985.

Foreigners who were told when they were hired that they could stay indefinitely if they did well are in fact being dismissed on the orders of the Ministry of Education after many years of service and without reference to performance. Even though these tragic cases became well known in Tokyo, the foreign press did not report them, the U.S. Embassy was ineffective, and the U.S.-Japan Conference on Cultural and Educational Interchange (CULCON) ignored the issue at its meeting last January. In October 1994 JPRI published its Working Paper No. 3, which included the article "Academic Apartheid at Japan's National Universities," by JPRI Advisory Board member Ivan Hall. A copy of this was personally delivered to a high official in the Ministry of Education with the request that the Ministry reply. No reply was forthcoming. Working Paper No. 3 also reprinted the Ministry's directive of December 21, 1992 on the need "to reduce the number of foreign teachers," (a directive that the Ministry continues to deny exists). We are pleased to say that this publication nonetheless produced something of a breakthrough; we began to catch some people's attention concerning the severe inequities involved in forcing long-service teachers out of their jobs, the lack of reciprocity in Japan on issues of academic opportunity for persons who do not happen to be Japanese citizens, and the effects of these measures on the quality of education available in Japanese universities.

On April 4, 1995, Ivan Hall and six national university kyoshi who had all been or were about to be dismissed (four Americans, one German, and one Englishman) held a press luncheon at the Foreign Correspondent's Club in Tokyo. On short notice some 40 correspondents attended, including those from AP, UP, the Los Angeles Times, US News & World Report, the Japan Times, the Asahi, and the Nikkei. The teachers distributed copies of an open letter to Ambassador Mondale that they intended to deliver that afternoon, and they talked about their cases.

Sharon Vaipae, the only one of the group (other than Ivan Hall) to identify herself publicly because she has given up teaching in Japan, said that before renewing her contract for the

1995-1996 academic year, she was asked to sign a document stating she would not ask for another renewal. "I wonder if I picked the right country to raise my children in," said Vaipae, whose two daughters, aged 10 and 8, have attended only Japanese elementary schools. (See Kenzo Moriguchi, "Contracts Elude Senior Foreign Teachers," Japan Times, April 14, 1995).

After the luncheon the American teachers proceeded to the U.S. Embassy. They expected to meet only with Paul Blackburn, the head of USIS and the person in charge of "cultural" affairs but, instead, Ambassador Mondale spent a full hour with them in his office. He expressed his frustration over cultural access issues, the extraordinary imbalance between large numbers of Japanese students attending American universities compared to few Americans at Japanese universities, and the costs Japan will pay for its isolationist behavior.

That evening, on its prime time 7:00 PM news, NHK-TV ran footage of the press luncheon, pictures of the teachers entering and leaving the Embassy, film of one of the Americans (age 58) vacating his office and home in Kyoto after 15 years at his university, a Monbusho official disclaiming responsibility followed by a zoom-in to the Ministerial directive JPRI reprinted in Working Paper No. 3, a newscaster talking about "cultural misunderstanding," and the NHK voice-over warning that this could turn into another US-Japan issue (monday).

On April 5, the Asahi's new journal of opinion Ronza () published Ivan Hall's article on "Apartheid at Japanese National Universities" (), May 1995, pp. 50-53. We expect further reportage in both the Japanese and foreign press. NHK has promised to follow up the story if the Embassy itself follows up.

Below we reprint the open letter of the kyoshi to Ambassador Mondale and the American Embassy's press release of April 4, 1995. The fullest background in English can be found in Ivan Hall's article in No. 1 Shimbun, the journal of the Foreign Correspondents' Club of Japan, of January 15, 1995. What is not recorded here is the psychological pressure this group of foreign teachers was under. As the prospect of actually going on camera approached, they were stricken with fears of retribution, the importunings of Japanese spouses, and worries that they were engaged in un-Japanese behavior. Nonetheless they all spoke out magnificently.

Japan Policy Research Institute

OPEN LETTER TO AMBASSADOR MONDALE
April 4, 1995

Dear Mr. Ambassador:

We are sorry to be troubling you with one of the residual and now critical problems facing American and other foreign university lecturers in Japan, a problem continuing since shortly before your predecessor left office. That is, the forced termination with one or two years' notice of an exceptionally large percentage of senior and longer-serving foreign

lecturers at Japanese national universities. We are appealing for your help after being sent articles from Seattle newspapers referring to your speech there on January 13, lamenting the small number of fully tenured American faculty in Japanese national universities. You also referred to our specific category when you said, "Even the number of non-permanent English teachers on one-year contracts is low at national universities." Our concern is not about the small number of lecturers, but about our treatment as "disposable objects," being forced to sign one- or two-year final contracts as the only alternative to the threat of the thirty-day termination clause.

Our status (*gaikokujin kyoshi*) is usually translated as "foreign lecturer." The other status in national universities open to foreigners since 1982 is that of "foreign faculty" (*gaikokujin kyoin*), only ten percent of whom have been given permanent tenure, with the remaining ninety percent on term-limited contracts, usually for three years. Many of us, however, were hired before the Foreign Faculty Employment Law of 1982, and our *kyoshi* status used to be respected as the only full-time category for non-Japanese. Many of our colleagues in this category have served over twenty years and have retired with pensions. We were led to believe that our contracts, too, would continue to be renewed as long as our job performances continued to be satisfactory.

Salaries for the foreign *kyoshi* have historically been higher than for the Japanese, but the gap has narrowed greatly with Japan's rise to affluence, and to the best of our knowledge the pay for senior foreign *kyoshi* is now about ten percent higher than for the Japanese.

Although lowering the pay scale, rather than dismissing the incumbents, would seem to be a more humane and productive way of meeting any budget stringencies, the *Monbusho* has been reported as saying that it is impossible to cap the salary scale, even though they were able to justify lowering the salaries of foreign part-time teachers several years ago. Instead, ten years after the 1982 law prescribing equal salaries for the new-status foreign *kyoin* and the Japanese faculty, the *Monbusho* started pressing for the elimination of the remaining senior foreigners in the old-status foreign *kyoshi* system, many of them in their 50's, replacing them with younger foreigners in their 20's and 30's.

The *Monbusho* has been pressed on this issue by individual teachers and by the Japanese media. Although they do not deny their administrative guidance, they reportedly insist there is no connection between their directive of December 1992 [reproduced in JPRI Working Paper #3] and the decision by so many universities to release their senior foreign lecturers. However, the huge percentage of terminated senior *kyoshi* cannot be understood otherwise. We believe this percentage, while not 100%, is evidence of a systematic and officially approved discrimination on the basis of nationality (as well as age), and that it constitutes an abuse of power and a broad contravention of employment practices in the international academic community.

One of our signatories, Ms. Sharon Vaipae, was the first to write to the Embassy about this problem in 1993. Your predecessor, Ambassador Michael Armacost, replied:

You mention that some of your Japanese colleagues have discovered that, "At least two, and maybe three other, almost identical situations have arisen at other national universities

during the past year." If such is the case, the problem is more endemic than the Ministry led us to believe, and we would very much like to discover the truth of the situation.

Our concern is whether or not [your university's] unwillingness to extend your contract beyond next spring represents a specific nationwide policy applying only to foreigners. Naturally, such an unfair practice would be unacceptable to as many Japanese as it would be to us. I would appreciate it, therefore, if you would keep our Cultural Exchange Officer, Charles Walsh, informed about this issue as the facts come to light.

In the summer of 1994 a law office in the Kansai area initiated a survey of foreign lecturers to compare treatment among them. 135 *gaikokujin kyoshi* listed in the 1994 Handbook of English were polled. Sixty-one replies have come in so far, some recently. The younger respondents report they have not been informed of the *Monbusho* directive. However, most of them were clearly told that their positions are limited to an average between three and six years. On the other hand, 75% of the respondents over age 45 were told within a year of the 1992 directive that they could have one or two more years to find other employment. Their positions are not being eliminated; rather, the terminated senior lecturers are simply being replaced by young foreign teachers. Every one of the senior group had been given to understand at the time of their original engagement that the contract, although a required formality, was indefinitely renewable, and they had been expecting to stay on until retirement age. This survey does seem to confirm "a nationwide policy applying only to foreigners." Except for Shikoku, foreign *kyoshi* at national universities in every other region from Hokkaido to Kyushu have been affected.

We were heartened to learn that, in your remarks to the meeting of CULCON last January 18 regarding the small number of tenured foreign teachers at Japan's universities, you referred not only to American scholars but to those of other nations as well. Our group includes a British and a German national, and we all believe that an approach by the American Embassy to appropriate authorities at the Ministry of Education would be of benefit to foreign lecturers of all nationalities now in Japan. We hope that the *Monbusho* will honor the expectation of renewal to those *kyoshi* to whom it was implied. It is difficult to conceive of the systematic dismissal of foreign (including Japanese) staff in American or European universities after a decade or a decade and a half of service to the same institution. We believe that the principle of reciprocity is at stake here, and that the honoring of it would redound to Japan's own advantage, as an earnest of the promises made for the "internationalization" of its universities.

Sincerely yours,

Ivan Hall and six *gaikokujin kyoshi*

AMERICAN EMBASSY, TOKYO, PRESS RELEASE

April 4, 1995 "Mondale Meets Foreign Professors"

U.S. Embassy officials, including Ambassador Mondale, met this afternoon with a delegation of foreign professors who described what they believe to be a pattern of unfair

treatment by Japanese national universities arising from guidance issued by the Ministry of Education in 1992.

Though the U.S. Embassy is not in a position to comment on individual cases, we are concerned with the treatment of American professors at Japanese universities. We are currently consulting with Ministry of Education officials for clarification of their position regarding the employment of foreigners at Japanese national universities. We hope that the Ministry, as well as the universities involved, will see that fair consideration is given to the concerns of these professors.

Both the United States and Japan, in bilateral discussions on cultural issues, have long recognized the value and importance of educational exchanges of students and faculty, both long term and short term, in furthering mutual understanding. We encourage efforts to welcome foreign faculty at Japanese universities just as Japanese faculty are welcomed at American universities.
