

# **ID TROUBLES:**

The National Identification Systems in Japan and  
the (mis) Construction of the Subject

by

Midori Ogasawara

A thesis submitted to the Department of Sociology

In conformity with the requirements for

the degree of Master of Arts

Queen's University

Kingston, Ontario, Canada

(May, 2008)

Copyright ©Midori Ogasawara, 2008

To the lively memories of  
my aunt Tamiko K. Hoss,  
who first opened my eyes to outside of the islands and  
invited me to this continent and language,  
and  
my professor Hitoshi Imamura,  
who first taught me how to see the world upside down.

## **Abstract**

Modern Japan established three kinds of national identification (ID) systems over its population: Koseki, Alien Registration, and Juki-net. The Koseki system is a patriarchal family registration of all citizens. It began in the 1870s when Japan's nation-state was developed under the emperor's rule. Koseki used traditional patriarchal hierarchy and loyalty to construct subjects for the Japanese Empire and reify a fictional unity among the "Japanese" people. Until today, this disciplinary element has functioned as the norm for organizational relations in Japan.

The Alien Registration System requires non-citizens to register and carry an ID card to distinguish "foreigners" from "Japanese". This system stems from surveillance techniques used over the colonial populations in the early twentieth century: the Chinese in the colony of "Manchuria", in northeast China, and the Koreans on the Japanese mainland. Although the empire collapsed after World War II, the practice was officially legislated to target Koreans and Chinese who remained in post-war democratic Japan.

Juki-net is the recently established computer network for sharing the personal data of citizens between government and municipal authorities. Juki-net attaches a unitary ID number to all citizens and gives them an optional ID card. Juki-net uses digital technology to capture individual movement, so the system is direct, individualistic, and fluid. It has expanded the scope of personal data and shifts the foundation of citizenship to state intervention.

This thesis examines how these three systems have defined the boundary of the nation and constructed categories for its subjects, which have then been imposed on the entire population. Drawing on the theories of Foucault's *bio-power* and Agamben's *bare life*, I explain how the national ID card systems enable the state to include and exclude people, use them for its own power, and produce subjects to support the state. Although this process is often hidden, the scheme is a vital part of the current proposal to use national ID card systems in the global "war on terror". I argue that the national ID card systems impose compulsory classifications on individuals, threaten the public's rights against state intervention, and spread "bare life" across the population.

## Acknowledgements

I had a fortunate encounter with the book *Surveillance Society* in a Tokyo bookstore in 2002. I was a desperate newspaper reporter writing about ID systems and surveillance cameras, but I didn't really understand why those control programs were brought about. A few years later, the cheerful author welcomed me in Canada. I absorbed only a small part of his extensive knowledge, I learned from his generous personality, and I wrote something different from my articles of the old hectic days. This thesis is the accumulation of my happy time with David Lyon and his family in Kingston. I truly appreciate David and Sue and the many considerate ways they supported me in my student and private life.

I am grateful to my second supervisor Laureen Snider for her warm encouragement despite the time restriction. Her insightful questions made a valuable difference in this thesis.

This project would have never been done without comprehensive editing by Kit Miller, my precious friend and English teacher in California. Her sharp sense of words and justice preserved the meaning of this thesis and changed it to be better understood.

I appreciate the thoughtful support of Michelle Ellis, Wendy Schuler, Lynn O'Malley, and Joan Westenhaefer. I had never experienced such a "kind administration" (it still sounds contradictory, but it's real!) before I came to the Sociology Department. The Surveillance Project, my home at Queen's University, brought me joy of working and chatting with each member -- Joan Sharp, Emily Smith, Elia Zureik, Cagatay Topal, Martin French, Dan Trottier, Stephen Marmura, and Jason Pridmore (I was close!). I

deeply thank my friends for their animating comradeship: Patti Mayer, Wei Liu, Chen Luo, Yao Jianhua, Josh Maynard, Amy Wakelin, Emily Theriault, Jordan Watters, Kim de Wolff, Paulina Galcia del Moral, Alex Caldararu, Andrew and Jen Stevens, Nick Hardy, and Pamela Cardoso, Niki Kaloudas. This thesis developed with the classes, the Sociology Graduate Symposiums, and the countless parties that went with them.

My support network is not limited to the school. Sharon Muilwyk, the colourful artist, provided reliable care for my son and let me focus on my work. The golden hearts of Rose, Pat, Justine, Lynda and Faye at the Creative Kid's Daycare contributed to his fine growth and my stable writing. Meetings with Nanae, Taka, Saori, Chie, and Kaoru at the Kingston Kodomo Club reduced my worries about first-time parenting and allowed more space for study in my mind.

My journey to Canada, after leaving the newsroom, was backed up by my respected scholars and writers in Japan: Yasuhiko Tajima, Toshimaru Ogura, Keiko Inafuku Katsukata, Takao Nogami, and Yo Hemmi. I appreciate their unchanging trust in me. My dear fellows, their partners, and staffs of the Knight Fellowship for Professional Journalist at Stanford University 2004-5 attached to my soul the wings to fly north alone. I am grateful to Julita Palka for the extended offer of the Government of Canada Award. I also owe Yuka and Mikako my firm friendship across time and space.

Lastly, I am thankful to my parents Mieko and Hirokazu, who always believe in me. Ken Mizokoshi, my life partner, gave me freedom and laughter even in his most difficult times. I am proud of our relationship and am happy to finish this project on the second birthday of our beloved child, Yuma Libera.

## Table of Contents

Abstract .....	iii
Acknowledgements .....	v
Table of Contents .....	vii
Chapter 1 Introduction .....	1
1.1 Theoretical Frameworks.....	5
1.2 Methodological Frameworks.....	11
1.3 Modernity, Colonialism, and War.....	14
1.4 Global Mass Surveillance and the Pre-emption of Risk.....	20
1.5 No Terrorist Policy.....	29
Chapter 2 Koseki: Constructing Nationals.....	33
2.1 Born with the Sovereign State.....	33
2.2 Patriarchy as Mediator of the Modern State.....	36
2.3 Structuring Loyalty, Classifying Ethnicity.....	43
2.4 Disciplinary Monitoring in Three Dimensions .....	47
2.5 The Power of the Norm.....	53
Chapter 3 Colonial Roots: Tracking Movements of Others.....	57
3.1 Fingerprint and ID Card in “Manchuria” .....	57
3.2 The Enemy-Within: Koreans on the Mainland .....	65
3.3 Western Epistemology of Others: Biology, Anthropology, and Eugenics.....	71
3.4 Boundary of Nationality and Citizenship.....	81
3.5 The Alien Registration Card and Anti-Fingerprinting Movement.....	86
3.6 Bio-power, That Produces Bare Life.....	93
Chapter 4 Juki-net: The Numbered “Dividual” .....	98
4.1 Bureaucratic Rationale of Data Sharing: The Resident Basic Registry .....	99
4.2 Expansion or Manipulation of Data?.....	102
4.3 An Ideal and Reality of the General National Back Number System .....	109
4.4 The Logic of Protest: Technical or Ethical Responsibility .....	114
4.5 Direct, Individualistic, and Fluid Bio-power.....	119
4.6 Discussion of Identity Politics.....	127
4.6.1 Identity, Ideology, and the Subject.....	128
4.6.2 No Terrorist, No Innocent .....	135
Chapter 5 Conclusion: Troubles Continued.....	143

Newspaper and Media Articles Cited.....	153
Bibliography.....	156

# Chapter 1

## Introduction

The state is evil, at best, said Frederick Engels in his 1891 introduction to Karl Marx's *The Civil War in France* (Engels, 1952; Hemmi, 2005). Looking back at the Paris Commune, which ended in catastrophic bloodshed, he lamented about how difficult it is to make the state system truly democratic and non-offensive for individuals, even for a government transforming from a hereditary monarchy to a democratic republic. The transformation appears bold and significant, but oppressive characteristics of the state persist because "the state is nothing but a machine for the oppression of one class by another" (Engels, 1952: 173). Although I have yet to ponder Engels' "one class" in terms of social structures and the subject in our contemporary political relations, I appreciate his insight that the system continues, regardless of a change in its rulers.

I want to start this thesis with a basic question about my topic: Does a national identification (ID) card system have essential characteristics that harm individuals even though a democratic government implemented it? My hypothesis is yes, it does. I will explain the reasons, but personally I can say that the general ID card system has been at best a nuisance in my life. A series of bad experiences with ID cards spurred me to examine the ID card system academically. C. Wright Mills states that sociological imagination can develop best between the personal troubles of one's milieu and the public issues of the larger social structure (Mills, 1995). With this animating idea in mind, let me introduce my personal experience as a portal to understanding the public issue of the ID card system.

When I was working for a national newspaper in Japan in the late 1990's, the company introduced a new ID card system that required seven thousand employees to present their new ID cards at the entrance to the headquarters and to keep the cards visible on their bodies whenever they were in the workplace. The new plastic ID card, replacing paper, had the name and photograph of the bearer on one side, and a magnetic stripe to access the ATM of the company's credit union on the other side.<sup>1</sup> The new rule bothered the employees because many of us did not want to hang such an important and unwieldy card from our necks all the time. Then a senior colleague in my workplace got an idea: he colour-photocopied both sides of the ID card and stuck those to two sides of cardboard. He was excited with his brilliant creation, which allayed his fear of losing the real card, and he was willing to make more copies for his colleagues, including me.

Soon, however, I lost that fake ID somewhere in the Tokyo Headquarters and got a call from the company security. The staff told me to come to their office because they had found my ID. In the office, two guards interrogated me. To make matters worse, the magnetic side of the card had been mistakenly attached to somebody else's card (I had not noticed this until the guards told me).

"This is a crime," said one guard. They tried to make me confess who was involved in this rebellion against the company. Instead of naming the copier, I argued that I didn't agree with this ID system and didn't want to hang the card from my neck like a prisoner. I said, "The company never discussed this issue with the employees before implementing it. Newspapers should be accessible to anybody and cautious about this

---

<sup>1</sup> In a few years, the company replaced this plastic ID card to a so-called "smart card" by attaching

kind of control. I have the right to express my opinion, which is guaranteed by the Japanese Constitution, and should have been encouraged especially by this newspaper as a defender of freedom of speech.” One guard immediately yelled at me, “There is no such freedom *inside* the company!” The other followed calmly, like a pair of good and bad cops, “It doesn’t matter whether you are working for freedom of speech or not. This is the rule. Most people accept the system even if they don’t agree.” The guards warned me that they might report this forgery to my boss, the editorial director of the Social News Section.

This episode highlights general features of the ID card system, as well as a typical barrier to post-war democracy in Japan.<sup>2</sup> The first feature is the rapid spread of the system. My incident with the guards occurred several years ago. Before that, we had not been required to wear an ID card to enter public buildings or private businesses dealing with the public. Over the last half of the decade the ID card system has spread quickly, and has standardised its identification methods. Hanging an ID on the body became fashionable at the time, implicitly showing off the bearer’s status to the public. By now it has become so acceptable as to be banal. Why did the ID system quickly spread and become part of our lives? What kinds of social changes have led us to accept wearing ID cards?

Secondly, people who didn’t have reliable ID cards came to be regarded with suspicion, even though it is not illegal to have an invalid or fake ID, or no ID. Not only

---

Integrated Circuit (IC) chip.

<sup>2</sup> There is a saying in Japan that “democracy ends at the factory gate”, which means democracy is not truly respected in the private sphere. And it never has reached individuals in their everyday lives.

have non-bearers been denied certain rights and privileges, they have been criminalized. What kinds of people are actually excluded and penalized? What type of rhetoric rationalizes this kind of exclusion and punishment against those who are innocent in action?

Thirdly, related to the problem of exclusion, there is a basic contradiction between ID entitlement and its purpose. The ID card is supposed to be a mediator to access one's fundamental rights, for example, to enter the workplace or to vote. Yet, the mediator apparently turns into the gatekeeper of the system, because it alienates some people from basic rights protected by constitutional laws. Is the ID card system eliminating laws and rights that have been secured over centuries in democratic societies? How does the ID card system change the foundation of citizenship?

Lastly, resistance is not proportionate to the scale of the expanding ID card system. Like my senior colleague, many people at first didn't like the ID card, thought it was unnecessary, and made fun of it. (I used to see employees showing their train pass instead of their ID card at the Headquarters entrance.) But now more people apparently take it seriously. And there has been little serious objection to the imposition of ID cards. What makes us so quiet and acquiescent to the ID card system? How does the ID card system construct our subject?

In the following chapters, I will focus on Japan's national ID card systems. I cannot generalize about Japan's case for other ID systems. But I believe that it shares some characteristics with other systems in modern and post-modern contexts where similar phenomena are observable: in short, 1) the recent proliferation of the ID card for

the general population, 2) the suspicion and criminalization of people without ID or with particular kinds of ID, 3) the exemption of ID entitlement from human rights standards, 4) the rare resistance and the subject what accepts the new ID systems. Using particular case studies, I aim to shed light on these common issues of ID card systems in the present world.

### **1.1 Theoretical Frameworks**

Against the dominant discourse, the *identification system* is not merely to verify who a person claims to be. Because identification needs to specify what things are and what they are not, classification occurs in the process of identification (Jenkins, 2000: 7). The specification of similarities and differences is basic to define who a person is, both for herself and the institution. Thus, identification necessarily interweaves with assessment, categorization, inclusion, and exclusion (Gandy, 1993). In this sense, every identification system determines boundaries of categories: drawing a line between inside and outside.

On the other hand, the *identification card* is attached to the individual as a unique identifier in the identification system. The identification system can be established without a card. But with the card, the identification system can recognize, record, and track the individual's movements. As the state monopolized the legitimate means of movement by passport (Torpey, 2000), the card places the bearers under automatic surveillance. David Lyon calls the national ID card system currently proposed in the western countries an oligopoly of means of identification: by the state, corporations, and software (Lyon and Bennett, 2008). In this case, the state, corporations, and software can

all trace an individual's movements simultaneously. I postulate that *the identification card system includes and excludes people through compulsory categorization with surveillance over individual movements.*

The objectives of categorization are varied, including driving a car, receiving welfare, travelling abroad, accumulating air-mileage and shopping points, entering school, applying for a job, voting, moving, or settling down in a place. In the case of accessing social resources, people classified inside the line are included in the system, and they can access the resource. For those, the classification is often taken for granted, and is hardly ever contested, so the boundary is less visible. But people classified outside are excluded from accessing the resource, and are often forced into vulnerable, unequal, or marginalized positions in society, for example, the alien who is not qualified for citizenship. *Inclusion necessarily entails exclusion.* Furthermore, the identification system is built on exclusion that unifies the people inside and makes the people outside unlike the insiders (Hall, 1996). There is no ID system that includes *everyone* in a society. In other words, *every ID system inevitably produces categories of Others.*

Categories sort out people. This mechanism can be explained by the theoretical model of *bio-power* discussed by Michel Foucault. In *The History of Sexuality, Volume One*, Foucault suggests that power transformed its political rationale from destroying life to growing life in the West (Foucault, 1978: 136). Contrary to classical sovereignty that takes people's lives or allows them to live, *bio-power fosters* life or *disallows* it to die to the point of death (ibid: 138). It doesn't only repress, but also produces. In his later studies of "governmentality", he suggests that this productive aspect of sovereignty

supervises and intervenes in the population to give it extra life, in order to increase and strengthen the sovereign power to the full (Foucault, 1991: 93). This is continual regulatory control. It necessarily seeks knowledge of the population, where the ID card system is used as a useful technique. Bio-power targets population rather than territory, incorporates it into its resources and practice, and flexibly intervenes in individual lives. Surveillance of the general population emerges on this horizon. Moreover, the governmental state which “bears essentially on population and both refers to itself and makes use of the instrumentation of economic *savoir* could be seen as corresponding to a type of society controlled by apparatuses of security” (Foucault, 1991: 104; emphasis in original). Needless to say, the national ID card system is part of the *apparatuses of security*.

Therefore, in the mechanism of the regulatory control of bio-power, the national ID card system is a technique for obtaining knowledge about the population: counting everyone, individualizing them, categorizing them inside and outside their interests, tracking their movements, and intervening in their lives throughout this process. However, being categorized as outside of a law is not the same as having no relation to the law. Rather, outsiders relate to the law as the limit to the law and place where sovereignty works differently from the inside. Thus, exclusion from the system functions as *exclusive inclusion* in a state of suspension of the law.

Giorgio Agamben examines this type of exclusive inclusion as a “relation of exception” (Agamben, 1998, 2005). The relation of exception is a relation of banning. One who has been banned is abandoned by the law, not simply set outside the law, and so

is exposed and threatened on the threshold where outside and inside become indistinguishable. The law establishes the threshold as the place where sovereignty directly intervenes in lives. “*The originary relation of law to life is not application but Abandonment.*”(Agamben, 1998: 29, emphasis in original) Agamben calls the people exposed to this threshold “bare life” – they are exposed to the direct operation of sovereignty with no legal protection. He warns that this state of exception advances to the foreground as a fundamental political structure and ultimately becomes the rule in our age (ibid: 20).

The expansion of the state of exception allows the state more arbitrary intervention on a larger scale. Boundaries of categorization are no longer stable or distinguishable, and can always be erased and redrawn with subtle intent by the regulatory control. In addition, since the advent of Information and Communication Technologies (ICTs), the capacity of the regulatory power has been increasing rapidly. We are witnessing the expansion of digital surveillance that transgresses the boundaries of public and private, national and international, politics and economy, time and place (Lyon 1994, 2001; Poster, 1996; Haggerty and Ericson, 2000). Although each technology is working independently, the unique strength of ICTs is networking: constructing a web of databases, ID cards, biometric software, and Closed Circuit Television (CCTV). Gille Deleuze foresaw that individuals become “dividuals”, and masses become samples, data, markets, or “banks” in the flow of computer networks (Deleuze, 1995: 179-80). Deleuze calls such phenomena “societies of control” as transformation from Foucault’s other theoretical model of a disciplinary society.

Societies of control, which fragment identity/identification, impose on people securitization of identity to access social resources (Rose, 1999).

As many sociologists agree, one's identity is constructed over time, through interactions between the individual and the social settings (Jenkins, 2000, 2004; Mead 2004; Hall, 1996; Butler, 1990; Hacking, 1999; Burr, 1995; Berger and Luckmann, 1967). Social categories play a significant role in constituting identity. People are often rigidly adhered to their categories, and the categories "make up the people" (Hacking, 1986; Zureik, 2001). With this phrase, Ian Hacking means that new slots are created to shape and enumerate people. For example, in the census, people are spontaneously fitted into their categories, even if they had never thought of themselves that way before (Hacking, 1986: 223). Although every configuration of category has its own history, the category and the people come into being hand in hand.

Hacking's analysis is derived from what Foucault calls the "constitution of the subject". Foucault states, "Rather than ask ourselves how the sovereign appears to us in his lofty isolation, we should try to discover how it is that subjects are gradually, progressively, really and materially constituted through a multiplicity of organisms, forces, energies, materials, desires, thoughts, etc." (Foucault, 1980: 97). In this sense, *the ID system is a site where power constitutes the subject through categorization*. The subject emerges from its subjection to the categories of the ID system. Among many social institutions constructing subjectivity, the ID system specializes in individual identification. It defines individual identities and authorizes itself as an objective, reliable, and mistake-free identity resource.

Thus, individual self-identity always refers to identification by social institutions. Louis Althusser examined this relationship as “interpellation” from the sovereignty to the individual (Althusser, 2001). The state has the Ideological State Apparatuses (ISAs), such as the schools and the media, not only the repressive apparatuses of violence. ISAs interpellate the individual and tell her who she is in everyday life. When she affirmatively responds to the interpellation, her subject is subjected to the ISAs. Thus, the subject is discursively and repeatedly constructed, not essentially nor eternally, through this interaction (Butler, 1990, 1993). There is no true inner identity that precedes the system, as is often believed. Individual identity is often explained as the “cause” of the system, not the “effect”. According to Judith Butler, this is because,

the political construction of the subject proceeds with certain legitimating and exclusionary aims, and these political operations are effectively concealed and naturalized by a political analysis that takes juridical structure as their foundation. Juridical power inevitably “produces” what it claims merely to represent: hence, politics must be concerned with this dual function of power: the juridical and the productive. (Butler, 1990: 3)

Juridical and productive power conceals interpellation from the system to the subject and reverses its vector. The system appears to be universal after cause and effect are politically switched: the individual rarely contests the rule, and the system’s exclusionary aims become invisible to her. The national ID card system represents her identity in this way. The productive power constructs her subject and secures the system.

In these theoretical frameworks, this project examines the development of the national ID systems in Japan. I analyze the modern politics of inclusion and exclusion through categorization of the people, the political reversion between cause and effect of the systems, and the productive functions in the subjects.

## 1.2 Methodological Frameworks

I examine the development of Japan's national ID card systems, Koseki, the Alien Registration System, and Juki-net, based on the English and Japanese literatures that explain the identification systems historically and theoretically. From the English resources, in addition to the theoretical works of the scholars above, I refer to the historical works of Simon A. Cole (2001), John Torpey (1998, 2000, 2001), and Christian Parenti (1999, 2003). They illustrate how ID technologies developed with the concrete targets in the modern age. About the current development of electronic surveillance network, I owe Maureen Webb's (2007) detailed report.

From the Japanese resources, I draw on the prominent works of Bummei Sato (1984, 1988, 1991, 1996), Hiroshi Tanaka (1987, 1995), Yuichi Higuchi (1986, 1991, 2002) and some other historians. Sato is a pioneer of the Japanese registration system of Koseki. With his experience of being a municipal officer of Koseki in the past, he explained how the national registration was used to govern the people and raised the social discrimination. Tanaka has researched on and supported the political rights of foreign residents in Japan. He uncovered the colonial history of Alien Registration and discussed how this system has repressed the Others. Higuchi revealed the unknown history of "Kyowa-kai", the association of policing Koreans in Japan.

To describe Japan's latest system of Juki-net, I use in-depth newspaper articles, including my own articles. I came to be involved in the issues of Juki-net when I was a newspaper reporter. I started to investigate Juki-net in 1999, after the bill was passed without major public attention. From the records of the Diet and the interviews to the politicians and bureaucrats, I found that the government did not disclose, and even lied

about, the whole picture of Juki-net when the bill was discussed in the Diet. Since then, I have seen that Juki-net has a political root in the past, that is hidden in the present and for the future strategy. To see the invisible connection between the past and future, I researched on the history.

My analysis is not restricted specifically to the national ID *card* systems. For example, Koseki does not entail a card. The card and non-card systems are inseparable in historical relations. I use the words “national identification (ID) system”, including both card and non-card identification systems, whose basis is registration. I also use the words “identification (ID) system” as a more general category, including nationally, publicly, and privately operated identification systems. I refer to non-national systems in the context of linkage with national systems.

On these resources and views, I construct my argument of national ID card system. Few sociological works have been done to analyze Japan’s national ID card systems, especially the current three systems together: Koseki, Alien Registration, and Juki-net. I have no fresh discovery of historical facts although the history of these systems has been unknown to the public. However, my objective is to shed a sociological light on these systems and align them in a transformation and continuation of surveillance technique. I analyze these systems as means of classifying the population and controlling the movements, derived from modernity, colonialism and war. Furthermore, I would like to contribute to find how these systems together relate our rights of citizenship and produce our subject, which has never been raised as a popular academic question. In a sociological light, I want to show Koseki, Alien Registration, Juki-net do not only

structure social discrimination, but construct our subject. Our identities are in an important sense structured by those systems.

Simultaneously, situating Japan's national ID card systems in the global security apparatuses is also novelty of this project. I discuss the consequences of implementing a national ID card system in present Japan, when a number of countries had declared "war on terror" after September 11, 2001. High-tech surveillance had already existed before 9/11, but since then the expansion of surveillance has been rationalized as counter-terrorism with heavy emphasis on the political agenda of security. September 11 catalyzed the roll-out of omnipresent surveillance. The security targets are diverse, including crime, immigration, travel, and citizenship. But, in the end, governments expect the national ID card system to be an effective means of classifying the population into desirable and undesirable (Lyon, forthcoming). Among the categories, due to the striking impact of 9/11, the category of the "terrorist" ironically became an extremely powerful discourse to terrify people to support for security apparatuses, including the national ID card system. To unveil the politics around the binary category of the "terrorist" or the "innocent" is one of my urgent and concrete aims in this project.

Therefore, this project does not merely look back to the history of the national ID card systems. I aim to reveal the roots of the identification system in modern Japan *genealogically*, as Foucault suggested on the legacy of Nietzsche. Because the vast dissemination of the ID card system leaves us ignorant of its genesis, we tend to collude with official ways of thinking about the ID card system. Once the system becomes routine, its operation becomes naturalized and automated, without being questioned

(Bauman, 1989). However, the technique of identification has developed to serve specific intents, strategies, and targets. I want to make this point clear because the ID system is not neutral in its effect, although now covers the general population. The system is never equal, although dominant discourses proclaim that the ID card is an easy tool which benefits *everybody's* safety. Contrarily, the ID card system has a power that makes people "bare life" through classification beyond legal protection of citizenship. In order to counter the simplistic view that the ID card system is neutral, I specify when, where, and how this system was generated, and subsequently produced the subjects representing the system.

### **1.3 Modernity, Colonialism, and War**

Prior to 9/11, in many places like China, South Korea, Spain, Columbia, and Serbia, the national ID card system had been already established as modern basis to determine the relationship between the state and the citizen. Used not only to access public services regarding citizenship, the national ID cards are naturalized as part of private life, becoming necessary to open a bank account, own a house, contract for a mobile phone, or rent videotapes.

In other parts of the world, national ID card systems are newly proposed in a series of post-911 national security policies. Yet a number of countries, including the United Kingdom, the United States, and France, have a history in which the governments once used national ID card systems to restrain the movements of marginalized populations: foreigners, slaves, immigrants, and colonial natives (Cole, 2001; Parenti, 2003; Piazza and Laniel, 2008). The technologies of identification have developed in the

western modernity, especially through colonial policy. Simon Cole finds that while anthropometry, the measuring of body parts and the indexing of data, emerged in the cities of Europe, fingerprinting was tried out on colonial populations as a means of recognizing the Others (Cole, 2001). It is consistent that race and ethnicity were main focuses of colonial knowledge in biology, anthropology, and eugenics. Identification technologies we witness today grounded in colonial epistemology of race and the body.

As an extreme situation in modernity, war has been another opportunity for the state to introduce national ID card systems. In war, the state rigorously distinguishes insider and outsider among the population and put the movements of both under intensive surveillance. John Torpey suggests that the passport system developed during World War I, and the monopolization of the legitimate means of movement, was parallel to the monopolization of the legitimate means of violence by the state (Torpey, 2001). The state reinforces identification techniques in an emergency, but often does not remove the techniques in post-war periods. Identification techniques like the passport system mushroomed during wars, and they remain after the emergency was over.

Japan's national ID card system also has deep colonial roots. One of its first uses was in the 1920s in Northeast China, which Japan militarily occupied and declared the state of "Manchuria" (Tanaka, 1987, 1995; Group Saying "No" to Fingerprinting (GSNF), 1987). Japan implemented the ID card system in order to watch the population coming and going in this area and to control the labour force for coalmines and factories. Japan needed the Chinese workers to develop the economy, but it tried to counter their resistance. The residential certificate system later developed as part of the military's

tactics against anti-Japanese guerrillas. Fingerprinting underpinned these ID card systems to monitor the *enemy-within* of the Empire.

On the Japanese mainland, the target was Koreans, whose land was brutally annexed by Japan in 1910. During World War II, Korean migrants were required to carry a membership book to a nationally-organized association (Higuch, 1986, 1991). This ID book not only tracked their movements, but also created the identity of loyal “Japanese”: it included national loyalty oaths to the Emperor, and recorded the bearer’s contributions and services to the nation. The system was used to watch over the movements of Koreans and Chinese on the one hand, and to produce desirable subjects for the state on the other hand.

Although Japan lost all of its colonies with its surrender after WWII, the colonial ID card systems survived and crystallized into the Alien Registration Card System in the post-war democracy. This system imposed intensive surveillance on every individual who came from the former colonies - mainly Koreans and Chinese - and who were deprived of Japanese nationality although they stayed in Japan (Tanaka, 1995; Sato, 1996). This system continues today, requiring foreigners to register, to carry an Alien Registration Card, and to show the card upon request by the police. Fingerprinting had been part of the registration and renewals until 2000, when patient refusals by Koreans and Chinese achieved the abolition of fingerprinting.

Meanwhile, modern Japan has established two kinds of identification systems over nationals: Koseki and Juki-net. Koseki requires the individual to register on the basis of family, and categorizes each family member as inside or outside of a patriarchal order

(Sato, 1988; Ninomiya, 2006). Koseki emerged in the late nineteenth century, during Japan's drive to build up its modern state, catch up to the western powers, and cultivate and shape its national population. Koseki turned the private family into a public unit for the state system, by hierarchizing the relations of bloodline around a male head and by excluding women and children through the category of outside of institutional marriage. Koseki played an important role of mediator between the state and individuals, and became a moral model for individuals as the subjects of the Empire. The shared rationale was loyalty to the leader: because the master of the family gives his best to his family members, and the members obey his decision. So, too, Japanese nationals should obey the emperor who always gives his best to his people.

Koseki strictly excludes non-citizens, and represents membership of the state, but it does not clearly view citizenship as it has developed throughout western history. Rather, Koseki fabricates an image of unity for the "Japanese," the subjects of the nation-state, by repressing the "Other", ethnic, linguistic, and cultural diversity in Japan. It has the characteristics of the disciplinary power Foucault suggests that individualizes the people, binds each of them to the state, trains their souls, and automates power practices in the individual (Foucault, 1977). However, in the Koseki system, power operates not only from the state to the individuals in a panoptic way, as Foucault stressed, but also laterally among family members. It also contributed to a synoptic surveillance from the society to the individual as a foundation of national morality. This three-dimensional surveillance of Koseki has constituted a power to place the population in patriarchal order and bind it under "Japanese" identity, the subjects of the Emperor. Simultaneously, the ethnic minorities have been excluded and put under strong pressure to homogenize with the

majority of Japanese society. Koseki functions as the norm of the human relations, as well as of the national ID system in today's Japan.

Juki-net, the most recent Japanese ID card system implemented in 2002, is a computer network focusing on the individual citizen. Koseki is inefficient to trace the actual movements of individuals, due to its collective nature. So a more individualistic registration appeared at the municipal level during WWII. After the war, it became an official system linked to Koseki, and was called the Resident Basic Register. Juki-net computerized part of the personal information on this registry. For the first time in Japanese history, every Japanese, from newborn to elderly, was listed by an ID number. Now, despite strong public opposition, Juki-net enables the government and the municipalities to share the personal information of all citizens who have a number. It also supplies optional ID cards containing an Integrated Circuit (IC) chip that can carry different types of memory for multi-use (Wood, Lyon, and Abe, 2007; Ogasawara, 2002). The IC chip can communicate with the IC reader long-distance and be a master key to access many databases of personal data. The movements of the bearer are readable through this technology: where she was, what she did, and whom she was with. The government has been promoting the multi-use of the card on the municipality level, including linkage with the private sector. But the card has remained unpopular in the five years since its issuance, and has been distributed to only one percent of the population.

Juki-net has been increasing its scope of data since its implementation, and has shifted its purpose from the quick delivery of public services to the development of e-government infrastructure. The rapid expansion of Juki-net shows that computer

networks inevitably expand under the absence of legal control and transparency. Similar to Koseki, Juki-net excludes non-nationals and includes nationals. But, unlike Koseki, it has innovative characteristics of linkage, based on the new capabilities of computer networks and data mining. The state can transgress the classic boundaries of the administration of the network, and so it can divide, aggregate personal information for various purposes, and create more categories. Beyond Koseki's categories, Juki-net gives the state opportunities for individualistic, direct, and fluid surveillance of personal lives, a web of state access superimposed on Japan's already disciplinary society. These three characteristics inevitably transform the foundation of citizenship. They expose the active practice of civil rights to danger.

A compulsory identification number represents the regulatory control of bio-power. Numbers individualize the population but totalize it at the same time. A number is meaningless without the total enumeration. The individual becomes a part of the total by the ID number. In other words, Juki-net will nationally facilitate the emergence of what Deleuze would call a society of control in Japan. It reduces the individual to data and incorporates these data into an unlimited network traversing time and space. One cannot drop out of the network, and one's information is constantly being circulated. At the same time, one cannot see how the data is retrieved, divided, combined, copied, transferred, or analyzed. The digital capacity of data mining dissolves classical categories of administration, but it does not stop categorizing. Rather, the individual can be classified into limitless categories on the network, without her knowing.

However, it does not mean that Juki-net diminishes Koseki's categories. Rather, Juki-net reinforces existing categories of exclusion, constructed by the norm of Koseki, in the regulatory mechanism of bio-power. The same information is circulated in the loops of both Koseki and Juki-net. So people who are negatively classified in Koseki are doubly classified negatively. Juki-net adds the possibility of discrimination by new categories.

Koseki and Alien Registration System were born in modernity, colonialism, and war in Japan. Both systems are different sides of the same coin to determine the inside and outside of "Japanese". On this foundation, Juki-net was established. Juki-net interfaces both systems with new ability of networking. It indicates that modernity, colonialism, and war remain and will be resurfaced in practice of three national ID systems in the twentieth-first century.

#### **1.4 Global Mass Surveillance and the Pre-emption of Risk**

In order to understand the present national ID systems, it is important to discuss their abilities and implications against the broader contemporary technological and political backdrop (Webb, 2007; Kaito, 2006; Ogura, 2006; Zureik and Hindle, 2004). Nowadays, technologies and ideologies both transgress national borders. Then they both produce the subjects who are subjected to the national ID card systems, and whose use of them supports and rationalizes the systems across national borders. Whether or not by design, Juki-net relates other mass surveillance systems of the same age in the global arena, in terms of technology, ideology, and subject. The three are relevant and inseparable in situating the national ID card system of our era. I refer below to only part

of the backdrop, the worldwide crackdown on securitization of identity, along with the backdrops of theoretical movements before and after 9/11.

Since 9/11, the United States has taken the initiative to establish new biometric identification systems, which have apparently spilled over the soils of other countries and accelerated the global linkage of biometric data across public and private databases (Ogasawara, 2003). The Enhanced Border Security and Visa Entry Reform Act of 2002, passed by the U.S. Congress, required all countries wishing to retain their visa-waiver status with the U.S. to implement a biometric passport system by 2004, and designated the International Civil Aviation Organization (ICAO) as the standard setter for biometric technology. The Group of Eight Countries (G-8: Canada, the United States, Japan, the United Kingdom, France, Italy, Germany, and Russia) agreed to implement biometric passports in May, 2003. ICAO, whose strongest member is the U.S. itself, adopted globally inter-operable and machine-readable specifications for biometric passports with facial recognition as the mandatory standard, and fingerprints and iris scans as optional additional standards (Webb, 2007: 93). The ICAO specifications required the countries to verify passport holders against the biometric data in their passports and to match the data against those of other individuals “of interest”. But it leaves the countries with full discretion to use biometric data for other purposes.

Then the U.S. used its own discretion in using the biometric data of travellers. The U.S. Department of Homeland Security, created after 9/11, implemented the US-

VISIT (Visitors and Immigration Status Indicator Technology) Program in 2004.<sup>3</sup> This biometric identification scheme applies to almost all foreign travellers between the ages of 14 and 79 who enter the United States. The travellers are required to have two index fingers scanned, which changed to ten fingers at major airports after November 2007, and a digital photograph taken at the port of entry. This is not only to verify people against the biometric data embedded in the IC chips in their travel documents, nor to check their biometric data against those who are “blacklisted”. The purpose of US-VISIT is to create profiles on all people entering the United States, to store them for one hundred years, and to link their biometric data to a web of databases, encompassing more than twenty U.S. federal government databases as well as U.S. commercial databases (Webb, 2007: 85). The database networks will potentially expand more with the ongoing acquisition of domestic and international databases by the U.S. government. For example, under the Enhanced Border Security and Visa Entry Reform Act of 2002, the government has demanded that all airlines traveling to or through the United States provide the U.S. authorities with access to their passenger databases.

Japan implemented its own version of biometric immigration control in November, 2007. The new system requires almost all international travellers entering Japan to be fingerprinted at the ports of entry. It was the first case in the world that precisely followed the US-VISIT. Fingerprinting identification, once abolished in the

---

<sup>3</sup> One can see the slogan of this program, “Keeping America’s Doors Open and Our Nation Secure”, at the website of the Department of Homeland Security, ([http://www.dhs.gov/xtrvlsec/programs/content\\_multi\\_image\\_0006.shtm](http://www.dhs.gov/xtrvlsec/programs/content_multi_image_0006.shtm)). Despite the invitation implied in the name “US-VISIT”, the DHS is shifting to a more closed-door policy with intensive scrutiny. The slogan warns foreign travellers that entry will be completely closed to them if they do not give up their

Alien Registration System, was revived in this new immigration system in the name of international harmony and preventing “terrorism” in the post-9/11 society.<sup>4</sup> Not many people imagined that fingerprinting identification would return to foreigners in Japan only seven years after its long-awaited abolition. It was revealed through the discussion in the Japanese Diet that immigration and law enforcement departments would internationally exchange the data they obtain through the new biometric immigration system (House of Representatives, 2006).<sup>5</sup> The European Union began a similar Visa Information System in 2006.

Maureen Webb points out that initiatives that make up the infrastructure for mass surveillance are often put in place in stages, in secret, or “policy laundered” through the use of international forums like ICAO and G-8. In this way, governments can avoid public debate and accountability around new surveillance systems which may violate national standards of privacy and data protection in existing laws.

---

personal information. This type of Orwellian “double speak” has proliferated in the post-911 surveillance systems, and the rationalization of surveillance embedded in double speak should not be overlooked.

<sup>4</sup> The new immigration system of fingerprint identification has slightly different targets from the Alien Registration System. The Koreans and Chinese who have special legal resident status, are exempted from fingerprinting in the new system, but they have already been covered by the Alien Registration System., The new fingerprinting system targets general travellers and visitors to Japan. In total, the government can track all populations of “foreigners” in Japanese society. The people who were involved in resistance to fingerprinting expressed their opposition to the new immigration system, warning that the government is now applying this technique to the general population. For example, see the appeals by a Korean organization ([http://www.key-j.org/program/doc/zainichi/shimon\\_20060328.html](http://www.key-j.org/program/doc/zainichi/shimon_20060328.html)) and a Christian association (<http://www.ksyc.jp/gaikikyoku/20060322seimei.htm>).

<sup>5</sup> Japan implemented a biometric passport system in 2006. In the same year, the Diet passed a revision of the Immigration Control and Refugee Recognition Act to establish the Japanese version of US-VISIT within two years. Interestingly, when the US-VISIT was implemented, the Japanese government requested the U.S. to strictly control the biometric information of travellers and to erase the information when the travellers leave the U.S. (Diet Records, 29/03/06). Japan asked the U.S. to explain how Immigration restrained data sharing and controlled information properly. But when Japan discussed the same system for itself, all these critical points were neglected.

Far from being merely “national”, the national ID card systems are proposed to operate internationally in what Webb calls the “creation of a global registration system”, sharing the same technologies with biometric passports. In March, 2006, the U.K. Parliament passed a bill to implement a national ID card system by 2010. The Home Office explains that their National Identity Scheme benefits society in terms of: 1) identity theft and fraud, 2) terrorism and organized crime, 3) immigration and illegal workers, and 4) delivery of public services and benefits (Home Office, 2005). Those have been the typical targets of police in the recent history of the national ID card system, and the targets are expected to come and go across national borders. The U.K. scheme connects the national ID card system to the passport system. “National” does not mean its identification is constructed and preserved only within the border. Rather, it is built to connect with international networks. In the U.S., the REAL ID Act, passed in May 2005, mandates national standards for state driver’s licenses and forces states to link their Departments of Motor Vehicle databases. Because those undesirables are potentially *everywhere, everybody* has to be included in the ID card system to be identified. This totalitarian rationale imposes the national ID card system on the entire population.

These global identification systems, therefore, aim to profile every individual, in order to identify “terrorists”, illegal workers, welfare frauds, and so on, *prior to* their offensive actions. Profiling will predict and remove risks in the future. Such crime prevention methods embody a neo-liberal view of risk management, which presupposes that scientific knowledge can calculate and remove risks in advance of incidents (Sakai, 2001). In this view, every human entity has the potential to commit harmful actions against the state and capital — it is a matter of chance rather than individuality or social

structure. This idea has influenced anti-crime policies in the U.S. since the 1980s, and is known as the theory of “broken windows”. The authors Wilson and Kelling insist that disorder and crime are closely associated with each other; the former develops into the latter. If a broken window in a building is neglected, all the windows in town will be broken one day (Wilson, 1975; Wilson and Kelling, 1982). The New York City Police Department practiced a project called “zero-tolerance”. They policed people with uncivil behaviour, which they considered at risk of developing into violent crimes, including begging, homelessness, and prostitution (Young, 1999; Parenti, 1999). Those people were removed from public places as threats to the “quality of life” in New York City, without any alleged actions constituting crime. Many police departments in other states copied these tactics.

The Bush Administration used this ideology to create domestic and foreign policies of risk pre-emption in post-9/11. President Bush ordered the National Security Agency (NSA) to intercept without warrants the phone calls and emails of people inside the U.S. This directly violated the Foreign Intelligence Surveillance Act (Webb, 2007: 48-54). The NSA trolled through vast troves of telephone and email conversations, using artificial intelligence to look for key words and patterns. Based on the alerts of key words in the computer software, human agents “involved up to 500 people in the U.S. at any given time” (New York Times cited in Webb: 50). Even without showing particular evidence or “probable cause”, an enormous number of U.S. citizens were exposed to this secret data mining operation. Pre-empting “terrorists” nationally resulted in the mass surveillance of many citizens.

Outside the country, the neo-liberal method of risk control has crystallized into pre-emptive military strikes against “rogue states”, most notably the war of Iraq. In March 2003, the U.S. attacked Iraq on the assumption that Iraq had weapons of mass destruction, which were never found. The idea of pre-emption has provoked a number of unilateral policies in the Bush Administration: the development of smaller, more useable nuclear weapons, the deployment of a global missile defence system, the revolution of the military, and the transformation of the air force into a “Global First-Strike Force”. These strategies are not even secret — a part of them was addressed in the State of the Union message. The neo-liberals openly tried to achieve an unchallengeable American hegemony over the world by deterring potential competitors and the leadership of the United Nations (Webb, 2007: 59-64).

The war has enabled the state to gain constitutional power to suspend legal protections for individuals. Inside and outside its territory, the U.S. has detained many individuals, mainly Muslims, without charges. As we know from the limited reports of cases in Abu Ghraib Prison in Iraq and Guantánamo Bay Detention Camp in Cuba, detainees are denied these due processes of the law: the presumption of innocence, habeas corpus, rights against arbitrary and indefinite detention, attorney-client privileges, public trials, the right to know the evidence against one and to respond, the right against unreasonable search and seizure, the right to remain silent, and the right to not be tortured. They are precisely the “bare life” exposed to the state of exception, as Agamben explains (Agamben, 1998). Along with the practices of pre-emption of risk, however, this state of exception has been constantly extended and has become the normal state. The whole population inside and outside its borders now threatens to fall into bare life.

In the expansion of pre-emptive risk control, all lives are not simply set outside of legal protection. Rather, life is controlled. As the regulatory mechanism of bio-power *fosters* life and *disallows* it to die, death is no longer a right of the individual. Death is forbidden under supreme imperatives of security, as we see it in the rationale of the rapid growth of mass surveillance. This is the aspect of bio-power that incorporates the life of the human as species into politics and that mandates security superior to all other imperatives.

Thus a suicide attack has symbolic meaning against bio-power. Jean Baudrillard defines the 9/11 attacks as counter violence to global power that champions a “zero-dead” agenda (Baudrillard, 2004). Although Baudrillard does not support suicide bombing, he points out that “terrorism that bets with death becomes an absolute weapon against the [global] system [aiming at total uniformity and the extinction of death], and it challenges the idea of organizing societies with security and control as their top priorities” (Baudrillard, 2004: 66, my translation). His conclusion is shockingly consistent with the declaration of the “war on terror” by the U.S. President, but for different reasons. This battle between global power and terrorism will have no end because an equal exchange between the two is impossible. There will be no ceasefire between them, which also means that total order is never finally established on earth. “Though it’s not defeated, the Empire of virtue is programmed to fail continuously.” (ibid: 18).

There is no doubt that the “zero-dead” agenda has been associated with many social programs since *before* 9/11, such as prevention of traffic accidents, medical errors,

fires, diseases, and crimes. Hacking would call these programs for the “taming of chance”, based on the statistical calculation of probability (Hacking, 1990). But the “zero-dead” agenda has especially attracted people when they feel vulnerable to unreasonable death. They allow government maximum surveillance over themselves because of fear, and that is the way in which bio-power has developed apparatuses of security. A paradox we have been experiencing through the apparatuses is that we all become suspects for our own security. New national ID card systems embody this paradox, but conformism and totalitarianism generated by fear blind us to the paradox.

In the entire map of global mass surveillance, government is not the only player. Information Communication Technology industries strongly push their governments to implement national ID systems. They spread their biometric technologies through other products for individual consumers, such as mobile phones and computers to “protect privacy”. ICT corporations are a driving force for the national ID card systems and are also part of the apparatuses of security.

In the end, the national ID card system is just the tip of the iceberg of global mass surveillance, in terms of the transformation of technology, ideology, and the subject. Apparatuses of security are now everywhere. Christian Parenti describes “overlaps” of security imperatives across the American life of post-9/11. It is,

a world that is nominally free but actually subject to a soft tyranny of omniscient and interlocking regimes of control: work rules overlapping with the criminal law; overlapping with official moralism; overlapping with the concerns of the security-conscious home; overlapping with notions of “correct” political policies; and then all of this overlapping with problematic assumptions about who is dangerous and who deserves privilege. (Parenti, 2003: 4)

These problematic assumptions overlapped in everyday lives are continuously constructed through compulsory categorization. The reduced and binary categorization of “terrorist” or “innocent” yields fear among the people and has them rationalize mass surveillance. Technology and ideology of global mass surveillance had already existed in modernity prior to 9/11, but the incident drastically catalyzed them and pushed them to the point of no return, as a concrete operation of bio-power. The proposals of national ID card system represent war and colonialism continued inside our democracy.

### **1.5 No Terrorist Policy**

As this project situates Japan’s national ID card systems in the contemporary surveillance system, throughout this writing, I challenge the dichotomy of “terrorist” or “innocent”, which are ultimate categories imposed on individuals in post-9/11 situations. I cannot avoid hearing, “You don’t want to let terrorists move around”, or “If you are not a terrorist, you have nothing to hide”, or “If you have nothing to hide, you don’t have to be concerned about security checks”. These simplistic discourses represent interpellation that threatens people, including myself, to fall in compulsory categories and produces the subject conforming the security apparatuses.

However, I am neither a “terrorist” nor “innocent”. Contrary to the ideology of pre-emptive risk control, I believe a person is not a terrorist before she takes action. Nietzsche said in *On the Genealogy of Morals* “there is no ‘being’ behind doing, effecting, becoming; ‘the doer’ is merely a fiction added to the deed—the deed is everything” (Nietzsche, 1969: 45). The problematic wording of the “terrorist” reifies a view of security apparatuses that want to identify themselves as “innocents”, and that *see*

the “terrorist” in Others. I frame the phenomena called terrorism as resistance to the global order, as Baudrillard defines. But moving my own position away from him, I do not use the term “terrorist” without critical meaning, and I replace it with resistance or other analytical words.<sup>6</sup>

Language has a structure of power, which forms a view to see and *not* to see particular aspects of objects (Butler, 1990). I hope my “no terrorist” policy unveils an aspect of the national ID card system that the category of “terrorist” might have excused and justified.

In summary, identification necessarily entails a categorization of inclusion and exclusion. In Japan’s national ID systems, the inclusion of citizens constructed the subjects of “Japanese” for the state. The ex-colonial population is severely excluded from citizenship, and the compulsory ID cards subject that population to intensive surveillance. The regulatory control of bio-power rationalizes such categorization of the population in order to strengthen the sovereign power. On this bio-politics of boundary developed in modernity, colonialism, and war, the electronic technology of Juki-net superimposes new type of categorization. This ability is already practiced for pre-empting risk in the global “war on terror”: transgressing modern administrative categories and connecting personal data in different spheres. The individual can be vulnerably and arbitrarily exposed to the

---

<sup>6</sup> This attempt partly comes from my journalism background, which bitterly taught me how easy it is to be included and controlled by power when I share the words the powerful use. The government cannot start a war or an ID card system without creating discourse to rationalize them. The media disseminates this discourse without providing essential criticism or “objective reporting” in the pro-and-con style. Establishing wording is the first step to creating discourse, as the powerful already know. For example, a law that officially allowed the government departments to share personal data was named the “Personal Information *Protection Law*” in Japan. This type of “double speak”, as George Orwell called it in *Nineteen-Eighty-Four*, is common in the apparatuses of security.

multiple dimensions of mass surveillance. Supported by neo-liberal regimes, the ideology of pre-emptive risk control flourishes in an ever-extended state of exception where everyone can fall into bare life.

In Chapter Two, I examine the national registration system of Koseki, which was established during the modern nation-building. Koseki models the patriarchal relationship between the emperor state and its subjects. It developed the intensive gazes toward the individual in a disciplinary mechanism. Koseki represents the norm that constitutes the subjects who conform the emperor system and social hierarchy in Japan.

Chapter Three reveals the colonial roots of the Japanese national ID card system, which has targeted Koreans and Chinese as enemies-within. Fingerprint developed as a biological way of recognizing colonial population, sharing the western epistemology of racial Others. This mindset has never disappeared since the collapse of the Japanese Empire, and was crystallized as the official Alien Registration Card System in the post-war democracy. This technique places ex-colonial population in exclusive inclusion, makes the maximum use of it for the state, and produces bare life, as practice of bio-power.

In Chapter Four, I analyze Juki-net, the new foundation of citizenship. The unitary ID number increases the ability of regulatory control over the population, based on the personal data retrieved from networked databases. Juki-net represents the electronic surveillance in our age. This surveillance allows the state to intervene individual life and undermines the foundation of citizenship. I then examine the interplay between the national ID system and individual identity. I suggest that the national ID card

system controls individual identities for desirable categories for a social order, while it brings arbitrary exclusion to undesirable categories of people. Juki-net points the Japanese society in the direction of totalitarian principle of bio-power.

In the conclusion, I examine these three systems altogether and how the technique of national ID card system has continued in transitions of different regimes in the nation-state: monarchy, colonialism, fascism, and democracy. In this sense, today's prosperity of national ID card system represents colonialism and war staying with our own democracy. If so, the national ID card system may be at best and at worst an evil.

## Chapter 2

### Koseki: Constructing Nationals

Registration is the mother of identification. Registering is the first step to recognize, categorize, and define the individual based on collected personal information. Once registration is complete, identification becomes possible by matching registered data with data the individual carries. In this chapter, we will see how the mechanism of registration has been used on the population and has transformed us from undefined individuals to useful subjects for the state. I start with a brief history of the national registration system in Japan. Then, I move onto the modern registration system of Koseki that constructed the political, economic, and social infrastructure of present Japan. And, finally, I analyze the power of Koseki as disciplinary surveillance that incorporates its subjects into the Japanese state system and social order.

#### 2.1 Born with the Sovereign State

The first national registration in Japan to be found in literature appears in the seventh century, when a leading clan defeated competing clans and established the first centralized nation (Sato, 1988: 18, 32, 79). The head of this leading clan ascended the throne of the emperor. Other clans, which had ruled their own territories, submitted to the emperor their private lists of properties, including the records of human households attached to their lands. The aggregated registry was called *Koseki*, meaning, “house

register”.<sup>7</sup> The first nation of Japan compiled Koseki to distribute land to each household to grow rice, and to tax each household based on the size of the land. The ancient Koseki consisted of lists of the national properties of the emperor, and represented economic and inhabitant units of population. It is significant that the national registry system Koseki was born with the first establishment of the sovereign state by the emperor.

The registration system changed with the rulers of the time. After the ninth century, land was decentralized with the development of aristocrats and warriors. They privatized the land and compiled their own registries, which gave rise to a feudal system under the warriors’ regimes. During the Age of Civil Wars in the sixteenth century, the feudal lords conducted investigations into their own registries of humans, horses, and cattle to mobilize them for battles (ibid: 82-3). In 1519, the conqueror Hideyoshi investigated the land and population throughout Japan, in order to deprive farmers of their arms and prevent rebellion (ibid: 18, 33). He also banned them from changing their occupations to prevent a reduction of tax revenue based on the land and products.

The registry that Hideyoshi started was completed under the Tokugawa regime. It was called *Ninbetsu-cho*, which means “human category book”. It recorded the feudal classification of occupations, which determined one’s social class in this order: warrior, farmer, artisan, merchant, and untouchable. One was not allowed to change occupations, move or work outside of the registered places, or marry someone from a different class. Permission was required from the feudal lord to marry someone from another village or

---

<sup>7</sup> It seems the word Koseki originally came from China. The ancient Japanese used only the Chinese characters, called *Kanji*, before they developed *Kana*, the Japanese alphabet, from Kanji in the late eighth century. Thus, from the beginning, Koseki was written in Kanji with its original meaning in China.

move out of the feudal domain. Ninbetsu-cho played a role of restraining people's movements and tying them to the land, in order to maintain tax revenue and social order. In 1670, the Tokugawa regime added the function of religious control to Ninbetsu-cho, and banned Christianity (ibid: 86). Every year, the local officials checked the religion of each villager. They required the villager to step on a picture of Jesus, they recorded the name of the Buddhist temple that guaranteed he was not a Christian, and they submitted aggregated lists to the central government through the feudal lord. The government investigated these lists closely every six years during the three-hundred-year regime until the nineteenth century. This combined book of religious and class categories is called *Shumon Ninbetsu-cho*.

This feudal registry chained people to their occupations and residential areas over generations (ibid: 84). The national economy had been based on the production of rice, so farmers were obliged to stay in one place and cultivate the land they had received. Eventually, this restriction of movement came to contradict the development of a modern economy at the end of the feudal era (ibid: 87). An independent labour force, free to move at the demand of capital, was needed to produce and accumulate wealth (Marx, 2005). The modern registry was faced with a new demand to allow people some controlled movement. This was a departure from the role of ancient property lists or feudal ties to land and occupation. In 1853, a sudden visit by the American Navy opened Japan's door to the world and to a new economy. When the Tokugawa dynasty collapsed

---

However, Sato (1988) noted that the system inscribed by the same characters in present China is very different from the Japanese type of the Koseki system.

and the Meiji Emperor was put in power in 1867, the new registration system was reinvented for a modern nation and economy.

## **2.2 Patriarchy as Mediator of the Modern State**

In western societies, documenting an individual's identity through life stages forms one of the most basic infrastructures for the nation-state (Caplan and Torpey, 2001). Modern bureaucracy works like a machine, along with the non-mechanical modes of production, to serve the relationship between the state and individuals (Weber, 1946). By recording birth date, address, gender, family size, and income-level, the government recognizes the population, and then can tax it, draft it, and provide it welfare. Michel Foucault suggests that population, rather than territory, became a main target of modern government (Foucault, 1991). State power intervenes in "men in their relation" to increase its power and exert its strength to the full. They include:

their links, their imbrication with those other things which are wealth, resources, means of subsistence, the territory with its specific qualities, climate, irrigation, fertility, etc.; men in their relation to that other kind of things, customs, habits, ways of acting and thinking, etc.; lastly, men in their relation to that other kind of things, accidents and misfortunes such as famine, epidemics, death, etc. (Foucault, 1991: 93)

These became the exact targets of the modern Japanese state, when it drastically westernized its political and economic systems in the late nineteenth century. After a three-hundred-year isolationist policy of the ruling warriors, which banned going abroad, restricted exports and imports, and punished Christians, it was urgent for the Meiji regime to build political and economic institutions equivalent to the Western empires, as

Great Britain, Germany, France, Holland, and the United States expanded their territories in East Asia.

National registration started with the Koseki Act of 1871. It was part of nation-building with the slogan, “Enrich the Country, Strengthen the Soldiers”. In general, registration and the census tell the sovereign how to tax the subjects and how many subjects will be available for war (Hacking, 1982, 1986; Zureik, 2001). Koseki was originally a plan to count the national population (Sato, 1988). However, Koseki produced more than just the population enumeration. As Ian Hacking suggests, enumeration demands *kinds* of people to count (Hacking, 1982: 280). Counting is hungry for categories, in order to understand the population better and make the best use of it. Registration necessarily entails the categorization of people, and the people adapt themselves to the categories (Hacking, 1986: 229). Koseki was constructed on the basis of the family, whereas its European counterparts were based on the individual. Through the category of family, Koseki played an essential role in incorporating individuals into the state system.

The Koseki Act required all residents to register as a family unit at municipal offices. One Koseki file consisted of a master of the family and all members who belonged to him. It required one family member to report any changes among the members. In other words, the individual had to belong to a family from the moment of birth, and to be categorized as a member. Each member was defined with a title, for example, father, wife, and first son, from the position of the master. Koseki drew a hierarchical order among the members, such as older over younger, lineal over collateral

bloodline, and male over female (Ninomiya, 2006: 32, 37). Civil Law also stated that the master of the family had the right and duty to supervise his family members, that females did not have legal competence, and that the first son exclusively succeeded his father's mastership and inherited all the family property. One Koseki file sometimes covered several generations under the same surname. Similar to the ancient Koseki, the early modern Koseki was designed like property lists of the master's humans and non-humans. But for identification purposes, Koseki is open to the public. One can search where the individual came from, for business or marriage, by applying for disclosure of Koseki at the municipal office.<sup>8</sup>

The "Family" of modern Koseki was different from the household or actual living members. It was not a spontaneous entity in the private sphere. Rather, Koseki incorporated the private entity of family into the public sphere, and reframed it into a formal component of the modern state. It was the smallest unit of the state system, therefore, to which everybody had to belong as a member of the state. For example, some members of Koseki were often away from the place where the master resided. They studied, worked, or even had their own household with their spouses. Koseki did not record the residential addresses of the members but it recorded "Honseki", the *real* address, which could be anywhere. For example, one can register the address of the Imperial Palace, while many register the master's residential address or ancestor's address. Honseki represents nothing but the imaginary unity of a Koseki family as a

---

<sup>8</sup> Application for disclosure of Koseki to a third party is now restricted to practice at the municipal level. But the Koseki Act still states that it is open to the public for identification purpose.

symbol where every member belongs. The municipal office where Honseki exists is responsible for storing and updating the information of Koseki.

Therefore, Koseki was not just the investigation of the population. First, Koseki determined who were legitimate family members: who could be included in and excluded from Koseki. In order to maintain legitimate family lines, marriage and birth were also subjected to national registration. Under the Koseki Act and the Civil Law,<sup>9</sup> a marriage became effective only when it was registered by the state, after it was agreed upon by the masters of both families, not by the couple. The woman was transferred from one family to another, and joined to another family of Koseki by replacing her surname. Using surnames as determiners of legitimate marriage, Koseki excluded women and children of different surnames and classified them as illegitimate family members.<sup>10</sup> Koseki required a title for each family member showing her or his relation to the master, such as wife or first son. So one could clearly see on Koseki if a woman did not have the legitimate husband, or if a child did not have a legitimate father. Koseki created and visualized their illegitimacy through categorization. Marriage and other types of intimate relationships, spontaneously agreed upon between individuals, have been classified as illegitimate through Koseki, implying deviant, corrupt, or rebellious behaviour.

---

<sup>9</sup> The Koseki Act came into force before the Civil Law did in 1896, which means that Koseki had already defined family relations prior to the Civil Law and the Civil Law did not define what is family (Ninomiya: 39). In the same way, Koseki had also partly established a conscription system before it was stated by law. Categories of family members, such as *first son*, or *first daughter*, were used to sort out men for military recruitment: first son was exempted and all the rest of the sons were enrolled. Koseki was supposed to be an adjunct to the Civil Law, but it defined significant parts of the state system many years before the state was formed.

<sup>10</sup> The Koseki system is in effect in present Japan, and the problem of exclusion is the current issue. But I here describe it in the past tense because the Koseki system was partly reformed after WWII, as I discuss later.

Children born outside the legitimate family have been especially stigmatized as the “private child” from the moment of birth registration. The parent is required to indicate whether the newborn is “legitimate” or “not legitimate”. If the mother puts in the registration form a father’s name who is not married to her, the municipal office does not accept the registration and asks her to erase the father’s name. The father does not exist on record unless he takes the procedure of legal acknowledgement of the child as his own. But a father’s acknowledgement cannot alter the image and stigma attached, because it is inscribed in both Koseki of the father and the child that the child was born outside of an institutional marriage.<sup>11</sup> To avoid such exposure, children were sometimes fictitiously registered as children of their grandparents.<sup>12</sup>

The classification of il/legitimate newborn symbolizes Koseki’s male-centric structure of the family. For a woman, all her children are legitimate, to whom she equally gave birth. The legitimacy of a child matters only with the succession of male-descended family and inheritance. Thus, the il/legitimacy check on the birth registration is a double-inquiry because it unveils whether the mother is legitimate or illegitimate to reproduce a legitimate family for a man. It presupposes that all mothers should be categorized as legitimate wife or illegitimate mistress, based on a patriarchal view of women. Such binary categorizations of women had been consistent with historical trends, such as that human trafficking for prostitution was legal, and that only men could have extra-marital

---

<sup>11</sup> Until recently, children born outside of institutional marriage were recorded in Koseki with different titles from children born inside of institutional marriage. While the insiders were recorded as “first son” or “second daughter”, the outsiders were just recorded as “male” or “female”. These titles imply that they were outside the official family order, and were excluded from the right to inheritance.

<sup>12</sup> This type of register is diminishing nowadays. Because many woman now give birth in a medical institution, a birth certificate signed by medical staff has become necessary for birth registration. Also, after

relationships in red right districts until 1952. *Illegitimate women and children have been excluded and produced through the categories of Koseki.*

Second, Koseki officially applied the category of bloodline to the general population, a holdover from the warrior's tradition during the feudal era. Most people, with the exception of the warrior class, did not have surnames under the feudal regimes. Surnames were originally an honorary gift from the emperor, as warriors were delegated power to rule through surnames awarded by the emperor. They were the symbol of being under the emperor's subjugation. The emperor and his family never had a surname because it contradicted his existence as ruler.

In 1870, the year before the Koseki Act, the government announced the abolition of the feudal class system, which was based on the occupations of warrior, farmer, artisan, merchant, and untouchable. It permitted all classes to have a surname. This permission became an order in 1875 that everyone *must* have a surname, because the surname was necessary to categorize a family by Koseki (Sato, 1988; Ninomiya, 2006). The surname is not attached to individuals, but to the Koseki unit. In the Koseki files, no one has a surname, including the master, only a first name. The surname is used as an index that enables the state to distinguish family units and to find individuals in the unit. Correspondingly, the emperor and his family of no surnames are not included in Koseki.

The Meiji regime declared that all people were equal with a right to surnames. However, the feudal class system was never really abolished, but was replaced with a monarchical class system: the emperor's family, the titled noble, the ex-warrior, and the

---

1947, the government outlawed Koseki that included three generations, which had allowed the

commoner. The last category consisted of all feudal classes except the warrior. The original Koseki recorded the new class for each family, and referred to the individual's previous classification. For example, "*new* commoner" indicated the family had been classified as untouchable under feudalism. After such a record was outlawed, Honseki came to be the indicator of class. Even if one changed the Honseki, Koseki could be tracked back over the generations of the bloodline. Surnames gave rise to the idea of a bloodline, which was recognized as a crucial factor for the social life of each family member, whether the person belonged to noble or untouchable blood. Although most people were just classified as "commoners" with no privileges, they were expected to carefully guard that honorary bloodline with the surname gifted by the emperor. Koseki produced the legal category of bloodline and classified individuals' bloodlines.

In this way, Koseki reified the legitimacy and hierarchy of the family. Shuhei Ninomiya introduces a debate between family-law makers over Koseki's role. A lawyer who studied in France insisted on abolishing Koseki and replacing family records with individual records. But another bureaucrat claimed that Koseki represented a master's responsibility for feeding his family members, enabling the poor to survive without public supports, and protecting family morals (Ninomiya, 2006: 38). This more moralistic interpretation remained dominant in the practice of Koseki. Koseki was intended to be a model for the social order. Family morals formed the basis of the social order. This model was then applied to other organizations and to the wider society.

Ruth Benedict observes that family is the first place where the Japanese learn the social order, unlike the American family where one does not have to behave formally (Benedict, 1967). In her book *The Chrysanthemum and the Sword: Patterns of Japanese Culture*, written for contributing to the American policy making of post-WWII Japan, she notes that Japan is the only country that is hierarchically organized from top to bottom and where people believe in hierarchy. Children grow up watching the wife bow to her husband, and the younger brother to the older brother. They learn a hierarchical value-system based on gender, age, and the monopolized right of the first son to inheritance. The member is trained to obey his family's will out of loyalty to the family. "For the exact same reason why the Japanese respect the family, they do not respect each family member or ties between the members" (Nohara, 1936, cited in Benedict: 145). The individual later applies this experience to the wider sphere of economic and social life, and automatically shows respect to anyone who is given a higher position than his. Koseki reframed the private family into a public entity of the moral model, with male-centred categorization of women, children, and bloodline.

### **2.3 Structuring Loyalty, Classifying Ethnicity**

The patriarchal relationship of the Koseki family was also applied between the state and its subjects. All individuals in Koseki were regarded as "children of the emperor": all Japanese were assumed to be biologically related to each other through their ancestors, and the emperor was believed to be the ultimate ancestor of all the Japanese. This rhetoric encouraged people to share their family morals with the state: as sons and daughters obeyed their father, Japanese subjects should obey their emperor. As

a father takes the best care of his children, the emperor gives his best to his people. Thanks to the emperor's wisdom, his subjects can make a good life, so they have to pay a debt to him. That is supreme loyalty. Loyalty became a key moral value for everything relating to family, school, work, and in relations with the state.

However, loyalty to family may contradict loyalty to the company or the state, or even to other kinds of moral values such as justice and honesty. How could the individual sort out her moral values? The emperor state prepared an answer with sorting out the diverse values and stratifying the loyalties of the supreme object. Loyalty to the emperor was most highly valued, and it occupied the top of the moral hierarchy. It was taught in school, in the workplace, in the family, and in the military. A patriotic moral education was reinforced along with the expansion of war: the state educated its subjects to ultimately die for loyalty to the emperor, and many people did so before 1945. In this moral hierarchy, dying for loyalty to the emperor was superior to all other moral values, and the dead were honourably discharged from other moral duties (Benedict, 1967; Sato, 1988). Koseki's patriarchal order contributed to promoting national loyalty that led its subjects to a patriotic death.

Not only did Koseki establish moral values, it also helped categorize and hierarchize ethnic groups in Japan. The first Koseki of 1872 registered all residents in its territory; those people were all assumed to be "the Original Japanese" in nationality (Sato 1996: 14). It did not matter where they originally came from, Korea or China. But since that time, Japanese nationality has been passed only to the children of "the Original

Japanese”, and new residents have never been included in Japanese nationality.<sup>13</sup> In turn, inside the category “Japanese”, it was assumed there was no ethnic or racial difference. Today, many believe that Japan does not have racial or ethnic issues because it consists of only one race/ethnicity.

In other words, the government created lists of Japanese nationals from Koseki, including people who did not want to be Japanese. For example, the first Koseki of 1872 covered the geographical area of Hokkaido, the northern islands, where the aboriginal Ainu had fought against Japanese invasion for centuries and come under Japan’s rule during the feudal era (Sato, 1988). The Meiji regime forced its homogenizing policies, including Koseki, onto the Ainu people. They were compelled to register their names in the Japanese style, which was linguistically different from their original names. Okinawa, the southern islands, was covered by Koseki in 1886, and Okinawan names were also changed to the dominant Japanese style. Both ethnic minorities, which had their own language and culture, were forced to speak “standard” Japanese and assimilate their lifestyle to the Japanese way, because being included in Koseki meant being subjects of the Japanese emperor. Koseki constructed the mythic unity of the Japanese through homogenization of the ethnic, linguistic, and cultural diversities in Japan (Sato, 1996). Koseki developed a Japanese foundation for national identity with repressing diversity among the population.

---

<sup>13</sup> The Nationality Law was promulgated in 1899. It states that the only way to have Japanese nationality without a bloodline from “the Original Japanese”, is through “Kika”, or naturalization. Kika literally means that one is directed by virtue of the emperor and subjected to his rule. The process of Kika enables the government to investigate the economic status of the individual and her faith in the state of Japan, in order to judge if she deserves to be “Japanese”. It is consistent that Koseki is a list of the emperor’s subjects.

Consequently, foreigners have been strictly excluded from Koseki. If being categorized inside of Koseki means being a subject of the emperor, being categorized outside is equal to be an enemy of the emperor, the object to be conquered. Then, once the enemy is conquered, it has to be recorded in Koseki as the emperor's subject. With its conquests in the colonial wars of Northeast Asia, Japan implemented the Koseki system in its new territories: Taiwan was taken from China in 1895, and Korea was militarily annexed in 1910. The Japanese governing generals in Taiwan and Korea first recorded households in the colonies and then required people to report familial and residential changes. Colonial versions of Koseki were finally implemented in Taiwan in 1905 and in Korea in 1922 (Sato, 1988: 160, 166). However, the colonial files were separately compiled from the files of "the Original Japanese". It was against the law for colonial natives to register their Honseki on the mainland or to change it to the mainland, even if they moved to the mainland or married an Original Japanese (Sato, 1996; Tanaka, 1995).

Therefore, inclusion was not equality. It was exclusive inclusion. New members of the state were included but classified, and they were relegated to the bottom of the existing hierarchy. In fact, the Ainu and the Okinawa on the mainland had also been segregated by Koseki at the beginning. Their files were separately organized and inscribed with their ethnic origins, despite homogenization. The government deployed harsh assimilation policies in Taiwan and Korea, too, to produce "Japanese": it forced the natives to speak Japanese, to change their names to the Japanese style, and to participate in Shinto worship of the emperor as the national god. However much they conformed to the imaginary unity of the Japanese, they were still clearly marked as the *Others* in Koseki. *Koseki included the Others but classified them as second-rate nationals, through*

*exclusive categories. Inclusion in exclusive categories produces and reproduces the Others, against whom discrimination is rationalized.*

In Koseki, Otherness never merged with the pureness of the Japanese, though pureness was a fiction to begin with. Koseki underpinned the ethnic rankings of the Empire, the Original Japanese, the Ainu and Okinawa, Taiwanese and Koreans, and other northern groups such as the Gilyak in Sakhalin, who came under Japan's rule later than other colonies (Sato, 1988: 159). In the colonies, the police often stored Koseki for policing purpose, while on the mainland, the municipal offices stored Koseki for administrative purposes. After World War II, the Korean and Taiwanese Koseki became the means to exclude those colonial natives from Japanese citizenship, which I will discuss in Chapter Three.

## **2.4 Disciplinary Monitoring in Three Dimensions**

In automating the loyalty of subjects to the state, Koseki has a characteristic of the disciplinary power which Foucault analyzes using the model of the "Panopticon" in *Discipline and Punish* (Foucault, 1977). The Panopticon was originally proposed by Jeremy Bentham as an architectural design for low-cost supervision. Foucault revived this idea in his analysis of what he called the carceral network of modern institutions such as prisons, hospitals, and schools. The panoptic design allows a guard in a central tower to watch over inmates in each cell; but the inmates are never able to see the guard in the shade of the tower. The targets, inmate, patient, or student, are individualized against the supervisor and are exposed to constant visibility. In turn, supervision is exercised through invisibility. This asymmetrical relationship of visibility/invisibility induces in the inmate

a state of consciousness that assures the automatic functioning of power. The individual internalizes the gaze of the supervisor and begins internal self-monitoring.

So to arrange things that the surveillance is permanent in its effects, even if it is discontinuous in its action; that the perfection of power should tend to render its actual exercise unnecessary; that this architectural apparatus should be a machine for creating and sustaining a power relation independent of the person who exercises it; in short, that the inmates should be caught up in a power situation of which they are themselves the bearers. (Foucault, 1977: 201)

Koseki individualizes the population and transforms each person into a national subject. It incorporates the individual into the state system, using the rhetoric of bloodline and patriarchal loyalty. The population becomes legible for the state, and the individual internalizes the virtual gaze of the state (Scott, 1998). This legibility sets her soul to be loyal to the emperor. Koseki automates the process of training the person's soul for state membership, and encourages the soul to make the body docile for the state, like a soldier. By the end of the process, the disciplinary power of Koseki has constructed a new subject for the modern nation: wherever they are, they discipline themselves for loyalty.

Nevertheless, the structure of Koseki is not precisely panoptic. Koseki sets up internal monitoring among family members in the same file. Because any individual changes in Koseki may affect other members' social lives, the members laterally check each other to ensure nobody hurts the family name. Members can easily notice and intervene in the behaviour of others because the file is *their own record*. Any individual actions against the social order that may evoke shame, dishonour, and sanction toward the whole family are repressed or removed. If a member of an upper-class family wants to marry someone in a lower class, it is typical for other members to blame her for

“getting Koseki dirty”. If someone divorces, he “hurts Koseki”. Koseki facilitates spontaneous surveillance among the members.

In addition, Koseki is open to the public. The family is not private, but is a public entity and a model for morality. The wider society, not just the state, also watches over the individual and the family from a patriarchal vantage-point. It condemns the delinquency of the individual and the family synoptically. The family of a criminal suspect or anyone against the social order tends to be heavily denounced and isolated in Japan. Koseki’s structure contributes to exposing the individual and the family to the public eyes that find the delinquency and punish it under the name of being against the social order.

For example, when three young Japanese volunteers and a journalist were kidnapped by an armed group in Iraq in 2004, a public out-cry arose blaming the three for “their selfish action of going to Iraq to get the government in trouble”. The condemnation increased when their parents and siblings asked the government to withdraw Japanese troops from Iraq, which was the condition the armed group set to release the three. From a patriarchal point-of-view, the three families were supposed to apologize to the government and the public for their children’s misbehaviour in going to Iraq. Because the families broke this tacit rule, the society punished them through harassment and ostracism. The government immediately announced that Japan would not withdraw its troops or negotiate with the “terrorists”, and the main media basically covered this statement and came to cover the families’ voice less and less (Kiyama, 2004). The

families toned down their criticisms of the government after putting up with harassment and social sanctions.<sup>14</sup>

Accusations against a family's morals disrupt the family guard for a member because the family is the end unit of social order, not an independent and private entity of society. A person can gain support from her own family as long as the society supports her. Once the society opposes or denounces her, her family has to punish her because she hurt the family's name. Otherwise, the whole family is synoptically punished by society. "Approval of the outside society is important in Japan incomparably to any other countries" (Gorer, 1943, cited in Benedict: 317) because the public eye penetrates the family and the individual.

Koseki represents three dimensions of monitoring: panoptic, lateral, and synoptic. This triple surveillance renders Koseki more powerful than the panoptic model of disciplinary power in western society. Surrounded by light from three windows, self-discipline is triply secured and overlapped. One is not even sure where the source of self-discipline originates: the state, the family, or society? Or perhaps one does not even think about the source, because disciplinary thinking is already so much a part of oneself even before one takes action. Benedict notes how exhaustively the Japanese youth is trained to observe her own behaviour: constantly calculating how other people will respond to her

---

<sup>14</sup> The three young Japanese were saved in a few weeks. While the government responsabilized the three for the risk of being kidnapped and did not negotiate the armed group, the Japanese NGOs and individuals made efforts to have the armed group release the three through their civil channels to the Middle Eastern NGOs and Muslim associations and individuals. It was the citizens around the world that saved the three, not the government whose role might properly be seen as protecting the citizens. However, another young Japanese, Shousei Koda, was kidnapped and killed in Iraq in October 2004. The government again declared "no compromise" with the "terrorists". His family first announced their apology for his son's trouble to the government and the public (Nishinippon Shimbun, 28/10/2004) .

and judging how she should behave (Benedict, 1967: 286). Monitoring by others becomes extreme self-surveillance, as Benedict put it. The three-dimensional surveillance creates more problems and isolation for the person if she decides to go against the status quo.

In effect, surveillance stemming from hierarchal morality is almost omnipresent in human relations in Japan. The discipline embedded in the Koseki family is simultaneously practiced in the school, factory, office, hospital, and military. As Foucault suggests “the massive, compact disciplines are broken down into flexible methods of control, which may be transferred and adapted” (Foucault, 1977: 211), as disciplinary power attempts to transgress enclosed spaces. In the end, discipline is the cohesive glue of everyday life.

Such intensive surveillance helped open up individual mobility, which was underway, due to the advent of modern capitalism. Koseki mobilized the population, which had been tied to land and occupation under feudalism. The Meiji regime discovered that the category of family could offer the means to seize “men in their relation”, using Foucault’s words. This technique met the economic demand to let people move to the places where the industries needed labour. The government gave people freedom of occupation and movement with a leash to the patriarchal family. In *Discipline and Punish*, Foucault implies that disciplinary power capitalizes on and disposes of the individual’s time, space, and body for maximum production as a total power. “It [disciplinary power] does not link forces together in order to reduce them; it seeks to bind them together in such a way as to multiply and use them” (Foucault, 1977: 170) In this

sense, disciplinary surveillance is necessary for the development of capital. Economic development in modern Japan emerges with “thousands of eyes posted everywhere, mobile attentions ever on the alert, a long, hierarchized network ” (ibid: 214).

This productive aspect of disciplinary power is more clearly articulated as bio-power in Foucault’s later work in *The History of Sexuality, Volume One* (Foucault, 1978).<sup>15</sup> Modern sovereign power is repressive, but productive. Koseki contributes to economic production, by directing the people in its patriarchal categories who are obedient to the family master as well as to the emperor. Although Koseki developed from a statute of 1871, it is more than a law. Koseki both defines the legal framework for family, marriage, surname, and inheritance, and it constructs the people who perceive themselves through these categories. Hacking suggests, “The systematic collection of data about people has affected not only the ways in which we conceive of a society, but also the ways in which we describe our neighbour. It has profoundly transformed what we choose to do, what we try to be, and what we think of ourselves” (Hacking, 1990:3). Koseki’s categories, therefore, established and naturalized a patriarchal way of thinking among the people. Three-dimensional monitoring helped to construct hierarchy-friendly subjects in Japan.

---

<sup>15</sup> From a theoretical perspective, one can see here Foucault’s conceptual transition of disciplinary power to bio-power, whose characteristics are often overlapped and whose relation to each other is not often articulated. Foucault redefines in his later lecture series called “governmentality” that disciplinary power is a pole of bio-power, that individualizes the population. The other pole is totalizing power. I will examine the characteristics of bio-power on the Alien Registration and Juki-net in the following chapters. But I want to point out here that disciplinary power has already shown the productive aspect of power.

## 2.5 The Power of the Norm

The productive aspects of Koseki seem to be intrinsically limited, however, as it was established during the transition from feudalism to modern capitalism. The patriarchal hierarchy and morality of Koseki resemble those of the warrior class in the Tokugawa era. The Meiji regime individualized the population through Koseki, but it still needed the mediator of family to bind together people for the social order. Individualization by Koseki was limited, and so was its capability to mobilize and track people. Due to the collective nature of the family information, Koseki was not able to track individual movements. Koseki's limits were exposed by the National General Mobilization System during WWII, in which all nationals were obliged to labour for the nation. In order to assign work to each resident, a more individualistic and factual registration system based on residential data, was introduced on the municipal levels, as I refer to in Chapter Four.

The Empire of Japan, constructed upon loyalty for the emperor, came to ruin at the end of WWII. Yet, the Koseki system survived after the defeat. Allied General Headquarters (GHQ), whose head was American General Douglas MacArthur, occupied Japan until 1952, and voided most of the statutes, including the Constitution, Civil Law, and the Koseki Act. GHQ tried to replace them with democratic statutes. However, a number of old elements remained in the new drafts, which were written by Japanese bureaucrats and lawyers who had continued in ruling positions since the monarchy. The new Koseki Act was enacted in December 1947 and came into force the following month. It was one of the laws that bureaucrats were most reluctant to change. GHQ sought to replace Koseki with an individual registration system. But the Ministry of Justice

succeeded in avoiding the abolition of Koseki, using as excuses the paper shortage and the linguistic complexity of separately ordering individual names (Sato, 1988: 124).

In a continuation of the imperial Koseki, the post-war Koseki Act also required individuals to register as family units and to define the family's head and its members. To avoid the critique of patriarchy, Koseki over three generations was forbidden: one Koseki covers only up to two generations, usually husband, wife, and unmarried child. Once the child marries, she is required to register with a new Koseki. She can also register with an independent Koseki from her parents, after she turns twenty. Marriage came to be "effective only in agreement between both sexes", according to the new Constitution, and was no longer a decision made by family heads. Civil Law requires the married couple to register with the state, choosing one of their surnames. Only people with the same surname are allowed to be a Koseki family. Most couples choose the husband's surname at the marriage registration, and the husband registers his position as head of his Koseki family, and his Honseki as his family's.<sup>16</sup>

With these minor reforms, Koseki was re-born for the nuclear family, which became the dominant structure in post-war industrial Japan, preserving the male-dominated position in family and society. It is not coincidental that the emperor system also survived the lost war with a new look at "a symbol of the nation", and that only Emperor Hirohito, the supreme commander of the wars, was exempted from being charged as a war criminal among the political leaders in the Tokyo Tribunal. Discrimination continued against women and children outside of institutional marriage

and against the people whose ancestors were classified as untouchables in the feudal class. Civil Law states that children born outside of institutional marriage have only half the right to inheritance from their father, compared to children born inside of institutional marriage.<sup>17</sup> Honseki in Koseki still discloses information about one's ancestors. Today, Koseki is still a list of "the pure Japanese", consistent with Japan's refusal to allow dual citizenship. If a woman marries a Japanese man, she is required to abandon her original nationality to obtain Japanese citizenship. For a hundred years from monarchy to democracy, Koseki has been an effective way to ensure the people's loyalty to the state.

In this sense, Koseki functions as Norm in the society as well as in the national ID system of present Japan. Koseki is the basis of the current national ID system, in combination with the individualistic search engine of Juki-net. Koseki's history shows us how the government uses our personal data, how it categorizes the population, and what type of people it produces. The norm of Koseki reflect the principles that underlie Juki-net.

Outside the legal sphere, the norm provides the individual her required category and arrays her in the social order. Foucault describes the characteristics of *normalization*, "[T]he disciplines characterize, classify, specialize; they distribute along a scale, around a

---

<sup>16</sup> "Entering Koseki" is still the common expressing for marriage, not "taking" it on one's own. Marriage without "entering Koseki" is often called "inner relationship" implying corrupt behaviour.

<sup>17</sup> Koseki's patriarchal problems have been protested since the women's movement of the 1980s. The legitimacy of Koseki has been empirically and theoretically challenged, and the Japanese patriarchy is gradually falling down along with these protests, democratization, and other social changes. I cannot refer to all the issues of the patriarchal legislations in today's Japan. But two topics pertaining to Civil Law were recently debated in the Diets. One is a reform allowing married couples to keep their original surnames separately if they wish. The other abolishes the ban on women remarrying within 300 days after divorce, in order to identify the legal father of any baby who may be born to her during that period. Under current law, if she had a baby, her former husband would be registered as the baby's father in Koseki. The government

norm, hierarchize individuals in relation to one another and, if necessary, disqualify and invalidate” (Foucault, 1977: 223). Koseki scrutinizes and classifies all Japanese based on a patriarchal morality. It excludes and labels women and children outside of the institution of marriage as second-class citizens, and exposes the feudal classification of bloodline. It represses, homogenizes, but marks racial and ethnic minorities inside, while it excludes “foreigners” outside. These categories of Others rationalize discriminatory treatments against them.

However, the inside is not free from scrutiny, either. As the norm, Koseki is built with three dimensions of surveillance over the individual, whose disciplinary practice prevents or removes deviance or abnormality in everyday life. These are the consequences of the modern Koseki system that we must look at when we discuss the current and future national ID system. Normalization is a significant part of the power of the national ID system.

---

seems to be obsessed with producing “legitimate” children to the point of ignoring biological relation between father and baby, and social substance of family.

## Chapter 3

### Colonial Roots: Tracking Movements of Others

Koseki registration provided a fundamental infrastructure for identifying Japanese nationals, but it did not impose identification cards on them. An ID card system, the mobile monitor of an individual's movement, was first deployed in Japan's colony of Northeast China in the 1920s. It used the biometric technique of the time, fingerprinting, which was suited to a mass population. The ID card and the fingerprint developed together as a means of tracking the movements of colonial populations. Despite the end of Japanese colonization in 1945, both were officially institutionalized within the Alien Registration Card System. In this chapter, I examine how this colonial technique of monitoring ex-colonial populations remains and functions as a bio-power in present-day Japan. The Alien Registration Card produces and reproduces Others, and abandons them to a "state of exception".

#### 3.1 Fingerprint and ID Card in "Manchuria"

Following the Sino-Japanese War in 1894-95, Japan expanded its presence in China, copying western imperialism, which had divided China during the Qing dynasty. With its victory in the Sino-Japanese War, the first overt war waged by the Meiji regime, Japan forced China to cede Taiwan and grant Korean independence from Chinese suzerainty. With its subsequent victory in the Russo-Japanese War, 1904-1905, Japan established its superior position to Russia over Korea. It took over Russian leases in

northeast China, including the management of the railways. The following year, Japan founded the South Manchuria Railway Company (Sato, 1996: 57-8). Like its western counterpart, the East India Company, the South Manchuria Railway Company was established under a joint agreement linking corporations and the government. The South Manchuria Railway owned the coalmines, the seaports, and the steelworks, in addition to building railways, and was even in charge of administrative services along the railways.

Militarily and economically, Japan violated the Chinese continent from northeast to southwest, and deployed the more aggressive tactics, especially after it completed the annexation of Korea in 1910. It finally brought about an undeclared fifteen-year war against China in 1931, when the Japanese army blew up the railway in the city of Shenyang and fired a volley against the Chinese, then blamed the railway explosion on the Chinese army.<sup>18</sup> In 1932, Japan declared “the State of Manchuria” in northwest China, along the Korean border, including the cities of Shenyang, Fushun, and Changchun. It installed the Last Emperor of the Qing dynasty, Puyi, as head of the puppet regime (Sato, 1996: 42; GSNF, 1987: 16). The Japanese army was his administration, but Emperor Puyi was required to get the endorsement of the army for all his political decisions. The League of Nations did not admit Manchuria, based on an investigation by Victor Alexander Lytton. Dissatisfied, Japan left the League of Nations. Internationally isolated

---

<sup>18</sup> Since 1894 Japan was involved in wars every ten years. It is important to note that Japan’s nation-state building ran parallel to its imperial wars waged for new territory. Many Japanese officials went to Europe and the United States during this period. They brought back western ideas, and applied them to Japan, especially the German and French legal systems. Lawmakers designed the nation to support constant wars. War and colonialism were not exceptional conditions at the dawn of the nation-state. Rather, they were normal and necessary.

and regionally resisted, the Japanese army deployed new techniques to accomplish Chinese subjugation.

Japan did not enact the Koseki system in Manchuria, unlike in colonized Korea and Taiwan. Instead, Japan ran an individual-based registration system that included a national ID card, including fingerprints (Sato, 1996; Tanaka, 1995). The primary lifestyle in north-eastern China was very different from the southern colonies: the native residents were nomads, and Chinese seasonal migrants went in and out of the area (Sato, 1996: 41). The Japanese government also organized agricultural immigrants to Manchuria to increase the “state” population and ease the poverty of inland farmers. The early immigrants were mostly single male labourers (GSNF, 1987; Sato, 1996). The family-oriented Koseki technique could not have effectively tracked nomadic individuals and migrants. Moreover, Japan had to deal with persistent guerrilla attacks and broad resistance to Japanese occupation from the allied Chinese and Koreans. The fragility and tension of this pseudo-state motivated the ruling Japanese to impose intensive surveillance over the mass population.

The Group Saying ‘No’ to Fingerprinting (GSNF), which was organized in Japan to support non-citizens who refused fingerprinting and to advocate abolition of the Alien Registration Card, conducted a field research in 1987 to find the origins of fingerprint identification in the Alien Registration System. The Group visited Shenyang, Fushun, Changchun, and Yanbian Korean Ethnic Autonomous Prefecture. According to this research, two kinds of national ID cards were issued in Manchuria: the first to workers, and the second to residents.

The labour identification system started in the Fushun Mine in 1924 (Tanaka 1995: 92). It is significant that an original form of the *national* ID card system appeared *before* the state of Manchuria was declared in 1932. The mine was owned by the South Manchuria Railway, and the ID system spread from other labour forces without national regulation. The GSNF interviewed five men who worked for Fushun Mine and had undergone forced fingerprinting for their employee ID system. Those men explained that the Chinese employees each had ten fingers rolled with ink on paper, and the company used those fingerprints to determine whether the workers had escaped from other workplaces or had organized strikes before (GSNF, 1987:20-2; Tanaka, 1987: 22). One said that a Japanese soldier captured him by blocking a busy village street, and sent him to Fushun, handcuffed, by ship and train. His fingerprints were taken upon his arrival at the mine. Some escaped from the harsh slave-like labour. But if found, they were matched with the collected fingerprints and sent back to the previous workplace and tortured. Individuals had to give fingerprints when they received their wages.

Hiroshi Tanaka, the scholar who took part in this field research, found that the South Manchuria Railway used fingerprints for hiring, too. In 1937, South Manchuria did not hire 25% of applicants because their fingerprints matched those on “watch lists,” of people guilty of being fired in a previous workplace, or escaping, or organizing strikes (Tanaka, 1987: 22). There was a record of a strike against fingerprinting at a woollen mill in 1926. The Chinese employees demanded the Japanese company stop fingerprinting, and raise their wages. Even under the circumstances, with no labour rights, and facing severe punishment of strikers, fingerprinting was outrageous enough to cause a strike (Tanaka, 1995: 92-3).

Japan limited Chinese migration to Manchuria in the 1920s to prevent anti-Japanese movements in its territory. However, similar to western powers, the Japanese Empire needed a bigger labour force to support a bigger war, and so changed its policy to select and accept the migrants who would not be involved in resistance. The Labour Control Committee, established by the Japanese Army in 1933, prepared the first bill to accept and monitor the labour force with a fingerprinted ID card system: issuing “work permits” to the regional population and “entry permits” to migrants. The idea was realized in the Temporal Guideline for Issuing Labour Cards, announced in June 1938. By this guideline, the Manchuria Labour Industry Association started to issue the “labour card” to workers under certain conditions in some regions: if they were employed by a company with more than thirteen employees, or in twenty-seven kinds of industries in fifteen cities and twenty-seven districts (GSNF, 1987: 19). Ten fingerprints were required on the registry in some regions.

In January 1939, the Bureau of Fingerprints was built in the Policing Department of the Japanese army, which was in charge of both criminal and labour fingerprints (GSNF, 1987: 20-1). The Centre for Training Fingerprint Technicians was also built with 58 students. The fingerprint technicians were first sent from mainland Japan, and they kept increasing in number. There were 26 in 1935, which grew to 155 in the Bureau Headquarters and 227 in the local offices by 1943 (ibid: 20). Not only did these technicians work in their offices, they also participated in military tactics and used their skills to identify anti-Japanese guerrillas in the mountains and fields.

The regions and industries subjected to the labour ID card system continuously expanded; all workers employed by companies with more than ten employees were covered in January 1941. In April 1939, migrants were required to register ten fingerprints. Before the year was out, all workers related to the military industry, aged fourteen to fifty-five, were required to register and carry the labour ID card, in accordance with the General National Mobilization Law (and, at this time, most of the industries were related to military products) (ibid: 20).

The fingerprint ID card system at Fushun Mine developed into the official nationwide system within two decades, along with the expansion of the Japanese invasion. On mainland Japan, prisoners became the first targets for fingerprint identification in 1908, and the police agency started to use fingerprints for criminal investigations in 1911 (GSNF, 1987: 42; Metropolitan Police Department, 2007). Fingerprinting technology spread to prisons in the colonies of Korea and Taiwan the following years, and was applied to the workforces in Manchuria within a decade. The card subsequently appeared as an indicator for tracking employees who weren't inside prison walls, and who moved around the workforce and home. They were not trusted, but they were selected as a labour force deemed beneficial and low risk for the capital and the state. The card documented this selection of individuality, and the fingerprint secured that documentation. The selection was sustained with the biometric card that made the individual visible and traceable. The biometric technology and the mobile indicator are inseparable, and so fingerprint and the card became a reliable couple for the development of the colonial economy. The smooth spread of the labour ID card system in Manchuria

clearly shows that this ID card technique was introduced to produce more capital while countering resistance.

The resident ID card, another type of the national ID card in Manchuria, more explicitly restrained people's movements. The Japanese army took the tactics of "separating bandits from innocents" in the conflict zones, in order to cut off flow of materials and information between the residents and guerrillas. The army built "assembled village" collecting about one hundred houses, surrounded with mud walls, and checked the people entering, like the "strategic villages" built by the American army in Vietnam during the war. Construction of the assembled villages started from the Korean border by order of the Governor-General of Korea in 1933 (Tanaka, 1987:22). Accordingly, the first resident ID card was issued to the Koreans of "the good and innocent" near the Korean border (GSNF, 1987:22). GSNF interviewed three men who lived in the assembled village of this area. The three said that they were required to carry the resident ID card, including the photograph and fingerprints, when they turned about age eleven. They needed to carry the cards whenever they went out of the village to cultivate their fields or to serve for the army, and the cards were checked upon their return.

The assembled villages eventually numbered 13,000 with five million residents in total (Tanaka, 1987: 22). In addition, the resident cards spread along with every operation against anti-Japanese movements. The card was a significant part of the military's tactics. For example, under "the Special Tactics of Cleaning-up the Southeastern Area", 590,000 cards were issued in the subjected area in 1939, and 740,000 in 1940 (GSNF, 1987: 23).

All fingerprints taken for the registration were to be matched with the watch lists of the resistance by the Bureau of Fingerprinting. The Army suggested in the “Outline of Subjugation and Sweep” in 1941 that “separating the bandits and the innocents should be practiced throughout the searching of households, taking fingerprints, setting checkpoints, and arresting. Those should be undertaken suddenly by surprise, regardless of time, place, and means” (ibid: 24, my translation).

According to the statistics of the Bureau of Fingerprinting, the numbers of fingerprints registered between 1934 and 1940 were: 635,689 for the police registry, 2,132,309 for the labour registry, and 2,432,453 for the resident registry. In total, 5.2 million people had their fingerprints taken for the national ID card system in Manchuria (ibid: 22).<sup>19</sup> As this number does not include the fingerprints taken before 1934 nor after 1941, the substantial number is more than 5.2 million. The fingerprinted ID card held a prominent position in colonial policing that aimed to sweep out dissident natives who were potentially everywhere, while promoting industry. However, throughout the fourteen-year ruling of the phony state of Manchukuo, the Japanese army never had the state under control. As in any case of resistance to invasion, such as Vietnam, Afghanistan, or Iraq, there was no clear boundary between guerrilla and resident. The guerrilla soldiers were fathers, sons, and friends of the residents, and it was impossible to cut off communication between them. Though many were repressed, the Japanese attempt to rule on foreign soil using fingerprint ID cards ultimately failed. The ID card was not able to establish the boundaries or control the movements among the people.

---

<sup>19</sup> The population in Manchuria was 38.7 million in 1939, excepting Japanese immigrants.

### **3.2 The Enemy-Within: Koreans on the Mainland**

On mainland Japan, it was the Koreans who were first required to carry ID cards, following the experiment in the colony. Because of land expropriation and high unemployment under Japanese rule, many Koreans moved to Japan to make their living after the armed annexation of 1910. Although Japan had almost always restrained the number of Korean migrants to Japan, by obliging them to get an internal visa, the Korean population grew rapidly: from fewer than 1000 in 1910 to 100,000 in September 1923 when the Great Kanto Earthquake occurred (Higuchi, 1986: 11).

The 7.9 magnitude Earthquake killed 100,000 residents around the Tokyo area. In this disaster, social minorities were killed at the hands of military, police, and vigilantes. Government officials spread the rumour that Koreans and socialists might riot against the majority, and throw poison in wells, so the innocents should protect themselves. Thousands of Koreans were massacred in post-earthquake risk management (Sato, 1996: 52; Higuchi, 1986: 12). The government was afraid that this killing would be reported outside, especially in the colony of Korea where the anti-Japanese independence movement had blown up a few years earlier, and could always potentially explode. The Governor-General of Korea, Minoru Saito, ordered Japanese officials to discuss “the problem of protecting Koreans in Japan”, which resulted in the establishment of the organization of Koreans in Japan, named “Kyowa-kai”, the “Harmony Party” (if precisely translated.) (Higuchi, 1986: 13) All Koreans in Japan were compelled to belong

to this association in their domicile, and later to carry a membership ID book, “Kyowa-kai Techo”.

Kyowa-kai was first organized locally in Osaka prefecture in 1924, and in Kanagawa and Hyogo prefectures in 1925, whose industrial area held a large Korean population. The local Kyowa-kai offered job information and classes in Japanese, and attempted to “reform bad Korean habits”. Osaka Kyowa-kai posted the urgent objective of banning Korean lifestyles in the communities: wearing Korean clothes and accessories, holding religious ceremonies, brewing Korean liquor at home, sleeping outside in summer, and burying kin (ibid: 56). Instead, Kyowa-kai strongly encouraged members to behave like Japanese: hanging the national flag on the door, sewing and wearing kimonos, speaking Japanese, learning Japanese manners, using Japanese hairstyles, and registering as Koreans in the Koseki system. This nationalistic discipline was always practiced in Kyowa-kai meetings. As Japanese organizers explained, “We started class by doing the national gymnastics, bowing to the Imperial Palace, and singing moral songs. We all promoted faith in the nation” (ibid: 19, my translation).

In effect, the government tried to extinguish Korean ethnicity from Japanese society by the meticulous homogenization policy, as response to the massacre of the Great Earthquake. If Koreans became Japanese, there would no longer be risk or conflict between old and new subjects of the Empire.

On the other hand, the state had never resolved the internal monitoring of new subjects. The more Koreans merged into the Japanese society, the more they were seen the *enemy-within*. In 1934, the Cabinet supported a provision sharply restricting

migration from Korea to Japan. The provision noted that Koreans should rather emigrate to Manchuria because they would destabilize peace on the mainland (ibid: 28). Korean barracks and collective residences were once destroyed, and Korean volunteer organizations were forbidden, except for Kyowa-kai and a few of others permitted by the government. But, along with the expansion of war in China after 1931, the government needed to increase national production to support the war economy. Exclusion shifted to inclusion for this demand. Sixty thousand Koreans migrated to Japan each year from 1935-38 (ibid: 80). Accordingly, the local Kyowa-kai was founded in Tokyo, Aichi, Kyoto, Yamaguchi, and Fukuoka prefectures in 1936. The Central Kyowa-kai was established in June 1939. It was also the year the government began to institutionally mobilize Koreans and Chinese to coalmines, construction, and other industries through the General National Mobilization Law. Under this law, the number of Koreans in Japan reached 2.3 million by 1945 (Tanaka, 1995: 60). Forced labour, substantially under conditions of slavery with no right to leave or rest, accumulated much wealth for the state and for corporations. At the same time, the myriad of forced labourers was a huge risk to these institutions. To balance this profit and risk, the government designed expanded use of Kyowa-kai, with a supplementary ID card, which had already been tested in the colony.

The Central Kyowa-kai articulated its role as security apparatus over the enemy-within. Still insisting it was to protect Koreans in Japan, the Ministers of Health and Welfare, Internal Affairs, and Colony and Immigration attended the opening ceremony of the Central Kyowa-kai. But the real actor of Kyowa-kai was the police, especially the Special High Police, called “Tokko” for short, which specialized in detecting “thought” crimes against the state. Typically, the managerial posts of the local Kyowa-kai consisted

of the heads of the local police station and Tokko. Koreans occupied only the end posts of the order, called the “guiding members”. It was not honourable for Koreans to become guiding members, but they had no choice in response to requests from the police. Guiding members were often landlords of Korean apartments or leaders in construction who understood Japanese. The meetings were usually held in the police station. Tokko never publicly mixed with Kyowa-kai. Yet, Kyowa-kai provided Tokko a strong base for undercover investigation of Koreans. For example, Tokko guidelines in Nagano prefecture in 1939 described its tasks: to list newcomers from Korea, to watch over Koreans’ movements ceaselessly and secretly, and to detect “malcontent Koreans”. Tokko used every opportunity to investigate, including interviewing Koreans on their applications for visas to temporarily visit Korea (ibid: 105). These tasks were practiced throughout Kyowa-kai’s network.

In October 1939, four months after the Central Kyowa-kai was founded, the Director of the Police Department in the Ministry of Internal Affairs, the upper echelon of Tokko, issued a decree regarding the “emergency extension of Kyowa”. The decree promoted guidelines that legislated “Kyowa-kai Techo”, the ID book. “In order to make Korean labourers stable and cooperative for national policies in industries that demand them, there is a need to protect and guide the Koreans. All Koreans who live on the mainland are required to belong to the local Kyowa-kai and carry a membership ID book” (ibid: 100, my translation). Central Kyowa-kai printed 450,000 Techo and distributed them through the local branches in 1940. The masters of households and other wage earners were required to carry it; women, children, and jobless men were exempted.

Kyowa-kai Techo recorded the bearer's name registered in Koseki (Korean name), commonly used name (Japanese style), date and place of birth, Honseki in Koseki, present residential address, dates of arriving on the mainland and belonging to Kyowa-kai, and photograph. The thirty-page book was used for more than just identification purposes: it was also for education and profiles. The national anthem "His Majesty's Reign" was printed on the first page, and "The Oath of the Imperial National Subject" on the last page. Both were chanted in schools and factories every day. But the latter was particularly imposed on Koreans to mentally incorporate them into the Empire.

"We are the Imperial National Subjects. With loyalty, we repay the debt of gratitude to the Emperor's nation. We the Imperial National Subjects trust and cooperate with each other, and enhance firm solidarity. We the Imperial National Subjects endure difficulty, discipline ourselves, and promote the Emperor's policy" (Higuchi, 1991: 420, my translation).

This oath gave the Techo a divine meaning that connected the bearers with the Emperor: the holy ID. Techo attempted to implant the unchangeable identity of the Japanese subject in Koreans.

The second half of the pages in Kyowa-kai Techo were blank, and used to record the bearer's relationship to the state. For example, members were often asked to donate to the nation, and their responses were recorded, such as "contributed five yen for strengthening soldiers", "thirty yen for foundation of air fighter", "one yen and five thousand cent for constructing a battleship", and "two yen for [regular] collection for national security" (Higuchi, 1991: 400-409). In addition to the money, their services were also recorded: "participated in working service on April 7, Showa 18 [1943]" (ibid: 400). In turn, as expressed in the Oath of the Imperial National Subjects, what they received

from their nation was also tracked. “Provided six noodles and two loaves of bread on April 9, Showa 16 [1941]” (ibid: 418). It was also recorded in Techo when and why the bearer visited Korea, because Kyowa-kai issued the visa to Korea: “Temporarily went back to Korea for marriage” (ibid: 409).

Furthermore, Techo was used for conscription. The government started to conscript Koreans in 1944. The municipal office was in charge of conscript Japanese and it used the Koseki records. For Koreans, the police assessed who was eligible for a medical check-up for military service. Kyowa-kai undertook this selection because it already stored Korean personal information (Higuchi, 2002: 116-7). The results of the medical check-up were attached to Techo with the transcripts of school and signed by the head of the local Kyowa-kai. These multiple functions of Techo show why the membership certificate became a *book* in the age before electronic memory devices. The book was useful for grasping various parts of one’s personal history; it could be a donation file, ration book, internal passport, and conscription document. The book allowed a glimpse of these components together and constructed individuality on the records of the bearer. It played the same role paper-based database and profiling play nowadays.

Contradictorily to the strict homogenization policy, the Techo made Koreans more distinguishable for exclusion. It highlighted their Korean origin and induced additional surveillance. Techo was often checked when a Korean was hired, or went back to Korea, and was in transit, as on the train. Many companies kept the ID book at the workplace. If a Korean applied for a job without his ID, he was assumed to have escaped

from his former workplace and was put under investigation (Higuchi, 1986: 101-102, 146; 2002: 114). Meanwhile, Chinese forced labourers in Japan were fingerprinted at their workplaces (Tanaka, 1987). In 1941, the National Labour Diary Law required all Japanese workers to have employee ID books, which meant that Korean workers had to have two ID books. The ID scheme to watch over Koreans in the heart of the empire was expanded to the general population during wartime, maintaining an intensive gaze on the enemy-within.

### **3.3 Western Epistemology of Others: Biology, Anthropology, and Eugenics**

National ID cards were first imposed on populations seen as potentially dangerous to the state power, on specific races and ethnic groups. ID cards drew a boundary between outside and inside the expanding nation-state. Japan was not the first or only case of institutionalizing an ID card system over racial “Others” during colonialism. Rather, the western mindset and methods of nation-states spilled over many parts of the globe, including Japan, and developed with different political economies. Let us relate Japan’s case to the contemporary world by looking at where ID cards and fingerprinting came from and how they developed with a backdrop of colonial science and thought. They were born with the concept of the Others and generalized through both world wars.

The ID card in the United States has its roots in slavery (Parenti, 2003). Africans were not supposed to have an identity when whites denied their humanity and individuality. But since slaves could harm whites, possibly by escaping, plotting, stealing or even killing, the master class created systems of identification and routine surveillance (Parenti, 2003:14). Where resistance is possible, surveillance is generated. The written

slave pass, organized slave patrols, and wanted posters for runaways were the embryonic forms of the American ID system in the mid-seventeenth century. Christian Parenti observes a symbolic relationship between the patrol and the pass. “No patrollers, no need for passes; no pass, no fulcrum for the lever of patroller power.” (ibid: 18) The ID card authorizes and reinforces the power of watchers. Moreover, it standardizes the mode of surveillance, incorporates the surveillance into administrative routines, and makes watchers’ arbitrariness less noticeable.

Information on the pass started simply with the slave’s name, and later came to include a physical description securing his individuality. Wanted posters were inclined toward biometric description. For example,

A NEGROE MAN SLAVE, NAMED NOAH, Full 6 feet high; black complexion; full eyes; free spoken and intelligent; will weigh about 180 pounds; 32 years old; had with him 2 or 3 suits of clothes, white hat, short blue blanket coat, a pair of saddle bags, a packet compass, and supposed to have \$350 or \$400 with him. (cited in Parenti, 2003: 29)

Physical descriptions used to identify individuals became more standardized during the American Civil War. Both armies imposed strict pass laws on all people; the passes of the South required age and height, along with eye and hair colour. As early as the 1820s, a form of passport was developed. It included a traditional letter of safe passage, which listed several elements in its physical description column, such as “forehead: common, eyes: dark, nose: common, mouth: common, chin: roundish” (cited in Parenti, 2003: 31). ID regulators have sought to describe people in precise language, ever since the genesis of the modern ID card system. In other words, identification data had to be “objective truth” on which everyone could agree, so that they could all depend

on the same image. With the end of slavery, ID technologies shifted to the terrain of criminal justice and control of immigrant labour in the United States. Yet, the desire for objective identification continued, and, as Parenti finds, it gave rise to three early technologies of biometrics: photography, anthropometry, and fingerprinting.

The use of photography for crime control is nearly as old as the camera itself (Norris and Armstrong, 1999: 13). Photographing prisoners started in France in the 1850s, with a view to checking escapes and “recidivism”. By the mid-1870s, in England, criminal portraits were a central part of the state apparatus to identify, classify, and differentiate “habitual criminals”. In the United States, the New York City Police Department also began photographing “repeat offenders” and published their images in “rogues’ gallery” located in several cities in 1853 (Parenti, 2003: 38). The evil character of the “rogues” was usually emphasized, to rationalize the need for their identification, along with the declaration that society should be defended from those evils. Yet in every city, police agencies had trouble using portraits effectively to identify and match with criminals. They lacked reliable methods of ordering and indexing the photographs. This inefficiency inspired anthropometry, measuring of the human body, which was represented in this era by Bertillonage, a form of identification assembled through head-to-toe body measurements, including an order for cataloguing and retrieving body part information.

The French police official Alphonse Bertillon created a method of criminal identification with rigorous record and systematic classification, known as Bertillonage. The prisoner was subjected to eleven different categories of exact bodily measurements.

The operator filled out a “Bertillon card” that had spaces for describing the eyes, ears, lips, beard, hair colour, skin colour, ethnicity, forehead, nose, build, chin, general contour of head, hair growth pattern, eyebrows, eyeball and orbit, mouth, physiognomic expression, neck, inclination of shoulders, attitude, voice and language, and habiliments (Cole, 2001: 37). Bertillon developed a precise “scientific” language, which he called a “morphological vocabulary”, to describe a variety of human features.<sup>20</sup> The operator needed to memorize the vocabulary with a standardized abbreviation, which reduced the body to pure code. After categorizing every body part of the prisoner, the Bertillon cards were catalogued by sex in the archive. Then they were classified according to whether the head length was “small”, “medium”, or “large”, and sub-classified by head breadth, and then by middle finger length, and so on through foot, forearm, height, and little finger (ibid: 45). This whole system of precise description, standardized abbreviations, and archival classification was unique to Bertillonage, which attempted to construct an objective truth for the individual. His instruction manual was translated into several languages and rapidly spread to police departments and penal institutions in the United States, Canada, Argentina, and Great Britain, in the last decade of the nineteenth century (ibid: 51).

Meanwhile, in the 1850s Britain began to discuss using fingerprints to prevent pension fraud in its colony, India. Colonial officials were less enthusiastic about anthropometry because it was difficult for white officials to find and describe physical differences among native people. Fingerprinting impressed colonial officials and

---

<sup>20</sup> For example, for the ear, it was not only categorized into the four groups of border, lobe, antitragus, and folds. In each category, the operator noted the inclination, profile, reversion, and dimension, too. The

scientists as a universal indicator of individuality. Henry Faulds, a British physician serving at Tsukiji Hospital in Tokyo during the late 1870s, discovered fingerprints on ancient Japanese ceramics and published his observation in *Nature* in 1880. Faulds also wrote a letter to Charles Darwin, who had already published *On the Origin of Species by Means of Natural Selection*, and Darwin forwarded the letter to his cousin Francis Galton, a British scientist, who would later inaugurate the field of eugenics through evolutionary theory.

Galton expected that fingerprint patterns might be the elusive visible markers of heredity. He also suggested that fingerprint patterns might be a useful technology for the British empire; fingerprinting might avoid “the great difficulty in identifying coolies either by their photographs or measurements” (cited in Cole, 2001: 77). Galton classified fingerprint patterns into three groups: arch, loop, and whorl. Edward Henry and his assistants, the colonial police officials in India, added a fourth group, composites. They developed a system to further sub-classify, which is now known as the “Henry system”. In 1897, Henry convinced the Governor-General of India to switch from anthropometry to fingerprinting (Cole, 2001: 87). In a few years, fingerprinting was implemented not only for record keeping, but also for criminal investigation and later for legal evidence.<sup>21</sup> Fingerprinting identification returned to Britain with the triumph of Bertillonage.

Fingerprinting was also discussed as a way to help identify Asian immigrants in the United States. Their faces – it was claimed – looked too similar for white officials to

---

inclination might be “horizontal”, “intermediate”, or “oblique” (Cole, 2003: 40).

<sup>21</sup> However, the credibility of fingerprint identification is still arguable. Cole says, “the absence of disproof was taken as Proof.”(2003: 90). It should be noted that credibility is reinforced in the process of

distinguish, which became a problem in the 1880s, when the Chinese Exclusion Act was passed. Chinese immigration to the U.S. was illegal for more than sixty years, until 1943. Although the fingerprinting plan was never realized, fingerprinting of immigrants could have been included in the “return certificates” for re-entry, issued by the U.S. Customs Service (Cole, 2001). The Chinese already residing in the U.S. were subjected to registration and routine surveillance, and they became the first targets for mass identification of a civilian population by the U.S. federal government (Parenti, 2003: 76). Many American police agencies used fingerprinting for criminal identification in the first decade of the twentieth century after a Scotland Yard detective demonstrated dactyloscopy in the 1904 St. Louis World’s Fair.

Simon A. Cole points out that fingerprinting was originally tried out on the population in the western colonies, while anthropometry mainly emerged in the cities of Europe in response to criminal “recidivists” (Cole, 2001). Fingerprinting in the colonies developed as a technique for civil, not criminal, identification. In the U.S., which was no longer a western colony, the targets were also new non-white citizens. Fingerprinting developed to identify all the races of Others. In this sense, criminal and colonial were interoperable categories of *suspect identities*, the title of Cole’s book. In fact, colonized races were often talked about as potential criminals. In 1871, the Criminal Tribes Act was passed for registration and surveillance of certain tribes in India. All the tribes were believed to have criminal natures. For this legislation, British ethnographers promoted biological prejudice by applying the idea of “habitual” and “professional” criminal to the

---

endorsement and institutionalization. The case of latent fingerprint taken in criminal investigation is even more controversial in terms of credibility.

suspicious tribes.<sup>22</sup> Western knowledge inscribed potential criminality in the biological bodies of the Others.

Typically seen in Bertillonage, obsessive measuring of the body emerged from an academic enthusiasm to search for the origin of crime, and involved biology, anthropology, and eugenics. Those studies emphasized the “habitual” or “professional” characteristics of crimes, and sought to explain criminality in the corporeal body of the doer, rather than in the circumstances of the crimes. Data collected from criminal’s bodies, such as the shape of the skull, the proportion of the body, or the contours of the face, were biologically and anthropologically examined to diagnose the criminality of the individuals (Cole, 2001: 58). Marking of the criminal record was replaced by the marking of the criminal body of the nineteenth century. The body became the objective truth, to tell the nature of the individual, more than any other part of the person. The findings of those studies on the body took the name of scientific discovery and supported the colonial governance.

Similarly, race was also examined to prove the universal inferiority of Others. Race became a focus of academic research to diagnose the nature of the human species. Colonial anthropologists supported by evolutionary theory explored “primitive” lands with the quest of finding the missing link to human origins in “savages”. The assumptions underlying their work were that they could scientifically measure the natures of other races and ethnicities, and could objectively understand some universal truth

---

<sup>22</sup> “Colonial jurists’ and anthropologists’ corruption of evolutionary theory in the service of British racism demanded the development of new methods of tracking, monitoring, and controlling suspect populations.” (Cole, 2001: 69)

(Trinh, 1989). White observers are shown to be superior to the coloured observed in this academic relationship. As Trinh T. Minh-ha criticizes, the measure whites used for the research, especially the language to record the life of the natives, reflected white visions and criteria; so these studies obviously concluded that the west was more advanced, or at best grounded on the tacit agreement of white superiority.

On the basis of colonial epistemology of the body and race, many intellectuals, like Galton himself, got involved in research of anthropometry and fingerprinting out of an interest in heredity. It was supposed to prove the differences between the races and the superiority of the Caucasian. In the end, those anthropologists were not very successful at discovering a reliable physical indicator of inferiority in criminals and other races. But they academically established a way of thinking that attributed social phenomena to biological nature. Biometric identification stems from such biological reductionism and reflects the western epistemology of “truth-finding”.

The categories of race spurred a suspicion of “foreigners” and their movements. During World War I the European nation-states institutionalized mandatory passport systems, partly out of xenophobia (Torpey, 2000). The modern passport originated in post-Revolutionary France, the first European state composed of citizens, not subjects. They were considered to have equal rights to the sovereignty of the state. Other European states, which didn’t share the concept of equal citizenry, embraced the passport as a way of restraining mobility of dissent, and spread the idea that all citizens should have some kind of identity document (Cole, 2001: 10). War, a state of emergency, gave the state the best opportunity to reinforce control of peoples’ movements.

In 1917, in France, ID cards became mandatory for all foreigners over the age of fifteen, and that regulation remained even after the war.<sup>23</sup> Germany first required foreigners to have a passport or another acceptable identification document when entering the territory in 1914, and strengthened the regulations further; passports had to include a personal description, photograph, and signature of the bearer, along with an official certification, and they had to have a visa, too. At the same time, Germany reaffirmed that German passports could be issued only to German nationals; the status of national and non-national was duly and distinctively recorded. In 1914, Britain passed the Alien Restriction Act targeting Jewish immigrants, which increased restrictions on foreigners' movements after the war. The Aliens Order of 1920 required a valid passport with a photograph or some other document showing national status and identity (Torpey, 2001: 257-263).

The passport, a cross-national ID card, became the backbone of documentary substantiation of identity used to register and keep track on the movements of aliens. John Torpey argues that the modern state monopolized the legitimate means of movement, paralleling its monopolization of the legitimate means of violence (Torpey, 2000, 2001). Documentary requirements of individual identity provided the sovereign power the basis to categorize insiders and outsiders, and to monopolize legitimate means of their movements, in the state of emergency. Nation-states not only monopolized weapons and air fighters, they invented the emergency technique of paperwork for total war. The documentation of identity sharply classified people as citizen and non-citizen.

---

<sup>23</sup> In France, during World War II, the Vichy regime implemented a compulsory national ID card over citizens for the first time in French history, attempting to preserve the illusion of a national unity by hunting

This exclusive classification remains firmly in our present passport system. “Documents such as passports and identification cards that help determine “who is in” and “who is out” of the nation here took centre stage, and thus became an enduring and omnipresent part of our world.” (Torpey, 2001: 269)

In summary, ID technologies were developed to draw borders that distinguish “Others” from “Us” and to watch over the movement of the former. Identification was an essential part of colonial politics, not only in Japan, but in all powers of the nation-states. Under colonialism, borders could be around national territories or domestic administrative systems. Those people included as new citizens in the colony were classified as secondary to old members. In other words, the category of Others rationalized the borders, through which the ruling positions of old members were maintained and strengthened even more. The division of Others from Us rationalized surveillance toward suspicious and inferior races. The colonial expansion of nation-states, the western powers and their new competitor Japan, institutionalized the ruling of Others with the implementation of national ID card systems supported by the western epistemology of Truth. The category of Others was scientifically defined and marked by potential criminality, which was another name for dissent in colonial politics. The category of Others continues in the post-colonial era, which applied the identification techniques to larger populations.

---

down “Jews” as second-class citizens (Laniel and Piazza, 2007).

### **3.4 Boundary of Nationality and Citizenship**

Sharing the modern science and epistemology of Others with the west, Japan deployed ID card systems toward the colonial populations of Chinese and Koreans. Under the expanding war, the ID card was rationalized as the way of watching over suspect populations. This technique and mindset were passed on to the post-war Japanese democracy.

Japan lost all of its colonies after WWII. However, the ID card system and fingerprinting were not abolished, rather, officially used to identify Koreans and Chinese. The Alien Registration Ordinance was promulgated in 1947, symbolically as the last ordinance by Emperor Hirohito (Tanaka, 1995: 66; Sato, 1996: 70, 89). After that, all laws had to be passed by the Diet. The ordinance temporarily treated Koreans and Taiwanese in Japan as alien in legal status, and compelled them to register. The Alien Registration Law replaced the ordinance when Japan signed the San Francisco Peace Treaty and regained its sovereignty in 1952. Although neither the treaty nor the law directly stated the legal status of ex-colonial natives, the government announced that it would deprive them of Japanese nationality permanently, by notification of the Ministry of Justice. At this point, 95% of registered “aliens” in Japan, approximately 600,000 people, were ex-colonial subjects (Tanaka 1995:46). The intent of this law was obviously not to regulate general travellers coming and going across the Japanese border, but to watch over movements and relations of former colonial natives.

The withholding of nationality was conducted through the Koseki system, which counted the populations on mainland Japan, Taiwan, and Korea separately. Citizen or non-citizen status was determined based on if a person’s Koseki (more precisely their

Honseki) existed in Japan or Korea or Taiwan. A number of Japanese women, who married Koreans and Taiwanese and were transferred from the mainland Koseki to the Korean and Taiwanese Koseki, also lost their Japanese nationality with this criterion. Koseki's technique of colonial classification enabled the government to distinguish the inside and outside of the new national border and to abandon its responsibility for the latter (Jung, 2003). The discrete Koseki system for colonial categories contributed to exclude the ex-colonial people from new citizenship. The result, consistent with Koseki's origins as a list of the emperor's slaves, is that Japanese nationality is still given only to the Original Japanese (Jung, 2003: 116). Kyowa-kai lists also provided basic data for the Alien Registration System and enabled the government to track Korean and Chinese movements after the war (Nakao 1997: 129).

This unilateral deprivation of nationality is not typical of how colonial citizens have been treated after their independence. Even Japanese lawmakers discussed the possibility that natives of former Japanese colonies remaining in Japan would have the right to choose between the nationality of the newly independent nation or Japan. There were international precedents. For example, the Federal Republic of Germany gave the right to choose German nationality to Austrians living in Germany after WWII (Tanaka, 1995: 67; Jung, 2003: 121). The United Kingdom also guaranteed British Commonwealth citizenship to the citizens of newly independent countries, under the law of 1948. The free entry of British Commonwealth citizens to Britain became restricted after the 1960s, but Irish nationals in Britain are still guaranteed equal citizenship to British nationals, even they do *not* choose British nationality (Bunda, 1993: 118, 126). Nationality and citizenship are often synonymous in the world. Yet, the Irish case in Britain shows that

nationality and citizenship can be separate, and that citizenship does not necessarily belong to nationality.

However, the colonial category of Others did not allow Koreans and Chinese to have the right to choose nationality in post-colonial Japan. Prime Minister Yoshida wrote to General MacArthur, the head of the Allied General Headquarters, that he expected all Korean residents in Japan to go back to the Korean Peninsula because: 1) Japan does not have enough food to feed them, 2) Most Koreans do not contribute to the Japanese economy and 3) Koreans are a high percentage of the criminal element in Japan, and many are sympathetic to communism or involved in political crimes. Yoshida concluded his letter by asking for MacArthur's understanding of these resolutions: to ship back all Koreans at cost to the Japanese, and to allow only Koreans who could contribute to the Japanese economy to remain in Japan if they wanted to (cited in Tanaka 1995: 72-74). One can here observe that the interoperable categories of colonial and criminal remained in the post-colonial discourse. It was not only conservative politicians like Yoshida who tried to kick the Koreans out of Japan, but also the opposition parties and the newspapers which warned "not to cause an ethnic minority problem for the future of Japan" (ibid: 69).

These discussions show how much the ruling class was afraid of accepting ex-colonial natives with equal partnership into their democratic system. Koreans and Chinese, whom the Potsdam Declaration emancipated and turned into the winners of the war, began to claim their political and economic rights in Japan. At the same time, socialist movements burst forth. There were many sympathizers, not only Koreans, because the Communist Party maintained firm resistance to Japanese fascism among the

intellectuals during wartime. In Korea, a socialist nation was declared in the north. Apparently, without public debates or legal consistency, the government convinced the Allied General Headquarters to exclude this rebellious enemy-within from citizenship and treat them as outsiders, in the post-war chaos and upheaval of the Cold War. Koreans and Chinese, who had served in Japan's sacred war through conscription and who had the right to vote, were turned into "aliens" overnight.<sup>24</sup>

The nation-state retains power over citizenship. The post-war Japanese Constitution defines that sovereignty resides in people, no longer in the emperor. But Japan's policy reminds us that people are still subjects of the state, as well as its territory and resources, in this citizenship/nationality structure. Both included and excluded individuals are inevitably incorporated into the state system; the "included" are surely inside the system, whose position is subordinately given by the state. The "excluded" cannot be independent from the system, either, because they are directed to claim inclusion for equal treatment with insiders. But on the day inclusion is accomplished,

---

<sup>24</sup> Besides the reasons Yoshida gave MacArthur in the Cold War context, denial of Japanese nationality played an essential role for the government in reducing the burden of war and post-war compensation for death, disease, labour, and rape of Koreans and Chinese during WWII. The countries signing the S.F. Treaty abandoned the right to claim war compensation from Japan, and so did South Korea and the People's Republic of China in each normalization treaty with Japan. However, the individual right to claim post-war compensation remains legally arguable, and many war crimes had not been revealed nor researched at the time of the treaties, such as the sex slavery under the Japanese army, the so-called "Comfort Women" issue. Since the 1990's, the victims of sex slavery and forced labour have sued the Japanese government for an official apology and compensation. But the Japanese courts have been responding negatively to the victims in most of the cases. The Japanese government has insisted that the victims do not have the right to their claims, and that the problems were already solved by treaties. Against the revisionist attitude of Prime Minister Abe, denying the involvement of the government to the sex slavery, in 2007, the U.S. House of Representatives, the European Parliament, the Canadian Parliament passed the resolutions that urge the Japanese government to formally acknowledge, apologize, and compensate for the victims and their families. See <http://news.bbc.co.uk/2/hi/asia-pacific/6923352.stm> (U.S.), <http://www.theparliament.com/EN/News/200712/303a08a6-197b-42df-9425-bc36e5c8de3b.htm> (EU), [http://www.korea.net/news/issues/issueDetailView.asp?board\\_no=18611](http://www.korea.net/news/issues/issueDetailView.asp?board_no=18611) (Canada).

they find themselves in a subordinate position to the state, too. For the excluded, obtaining citizenship does not mean only inclusion within the legal system in reality. It also often requires them to acquiesce with the dominant lifestyles of society, politically, economically, and culturally. As we saw with Japan's homogenization policy toward Koreans and Chinese, "becoming a citizen" coerces one to assimilate oneself to the culturally dominant group in the nation. In this sense, citizenship is never neutrally accessible for social minorities (Bunda, 1993). Citizenship is deeply involved in inclusion to what is seen as "national" or "normal" in every aspect of life. When citizenship is separated from nationality, it can get closer to a universal individual right, rather than a privilege for the dominant groups.

In turn, the state can keep a part of the population outside of citizenship in order to maintain this citizenship/nationality structure as a source of sovereign power. The state can placate the citizens with the privilege of citizenship, even if it is not really a privilege. Yeong-hae Jung, a Korean sociologist in Japan, claims that Japanese citizenship exists primarily to give Japanese citizens the illusion that they have rights, compared with no rights for foreigners. In other words, "the privilege of Japanese citizenship is not truly substantial as a social contract to the state. The state must maintain legal discrimination against foreigners. That way, it can hide the fact that Japanese citizenship is as a political power "a rice cake in the picture" (meaning it looks attractive but is useless)" (Jung 2003: 295). While the Koseki system seems to award privileges to citizens, the Alien Registration System exposes non-citizens to intensive surveillance and discrimination.

This contrast ensures the dominant Japanese its hegemony in society, and maintains social order in dichotomy.<sup>25</sup>

### **3.5 The Alien Registration Card and Anti-Fingerprinting Movement**

The original Alien Registration Law of 1952 required all “foreigners” over fourteen years old and staying in Japan for more than sixty days to fingerprint at registration and renew it every two years (Tanaka, 1995: 82, 90). The government issued the Alien Registration Card, and it has been compulsory to carry the card and show it to police if asked since almost the beginning of the system. Today one is fined almost 200,000 Japanese Yen (approximately 2,000 Canadian Dollars) for not carrying it, and is even sentenced to close to a year in jail for refusing to show it (Ministry of Justice, 2004). Although the government insists that the Alien Registration is equivalent to Koseki register for nationals, these severe punishments indicate that foreigners are not equal to nationals and are subject to additional surveillance.

Fingerprint identification was officially institutionalized for newly defined “foreigners”, ex-colonial natives. It was, as we have seen, the technology used to exploit their labour force and quell their resistance during wartime. Like Koseki, fingerprint identification was successfully continued into post-war policy and even more rationalized

---

<sup>25</sup> Suffrage of foreigners residing in Japan, especially the right to vote in local elections, has been put on the table of the Diet and was almost realized in the late 1990s. It might have opened up the possibility of separating citizenship from nationality. However, after North Korea admitted abducting Japanese civilians in 2002, these debates stopped. There is no relationship between the abduction and Koreans in Japan, nor between the abduction and the right to vote. It was an illogical leap in the debate of the U.K. Diet that reconsidered the British citizenship of Irish nationals in 1982-83, linking the IRA bombings with Irish suffrage (Bunda, 2003: 122). These cases show how national loyalty is misleadingly used in citizenship politics.

in the democratic systems. The emergency techniques of war became the foundation of post-war democratized citizenship in Japan, despite the complete failure of war. There was a continuation, rather than cut-off, of colonial monitoring. Like the passport developed during World War I, the policy was merely the continuation of war by other means in the Japanese history of the national ID card systems, to reverse Carl von Clausewitz's phrase that war is merely the continuation of politics by other means.

Correspondingly, biometrics was generalized as a way to secure social order. With the Alien Registration System, the national fingerprint identification system for all nationals was debated in the Diet in 1949 (Tanaka, 1987: 2, 1995: 84). It was promoted for use in scientific criminal investigations, but this goal was never achieved. *Mainichi Shimbun*, a national newspaper, reported that the Inspector General of the Tokyo Metropolitan Police Agency voluntarily offered his fingerprints to promote the national fingerprinting system (*Mainichi Shimbun*, 1975). Drivers and national officers were fingerprinted during the 1950s and 60s. Aichi prefecture took the fingerprints of third-year students in junior-high schools between 1955 and 1970. Fingerprinting was trusted and rationalized for the general population during peacetime.

The same kinds of campaigns for general fingerprint registration were observed in the United States after World War I, during a rise in xenophobia (Parenti, 2003). The media and some organizations pushed for mass registration of fingerprints and photographs, proposing their possible use for identifying amnesiacs and kidnapped children, which were very rare in the whole population. When the idea of a mandatory fingerprint system did not go over well with the public, the promoters changed their focus

to voluntary fingerprinting, using unverifiable promises such as that fingerprinting automatically reduces crime; that it prevents clerical errors by the government and business. Parenti points out, “Never, of course, were heard the more cogent political reasons: fingerprinting will help us control reds, Negroes, vagrants, and footloose young women” (Parenti, 2003: 58). The 1920s was the time of economic development and labour movement in the United States, like Japan right after WWII. In Minnesota, steel companies and their adjacent mills fingerprinted employees and used prints to detect those who had been fired or rejected at other plants. In 1920, cab drivers in Cleveland went on strike against requiring all cab drivers to be fingerprinted by the police. Biometrics, the technology of identifying racial Others, shifted its target toward the general population in the United States, too.

Back in post-war Japan, there had also been a number of Koreans and Chinese who refused to put their fingers in ink after the Alien Registration Law went into effect. But these protests did not raise much public awareness until the 1980s when Han Jong-suk, a Korean man, refused to be fingerprinted at city hall in Shinjuku Ward, Tokyo. Han, who came to Japan at nine years of age, commented, “I have been fingerprinted many times before. But if I continue, my children and grandchildren will also be fingerprinted. I cannot leave anything for them, but I want them not to be fingerprinted” (Tanaka, 1995: 78). This was the first time the media covered the Alien Registration fingerprinting from a critical point of view. Following Han, many foreigners decided not to be fingerprinted for their own reasons. This movement was named “the revolt of only one”. It also became a diplomatic issue between Japan and South Korea. In 1982, the Alien Registration Law was revised to register people beginning at sixteen years of age (it had previously started

at fourteen), and to extend card renewal from every three years to every five years. In spite of the partial conciliation, according to *Asahi Shimbun*, rejection of fingerprinting reached more than 7,400 by September 1985 (cited in Sato 1996: 91). The government tried to push back at the protesters by arresting, accusing, fining, and sentencing them. Many fought back in the courts.

The story of Choi Sun-ae symbolizes how arbitrarily the government punished the objectors to fingerprinting, and how dearly the objectors paid for their revolt. Choi Sun-ae was a gifted pianist whose parents were Korean but who grew up in Japan. When she went to the United States to study, the Japanese Ministry of Justice did not approve a re-entry permit for her. Her status was that of a special permanent resident, a category created by the Normalization Treaty between South Korea and Japan in 1965. Leaving Japan without a re-entry permit forced her to lose this permanent resident status. This was a novel sanction against people who refused fingerprinting, depriving them of the freedom of movement to go abroad. Between 1982 and 1988 while the anti-fingerprinting movement grew, the Ministry of Justice did not approve re-entry permits for 107 people (Choi, 2000: 20).

Choi refused fingerprinting when she was twenty-one years old. In her book, she wrote that the prosecutor suggested she resolve her case by paying a fine. Because this would mean that Choi admitted her guilt, she turned down that deal and was prosecuted. A local court found her guilty in 1985 with a decision that supported the fingerprinting system, because “aliens are not members constituting Japanese society so that some extent of restraints are reasonable. Fingerprints are the best scientific resources to identify

aliens and the fingerprinting system is rational” (cited in Choi: 18, my translation). All other cases refusing fingerprinting also lost in the local and high courts. Before the Supreme Court could make its ultimate decision, the cases were suddenly put to rest by the death of Emperor Horohito in 1989. The Supreme Public Prosecutor’s Office dismissed the cases of “the crime of not fingerprinting” and “the crime of not carrying an Alien Registration Card” under the Great Pardon. The accused took this as an insult because a pardon meant that they were “forgiven”, and they were deprived of the right to a fair trial.

Choi had also brought her case to court to appeal the disapproval of her re-entry permit by the government in 1986. When she came back to Japan to testify, she was treated as a “new alien” at Immigration and given a 180-day stay permit. The high court admitted the Ministry of Justice’s abuse against Choi. It was the first decision in which the court found it illegal that the government denied re-entry to those who refused fingerprinting. Nevertheless, the Supreme Court reversed this decision in 1998, *after* the government abolished fingerprinting of special permanent residents, the Koreans and Taiwanese who came to Japan before WWII and their families. Although the protesters never individually won in any court, the Korean-Japanese Memorandum of 1991 promised to abolish the fingerprinting of Korean residents in Japan within two years (Tanaka, 1995: 98). The Japanese government finally announced the total abolition of fingerprinting of all foreigners on the day before South Korean President Kim Dae-chung visited Japan in 1998 (Choi, 2000: 42). Choi kept renewing her 180-day stay permit for twelve years until she had the chance to testify on alien policy in the Diet in 1999. Choi claimed that the Minister of Justice should restore her status because his judgement

deprived her of her original status. In order to give this status back to her alone, the Immigration Control and Refugee Recognition Act was amended in 2000.

However, that was not the end of the story. The government devised substitutes for fingerprinting which were added to the Alien Registration -- signatures and family records. Both the Ministry of Justice and the municipal governments store a handwritten signature. The family record includes the names, birth dates, and nationalities of parents and spouses who live in Japan, and, if the person registering is the head of the household, he needs to add each family member's name, birth date, nationality, and relationship to himself (Sato, 1996: 94, 98-102). These items undeniably resemble Koseki. The government merged outsiders with the relation-oriented surveillance of nationals.

This model shows that there are two essential techniques for identification; one is based on the individual and its unique corporeal information, the other is based on human relations involving the person's social activities. Stimulated by the developing biometric technologies, government administration in the twentieth century seemed to lean increasingly toward individualistic identification more than relational identification. Cole suggests that fingerprint identification became preferable to anthropometry in the twentieth century because it saved on the cost of instruments and required less skill in law enforcement and administration. It matched the goals of modern industrialization, including rationalized bureaucracy, scientific management, and mass production (Cole 2001: 166). Before scientific individualistic techniques were developed, a person was basically identified by the testimonies of people who had watched him. Despite the

development of individualistic techniques, this old-fashioned surveillance using human eyes and connections has never been abandoned and has kept returning.

Apparently, the Koseki and the Alien Registration System are merging to form a new profiling system for the general population. Although the government has rigorously restricted immigration, the population of foreign citizens in Japan has been increasing. The government began to provide favourable visas to Japanese-Peruvians and Japanese-Brazilians in 1990 (Sato, 1996: 168-71). It responded to the demands from corporations, especially the car industry, for cheaper labour power. Today, with the low birth rate and the graying of the Japanese, business leaders and lawmakers are discussing accepting short-term foreign workers, not immigrants, from other Asian countries such as Philippine for nursing-care work. Those newcomers are also expected to be included in the new “alien” lists.

In addition, since November 2007, Immigration has fingerprinted almost all visitors to Japan at ports of entry. Fingerprinting made a come-back within seven years of the first discussions on the “war on terror”, soon after its long-awaited abolition. Using a patchwork of Koseki, Alien Registration and the new fingerprinting systems, the government can now create a unitary map to oversee the population. It can capture the movements of new populations across the national borders with their biological and relational data. The biological and relational go hand in hand to identify the individual in her body and her history. Colonial borders between citizen and non-citizen fall away in this system. It is a globalized profiling of every individual. This new type of surveillance binds the colonial categories together, and divides them to the individual. It brings the

colonial technique of categorization to another stage in order to use the population to reinforce sovereign power.

### **3.6 Bio-power, That Produces Bare Life**

Above, we saw that the national ID *card* systems were developed to watch over the colonial populations in Japan. The colonial Others were assigned ID cards because they had to be mobile to contribute to the national economy in modern capitalism. Economic interests over resources and markets led Japan to go to war after its aggression against China in the 1880s. Colonial natives were needed as a cheap labour force, but they threatened the sovereign power because they had suffered invasion, subjugation, exploitation, and homogenization under Japan. In the last stages of the imperial war, they were coerced to work for the state without contracts or proper wages, but with surveillance and violence.

The intensive surveillance toward the colonial population did not change after WWII. Rather, ID cards and fingerprinting were officially institutionalized in the national system of the Alien Registration Card. Only the ex-colonial natives who could contribute to the post-war Japanese economy were expected to remain, and the rest were assessed as useless. Those who remained for various reasons, such as lack of money or transportation to return, or who had already settled in their communities with economic and family ties, were still seen as dangerous, so they were required to have ID cards. The movements of their children and grandchildren are identified by the same system to this very day. Newcomers are added to the economic category of useful but suspicious.

Such persistent supervision over movements of inner foreign populations can be analyzed as *regulatory controls of bio-power*, Foucault suggests (Foucault, 1978: 139). In *The History of Sexuality, Volume One*, he explains that bio-power evolved in two basic forms linked to each other. One is an *anatomo-politics of the human body*, represented by disciplines that made the individual body useful and docile as a machine. The other is a *bio-politics of the population* that focused on the species body and is based on biological process.

The disciplines of the body and the regulations of the population constituted the two poles around which the organization of power over life was deployed. The setting up, in the course of the classical age, of this great bipolar technology—*anatomic and biological, individualizing and specifying, directed toward the performances of the body, with attention to the processes of life*—characterized a power whose highest function was perhaps no longer to kill, but to invest life through and through. (Foucault, 1978: 139)

The colonial population has indeed been used through and through for the sovereign power of Japan. Many Koreans and Chinese workers lost their lives during forced labour. They were not killed outright, rather they were worked under conditions of slavery to the point of death. They were mobilized and controlled continuously. The ID card system is one of “numerous and diverse techniques for achieving the subjugation of bodies and the control of populations, marking the beginning of an era of ‘bio-power’” (ibid: 140). Bio-power was indispensable in enabling Japan to be part of global capitalism (just as it was for western countries). The development of modern capitalism required both reinforcement of the population, and its availability and docility. For these dual tasks, the techniques of bio-power also “acted as factors of segregation and social hierarchization, exerting their influence on the respective forces of both these movements, guaranteeing relations of domination and effects of hegemony” (ibid: 141). Koreans and

Chinese were segregated and classified in secondary positions in the hierarchy of the Empire, while the “Original Japanese” bounded with Koseki were promised they would occupy the top position.

So, is this inclusion or exclusion of the colonial population? On the one hand, bio-power incorporated the colonial Others into its own growth. On the other hand, it kept them from attaining full citizenship. The Others were excluded from the legal protections of citizenship by the state, but they were brought into the centre of the colonial policy and economy, on which the state and corporations accumulated wealth and maintained the hierarchy.

Giorgio Agamben suggests that this duality in the lives of Others are *exclusive inclusion* in the law, and that Others straddle the threshold between inclusion and exclusion, or *the state of exception*, according to bio-politics. The state of exception provides the foundation for sovereign violence (Agamben, 1998: 21, 107).

Sovereign violence opens a zone of indistinction between law and nature, outside and inside, violence and law. And yet the sovereign is precisely the one who maintains the possibility of deciding on the two to the very degree that he renders them indistinguishable from each other. [...] (In this sense, it can be said both that sovereign violence posits law, since it affirms that an otherwise forbidden act is permitted, and that it conserves law, since the content of the new law is only the conservation of the old one.) In any case, the link between violence and law is maintained, even at the point of their indistinction. (Agamben, 1998: 64-5)

Violence and law worked together over the Others in the colonial ID card systems and the Alien Registration Card System. The ID card systems in Manchuria and Japan were born in a state of emergency during the imperial wars. There were always law-like regulations that operated the ID card systems. But those regulations were tailored to colonial populations. Then the Alien Registration Card System was established by

democratic statute, and it rationalized the state of exception for the newly categorized “foreigners”, the ex-citizens.

Agamben calls those who are exposed to the state of exception, *bare life*. The bare life is abandoned by the laws and put under the direct authority of the state. The laws conceal this direct application of sovereign power, which emerges as violence against the individual. Bare life is steeped in the dual standards of laws for citizens and for Others. The national ID card system subjugates the target population to direct sovereign power, but it hides behind laws and rationalizes violence.

In turn, citizenship and the national ID card system are technically incompatible because citizenship guarantees the individual legal protection from arbitrary intervention by the state. Koseki and the Alien Registration Card System showed a clear contrast and the different sides of the same coin in this meaning. Bare life is the sphere where the state explores maximum techniques for bio-politics, using the population to strengthen its own power through identifying, categorizing, watching, and exhausting it to the point of death.

This is the legacy of the colonial roots of Japan’s ID card systems. However, this technique is alive today, and has been expanded to target all citizens. The clear distinction between the Koseki system and the Alien Registration Card System is becoming fuzzy. If Agamben is right, the threshold between citizenship and arbitrary control is disappearing. To consider it further, in the next chapter I will examine the recent national ID card system of Juki-net. The techniques used in establishing a national ID card system have been generalized to the entire population and globalized. What will remain, and what will change from this legacy with the innovative capacity of computer

network? These questions will also help us explore the reasons why some sovereign technologies of bio-power, like the national ID card system, have transcended colonialism, fascism, democracy, and global capitalism in Japan.

## Chapter 4

### Juki-net: The Numbered “Dividual”

Juki-net is the new foundation for citizenship in Japan. Juki-net is a nationwide computer network of personal information about Japan’s citizens, and provides an optional ID card. It is the first state system to unitarily attach an ID number to every citizen and directly identify each one. The scope of personal data and its administrative use increased after new legislation facilitated the expansion of the computer network. Juki-net is built on, and consistent with, Koseki’s data. But, unlike the Koseki system, Juki-net has a direct, individualistic, and fluid ability to intervene in individual life. In this chapter, I begin with the narrative on Juki-net, mainly what I found in the investigation for newspaper reporting, including the pre-history: the demand of individualistic registry and data sharing stems from the wartime, and a primitive idea of national ID card system brought about in the advent of computer. And then later, I sociologically analyze the features of Juki-net and how it affects the practice of citizenship. In the end, I discuss how the national ID card system constructs identity from social constructionist viewpoints. I argue that the national ID card system imposes compulsory categories on a subject in the current context of “war on terror”: “terrorist” or the “innocent”. This binary will fail to prevent “terror”, but may succeed to reinforce the global order.

#### **4.1 Bureaucratic Rationale of Data Sharing: The Resident Basic Registry**

Juki-net was implemented in August 2002. The network consists of 3,200 databases of municipal offices (at implementation) and the national database. It circulates fourteen items of personal information: six basic items are ID number, name, date of birth, address, gender, and a record of any changes. These personal data were originally stored *only* and *discretely* in municipalities.

The official name of Juki-net is the Resident Basic Register Network System. The data circulated in Juki-net were selected and computerized from the Resident Basic Registry, which was compiled by municipal offices. This original source of Juki-net, the paper-based registry, itself stems from the national mobilization system established during wartime.

After the General National Mobilization Law was passed in 1938, municipal offices needed information about residents in order to assign them to jobs and services for the nation. Koseki did not keep information about actual members living in a given geographical area, since its family information was stored in the patriarch's home village, as represented by Honseki. So some municipal offices voluntarily created a factual registry of households (Sato, 1988: 115). Koseki's inability to locate actual residents was exposed during wartime, when the state demanded mobilization of the entire population. This gave rise to the more individualistic and factual registry system.

Like the Alien Registration System, after WWII, this unofficial identification system was officially endorsed by the Resident Registration Act of 1951 (Sato, 1988: 132). This law required all *residents* to register at their municipality of residence,

whereas Koseki requires citizens to register at the national registry which delegates to the municipality. Under Resident Registration, the resident must report to the municipality her address, the living members of her household and their relationship to her, every time she moves to a new town or even within the same town.

This additional new registration had the non-national and decentralized structure, as the municipality is responsible for registering and storing personal data. Yet, the totalizing aspect came out when the law was revised as the Resident Basic Register Law in 1967 (ibid: 134). The first article of this law states that the registry is to “serve to rationalize the national and local administration”, and is not strong on individual rights (Nakano Bunko). It emphasizes that the personal data of this registry were shared for different administrative purposes, such as social welfare, health insurance, pension, and suffrage. The concept of data-sharing for administrative efficiency became prominent through this law. One individual file of personal data was bound to many administrative categories and cross-referenced for the operation of citizenship. This system was a bureaucratic rationale based on paper.

It should also be noted that the Resident Basic Registry keeps the collective aspect of the Koseki system and is not totally individualistic. The Resident Basic Registry lists all living members of a household together in one file and requires a definition of “the head of household” and the relationship of each family member to the head. In some aspects, this registry is reactionary and patriarchal, compared to the post-war reformed Koseki. One registration can include more than three generations. “The head of household” is defined in the decree as the person “who maintains the living of the

household, and is recognized as the person representing the household in the idea commonly accepted by the society”, which obviously means the male in male-focussed central Japan (ibid: 134).

The Resident Basic Registry is linked to Koseki through a newly established file of personal data, called “Tag”. Tag records the current residing address of the individual and attaches it to Koseki. The address enables the government and municipal offices to find where the Resident Basic Registry of the individual is stored and to match the registry with Koseki. In turn, the Resident Basic Registry records the Honseki, which enables the government match Koseki with the registry. A copy of Koseki is usually required to register the Resident Basic Registry so that the registry can be consistent with the data of Koseki. Koseki, Tag, and the Resident Basic Registry were established as the trinity in the foundation of post-war national ID systems in Japan (ibid: 63, 132).

It is consistent that all three systems exclude “foreigners” as outsiders, and the emperor’s families as the rulers. The three combine to bring people together under the patriarchal framework of family. On the other hand, the three were formed to help capture the movements and relationships of individuals. Among them, the Resident Basic Registry has played a principal role in social identification today. For example, a copy of the Resident Basic Registry is commonly used as a means of individual identification rather than a copy of Koseki, which contains a wider range of sensitive data on family. One is often required to submit it to both public and private organizations when applying for a job, a school, a passport, and a driver’s license. The factual and individualistic

aspects of the Resident Basic Registry better fit the industrial and information society of post-war Japan.

#### **4.2 Expansion or Manipulation of Data?**

The non-national and decentralized characteristics of the Resident Basic Registry System were essentially changed when its store of personal data was computerized and connected to the government as Juki-net. It was the first time in Japanese history that the state built a nationwide computer network, and attached a unitary ID number to all citizens, from the newborn to the elderly. Juki-net enabled the government to directly search for the personal information of its citizens.

In the paper age, the government had to ask the individual or the municipal office to send updated personal data on the individual for each administrative purpose. The registry was compiled and enclosed within each municipality, so the government had no direct access to the registry. On Juki-net, government officials can directly and speedily access the latest data on the individual, without individual or municipal permission. In the old days, if a person moved to another city, the government official had to ask the municipality from which she had moved, in order to find her current address. The municipal office checked the record for the moving-out certificate issued for her, which had been submitted to the new municipality. Then the government official asked her new municipality to find her new address, and finally he got the information. Nowadays, the government can instantly obtain her new address by inputting her eleven-digit ID number or the numbers of her family members.

In addition to the fresh data, Juki-net allows the official to know the history of a citizen. In the past, the official could barely track her data by looking at the paper-based Resident Basic Registry, because the registry was discretely stored in the municipal office. By removing the constraint of a stored location, the government could transcend the constraint of time, too. Now, personal data on Juki-net are automatically updated with references to the past.

For her part, the individual never notices when and for what purposes her personal data are referenced, transferred, retained, or possibly altered. Juki-net is a closed network between the government and the municipalities, in the name of protecting privacy. Koseki and the Resident Basic Registry are open to the public, although disclosure is restricted in practice, with concern for privacy. At least the citizen can access her own information on file and can have a copy of the file in her local municipal office. This way, she can notice changes in the record and she can correct the data if necessary. By contrast, she can never access Juki-net to see how her data are recorded. In this sense, Juki-net is built inside of administrative walls. It is an inner archive to govern citizens, which only the government and municipal officials can use. No ordinary citizen can check out what is on the network and how data are used. Thus, with no transparency to the public, Juki-net becomes a “black box” of personal data.

The non-national and decentralized attributes of the Resident Basic Registry disappeared with Juki-net. Instead, the possibility of direct monitoring by the state emerged as the basis of citizenship: who are the citizens, and how have they lived.

Despite these essential changes, Juki-net was legislated in a revision of the Resident Basic Register Act passed by the Diet in 1999. In terms of the novelty of building the first national computer network, it would have been reasonable if it was proposed by a new bill, and if legislators freshly discussed the attributes, impacts, and need for Juki-net. But the government avoided bringing public attention to the Juki-net agenda and was concerned about raising the issues of citizenship and surveillance. As a result of this strategy, the revised bill showed an unusual disproportion; the new parts were four times as long as the existing parts of the law. Subsequently, throughout the debate in the Diet, it was revealed that the Ministry of Home Affairs<sup>26</sup> did not fully disclose the entire design of Juki-net. As a newspaper reporter who investigated that process, I found that bureaucrats made many efforts to obscure the significance of Juki-net and evade public critique and legal restrictions on future maximum use.

Their first tactic was to insist that Juki-net was *not* a *national* network (Ogasawara, 2002). The bill states that Juki-net is made up of databases belonging to cities, towns, and villages, and operated by 46 prefectures, the upper municipality of the city. The government can access the network only through an extra-departmental body of the Ministry of Home Affairs, the Local Autonomous Information Centre,<sup>27</sup> in Tokyo. It is delegated to use Juki-net on behalf of the government, and receives personal data from the municipalities, retaining them in the national database. As defined by the bill, it is not

---

<sup>26</sup> It was changed to the Ministry of Public Management, combined with other ministries, at the point of implementation.

<sup>27</sup> This name is also another example of double speak, as George Orwell called it. The municipality had no autonomy to decide whether to participate in Juki-net or not, according to the government. Many municipalities did not welcome the establishment of Juki-net, as I will describe later in this chapter. This

operated by/for the state but by/for the prefectures. Contradictorily, the bill presupposed that Juki-net consisted of all prefecture, cities, towns, and villages, and they had no choice to opt out of Juki-net, although they are stated as the owner/users of it. The government allows no autonomy of municipality in Juki-net, despite insisting that is a municipal system. The Ministry of Home Affairs standardized every step of preparation, setting up a new computer, putting data into it, and connecting it to the network, and directed the municipality.

Second, the bureaucrats tried to portray Juki-net as small. This tactic, however, resulted in explaining the expansive nature of the data-sharing system. The Ministry of Home Affairs once explained that Juki-net would circulate only four items of personal data: name, address, date of birth, and gender. Yet the explanation was amended to six items, including the ID number and the history of changes for the other five items (Asahi, 20/10/1999a). This history contains an information number and enables tracking of the individual's past. For example, when one moves, the address changes. If one gets married, the family name may change. The same kinds of changes may be assumed by divorce, hospitalization, and incarceration. The history of data changes can reflect those movements throughout a lifetime, as more than just one item of datum. The government did not disclose this part until the last stage of the debate, apparently because of its controversial nature.

Furthermore, it was never openly discussed in the Diet that Juki-net could actually circulate fourteen items of personal data, that cover all items of the Resident Basic

Registry (Asahi, 09/09/2003). The fourteen items include the head of household, the relationship of the individual to the head, the date of becoming a resident, the previous residing address, whether the individual participates in national health insurance, nursing insurance, welfare, or the pension system. Those items are sent from one to another municipal office when the citizen moves and registers in a new place.<sup>28</sup> This was discovered after the second phase of implementation in 2003, when the municipal offices started to exchange data. In the first phase they sent data only to the government.

The same type of extension occurred in the administrative domain that uses Juki-net data too (Ogasawara, 2002). During the debate in the Diet in 1999, the government confirmed that Juki-net would be rigorously restricted and used for only 92 administrative purposes. But these purposes were expanded to 264 items through an additional law, a few months after Juki-net was implemented in 2002. Similarly, in 1999, the government proclaimed that Juki-net simplified administrative procedures for the efficient delivery of public services to citizens. But in 2002, Juki-net's principle mission was quietly replaced by a national agenda of "e-government". Juki-net came to be a universal framework for on-line governance that covers all administrative spheres. The digital certificate system was legislated a few years later, based on Juki-net. It aims to allow citizens to apply for a passport and to register birth, marriage, and other changes,

---

central government.

<sup>28</sup> Under the present Resident Basic Registry Act, the government can store only six items of personal data, not all fourteen items.

on-line. This modification of the *raison d'être* set up Juki-net for future development of virtual administration regarding citizenship.<sup>29</sup>

Lastly, the significance of the ID card was rarely introduced in the debate, because the bill states that a citizen *may* carry one, rather than *must* do so. Deploying an ID card is the most novel part of Juki-net, compared to the other existing national ID systems. Juki-net is the first national ID *card* system specialized for identifying the citizen. This “Juki-card” has name, address, and date of birth printed on the surface with or without the photograph of the bearer. As I explained in the previous chapter, the ID card makes the individuals’ movements visible and traceable. It classifies the bearers in the category of “alien” or “Japanese” and facilitates inclusion into and exclusion from the system. In other words, Juki-card is an extension of the Alien Registration Card System to include citizens. The intensive surveillance over the ex-colonial natives and foreign citizens could now be applied to citizens using the same technique.

In addition, Juki-card contains an Integrated Circuit (IC) chip, which the Alien Registration Card does not. The IC chip can store and combine various types of data, such as biometric and banking information like a “smart card”, and can communicate the IC card reader at a distance (Wood, Lyon, and Abe, 2007). Despite being optional at the point of legislation, it is significant that Juki-net can assign all citizens a card with a unitary ID number. As with the expansion of administrative purposes, it may not be difficult to change optional to compulsory through an additional law. Juki-card may be

---

<sup>29</sup> The Resident Basic Registry Act was revised only six times in 32 years, until the revision for Juki-net in August 1999. After 1999, it was revised 55 times in nine years (until the point of writing). This law keeps expanding as the infrastructure of e-government.

able to achieve a wider range of surveillance on individual movements through the IC chip than the Alien Registration Card.

Under the circumstances of misleading information and debate in the Diet, the innovative attributes of Juki-net were overlooked by the public. The media did not report the new legislation sufficiently.<sup>30</sup> Government parties forced voting in the Diet and the Juki-net bill was passed on August 12<sup>th</sup>, 1999.

Even in a short-term observation, Juki-net's development shows how a computer network inevitably expands for data sharing: once it is established, it increases the scope of data, engages in multiple tasks, and escapes from legal constraints and democratic transparency. To hide its expansive nature, bureaucrats might use the information strategy of limiting disclosure about Juki-net. As a result, when Juki-net was enacted, it retained more personal data for the wider administrative sphere than the bureaucrats had originally proposed in the Diet. The growth seems to continue. Historians would note that Juki-net was born under a bureaucratic manipulation of information. *Contrary to the discourses of the government, Juki-net is a national, centralized, and expansive ID system.* It imposes a new type of relationship between the state and its citizens.

---

<sup>30</sup> The 145th Diet of 1999, by which Juki-net was passed, had other important bills that would reverse the political course of post-war Japan and fundamentally excavate civil rights, democracy, and peace between Japan and the world. For example, the "Surrounding Situation Act" (I translate this law's awkward name literally. It does not make sense in Japanese, either) allowed the military to operate outside of Japanese territory. The "National Flag and National Anthem Act" defined the controversial flag and song, which Japan had used for the aggressive wars as symbols of the emperor's subjects, as officially national. The "Communication Interception Act" enabled law enforcement to tap telephones and computer communication. Juki-net was behind those issues and was passed on the same day as the wiretapping bill. I myself spent a lot of time reporting on those bills as a journalist, especially on wiretapping. I confess that at that time I did not realize the significance of Juki-net. No other papers or broadcasts provided significant coverage of Juki-net, either. The media was not critical enough to prevail over the deceptive information strategy of the bureaucrats. In other words, all liberal media were defeated in the 145th Diet as all those bills were eventually passed. I started to investigate Juki-net after the bill was passed in September 1999.

### 4.3 An Ideal and Reality of the General National Back Number System

A primitive idea of Juki-net had been discussed among lawmakers, bureaucrats, and business leaders since the late 1960s as the “General National Back Number System”. There was no such thing as a national ID card system at that time in Japan.<sup>31</sup> Like the number baseball players attach to the back of their uniform, every citizen always carries the ID number in a way the state can track and align. Though it was named the “General National Back Number System” by its promoters, the name profoundly reflects the total transparency of the citizen to the state 24 hours a day, 365 days a year, in any location. The ID card was a significant part of this idea as it standardized the means of conveying the ID number and connecting personal information in different spheres. The ID card was proposed to cover multiple uses, such as driver’s license, health insurance card, and bank card.

What this system originally aimed for is described in *100 Million General Back Numbers*, written by Taro Nakayama in 1970. In this book, he illustrated a simulation of 1995 showing how effectively the national ID card could save a driver Mr. N (perhaps Nakayama himself) from an accident on the highway. While Mr. N is passed out, the rescuers first search and find his ID card with his ID number, name, blood type, and address. They quickly send those data to the police and the hospital. The police contact Mr. N’s family and related organizations in charge of health insurance, driver’s license, automobile registration, and automobile insurance. The identification of Mr. N is

---

<sup>31</sup> Even today, the “national ID card system” is difficult to precisely translate into Japanese, mainly because there is no equivalent word for “identification” in Japanese. Identification is often used to mean verification or correspondence of the individual. But in the practice of identification, it draws more than verification or correspondence.

instantly accomplished in various spheres because of the single ID card number. Another victim of the accident, a foreigner, is also properly taken care of by identification of his passport number, which connects his medical history through satellite communication. The judge and attorney for Mr. N's accident are automatically selected through their ID numbers, too. The "labour market centre" arranges him a new suitable job based on his occupational and educational profile accessed through his ID number (Nakayama, 1970).

In this simulation, the unique ID number is the key to unlock and connect all kinds of personal data, so everybody must carry the card for their own sakes. Although Nakayama, a Diet member and medical doctor, uses the medical model to explain the benefit of the system,<sup>32</sup> he insists that Japan needs to establish this system for the incoming information society. Another major actor in his story is the new communication technology, including videophone and satellite communication. The ID number is irrelevant unless it is conveyed through communication networks. The national ID card system, premising data-sharing for the general population, was proposed at the advent of the electronic age in Japan. Thirty years later, the Ministry of Home Affairs has never forgotten to print "Juki-net is not the General National Back Number System" in the promotion pamphlet of Juki-net (Ogasawara, 2002). This is more evidence that the government avoids public debates on this controversial system, rather than discussing it openly.

---

<sup>32</sup> It is interesting to find that Nakayama composed a life-saving story to most effectively persuade the public about the ID card system, rather than a story about equal administration or economic efficiency. The medical model plays a significant role in the practice of bio-power. The sovereign power works to strengthen people's lives, rather than take away their lives (Foucault, 1978, 1990). However, it is a different issue if the government *really* establishes such a life saving system through the national ID card system.

The General National Back Number System has been the common term for the national ID card system, but it has always had a negative connotation. “Back Number” raises a totalitarian image of state surveillance, like the western image of “Big Brother”.<sup>33</sup> It implies capturing the movements of every citizen, aligning citizens to the state’s needs, and using them as instruments for national policy. It suggests a society where citizens have no place to hide, and are vulnerable and visible, with no anonymity.

The government and municipalities began to computerize their administrative files in the 1970s, and so did the private companies. The idea of an individual ID number inspired a public fear of a society ruled by computers. As illustrated in Nakayama’s utopian story, the ID number renders the corporeal body an efficient instrument of communication. Enumeration of the body transforms the human into an object on the computer, and artificial intelligence could ultimately enslave humans. The General National Back Number reminded some people of the General National Mobilization System and the conscription during the wartime. It recalled how the government found the people in the totalitarian systems, which forced them to labour for the nation.

For these reasons, the General National Back Number System met with public opposition. But, while the plan seemed to be suspended, the government invested billions in pilot projects for a local ID card system in order to standardize the technical schemes of the national ID card system. Most of the card projects were unsuccessful and disappeared a few years after they were implemented. The failures were not always

---

<sup>33</sup> *Nineteen-Eighty-Four* by George Orwell is well known in Japan. But it had been generally recognized as an anti-communist or anti-totalitarian novel. Since the problem of a surveillance society emerged with Juki-net and other security systems after 9/11, it may be read in the wider context as “our”problem.

because of concerns about privacy or surveillance, but administrative inefficiency, similar to the HANIS system in South Africa (Breckenridge, 2008).

For example, the City of Izumo launched a few types of ID card systems that combined the data of the Resident Basic Register with other kinds of personal data in the IC chip. First, the “welfare card” attached medical information for the elderly. Second, the “child card” attached the development history of the youth. And last, the “citizen card” attached banking information for banking. Some people intentionally avoided keeping medical records on their card, because of privacy concerns. But most people did not carry the cards, and medical information was not standardized for exchange. The new mayor of Izumo abolished the ID card systems, despite having already spent 600 million yen (about 6 million Canadian Dollars) on the policy. In six years, only one out of 7,700 welfare cards was used for a medical emergency. An assembly member of Izumo City complained, “Therefore, we should legislate the compulsory carriage of the national ID card.” (Asahi Shimbun, 20/10/1999b)

Experiments with the IC chip were not only promoted by the government. Corporations have been trying to sell their electronic technologies to the government, proposing possible new usages, and creating business opportunities. Like other industrial countries, Information Technology (IT) has been promoted as a national industry in Japan since the 1990s. The IT Strategic Headquarters was established within the Cabinet, and the IT Basic Law was passed in 2000. The IT Strategic Headquarters decided the “e-Japan Strategy” in 2001, that declared that “we will strive to establish an environment where the private sector, based on market forces, can exert its full potential and make

Japan the world's most advanced IT nation within five years” (IT Strategic Headquarters, 2008). It has promoted to establish the high-speed electronic infrastructure accessible to most citizens, abolish the regulation against e-commerce, realize the e-government, and raise the human resource. The Ministry of Economy, Trade, and Industry has also subsidized a number of consortiums to develop standardized software for multi-ID card projects.

The ICT corporations have also commodified the identification technologies for private domains. For example, fingerprint identification was used for mobile phones, personal computers, and electronic keys. As identification technologies have spread, consumers lost their fear of them. They conform to being asked for their ID card or document, or to go through the identification process. Identification is embedded in everyday life, for shopping, working, exercising, and relaxing. Many people no longer question being identified by electronic technologies. Technologies acquire a powerful rationale by becoming ritual and routine, automatic, and rarely contested (Bauman, 1989). David Lyon named the current global flourish of electronic ID card systems the “card cartel”. It signifies the oligopolization of the means of identification by the state, corporations, and softwares (Lyon and Bennett, 2008). The three certainly acted as driving forces behind many IC card projects. After the pervasion of computers, the internet, and ID technologies into middle class private life in the late 1990s, the idea of the General National Back Number System became a concrete bill: Juki-net.

#### **4.4 The Logic of Protest: Technical or Ethical Responsibility**

Public opposition burst forth around the implementation of Juki-net on August 5, 2002, and protesters urged the suspension of the system. 70 municipal assemblies and 29 mayors of cities, towns, and villages passed resolutions to demand the government postpone implementing Juki-net (Asahi, 05/08/2002). The main logic of the protest was the absence of the Personal Information Protection Law. The bill of Juki-net was passed with the resolution to legislate the Personal Information Protection Law. However, it was not legislated at the point of the implementation. Finding this Achilles heel, the municipalities claimed that Juki-net would be not secure to protect people's privacy (Asahi, 06/07/2002, 11/07/2002). They also appealed that Juki-net would go against the decentralization principle that gives more autonomy to municipalities. The economic burdens of Juki-net were also a big concern, since they needed to install the new database, set up the network, and educate staff for those new systems.

The media followed this movement on the final stage for the implementation. The pro-and-con-style coverage of "the central versus local government" were prone to focus on whether Juki-net would be "safe" or not (Asahi, 06/07/2002, 28/07/2002). To describe the danger of Juki-net, the media emphasized on high possibility of unlawful usage and leakage of personal data, that had already happened in the government and the corporations (Asahi, 21/07/2002b, 01/08/2002). The government responded that the data would be limited to only "four" items, and the unlawful usage would be punished (Asahi, 28/07/2002, 04/08/2002). The media reported on the technical weakness of Juki-net using the comments of computer experts focusing on the possibility of hacking and mass leakage (Asahi, 26/07/2002). In an opinion poll conducted by the newspaper Asahi

Shimbun a few weeks before implementation, 86% responded that they were afraid of leaking and of improper use of personal information, and 76% responded that they wanted postponement of the implementation (Asahi, 22/07/2002). The opposition was vast and strong, but the reason of opposition often grounded on the technical problems, rather than the entire impact of Juki-net on citizenship and democracy.

Two weeks before the implementation, the Minister of Public Management (ex-Home Affairs) Katayama reacted to the claims of the postponement from the municipalities by commenting; “It is illegal if those cities do not participate in Juki-net. What happens to the money we already invested in Juki-net? The silent majority is waiting for its implementation.” (Asahi, 21/07/2002a) Two days after his warning, the Mayor of Yamatsuri town in Fukushima prefecture declared his town’s boycott of Juki-net (Asahi, 23/07/2002). Following him, the Mayors of Suginami ward and Kokubunji city, Tokyo, announced that they would not take part in Juki-net (Asahi, 05/08/2002). The Mayor of Yokohama city, Kanagawa prefecture, made it possible for citizens to choose whether or not to be included in Juki-net. In Yokohama, 839,539 citizens, or about one in four, went to city offices and registered for non-participation in Juki-net in the following two months (Asahi, 17/10/2002). Juki-net was missing 4.1 million citizens in its database on its first working day (Asahi, 05/08/2002). Nakano ward and Kunitachi city, Tokyo, cut its connection to Juki-net a few months after implementation (Asahi, 12/09/2002).

The resistance arose spontaneously from individual citizens. Many individuals refused to receive the notice of ID numbers mailed from the municipality and simply

returned them (Asahi, 30/08/2002, 07/09/2002, 13/11/2002,). It was not an organized movement, but spread to many regions as way of saying no to the General National Back Number System. But the Ministry of Public Management never counted the returned notices of public dissent. A number of civil groups organized and demonstrated against Juki-net on the streets. One hosted the “Big Brother Award” for Juki-net with an international civil organization (Asahi, 30/06/2003). Another group held a screening of a documentary about the problems of the Korean resident ID card system (Asahi, 31/05/2002, 28/08/2002). The logics of protest among the citizens more widely grounded on criticism of civil rights, especially the right to express, as well as of security concerns.

A number of citizens took the legal procedure to appeal their municipal council that Juki-net was against the municipal ordinance of Personal Information Protection (Asahi, 29/07/2002). Some citizens took further steps by suing the government in their local court for invading their right to privacy. Among thirty-five cases, in November 2006, the Osaka High Court judged that it was against the right to privacy and the right to informational self-determination, guaranteed by Article 13 of the Japanese Constitution, that Juki-net contained the personal information of people who did not want to be listed (Osaka High Court, 2006; Asahi, 01/12/2006). The court ordered the municipalities to eliminate the ID numbers of those that could be used as the “master key” for data-matching by administrative departments without an individual’s permission. However, in March 2008, the Supreme Court reversed this decision and decided that Juki-net did not infringe on the right to privacy, although the citizens did not agree to Juki-net, because Juki-net did not disclose the personal data to a third party (Supreme Court, 2008). The Supreme Court interpreted Article 13 as limited to the right not to have personal data

disclosed to a third party. It said “four items” on Juki-net were not sensitive data that might harm individual inner life, and had been already disclosed to certain others. It also judged there was no risk of leakage or improper usage derived from the technical and legal defectiveness.

The municipality that sought to choose whether or not to participate also got a disappointing response from the court. Suginami ward sued Tokyo prefecture and the federal government to request the admission of partial participation, which allows the municipality to send only data from citizens who agree to participate in Juki-net (Mainichi, 30/11/2007). The answer by the local and high courts of Tokyo was no. The Tokyo High Court decided that the action of the Suginami Mayor that did not send the data of all citizens was illegal. Such negative attitudes by the judicial sector facilitated compliance among the municipalities that were sceptical of Juki-net. Nakano ward and Kokubunji city connected to Juki-net in the second phase of implementation, afraid of being denounced by the government (Nakano ward, 2006; Kokubunji city, 2003). Yokohama city started to send the data of all citizens, including those who registered non-participation, to Juki-net in July 2006 (Yokohama city, 2006). The same mayor who had once practiced a partial disconnection from Juki-net declared that the security of Juki-net was now proven.

The municipalities that opposed to Juki-net lost the logical basis of protesting after the Personal Information Protection Law was passed in March 2003. The government and the court have put more pressures of “illegal” on the municipalities since then. The issues raised by Juki-net were narrowed down to technical security questions,

whether Juki-net is technologically safe enough to hold citizens' personal data. The media coverage, such as "Juki-net and Internet are connected. Problem of security remains" (Asahi, 25/08/2003) and "Anxiety about security continues" (Asahi, 09/09/2003), tended to be unverifiable as it slipped into the details of electronic technologies. The technical debate induced the opinions of technical solution and implied that new security technology could overcome the weakness of Juki-net, for example, setting up good firewalls. The technical debate resulted in seeking for perfection of security control, and so ironically contradicted the ethical criticism of Juki-net on civil rights and freedom against intervention by the state. The technical criticism misled, and, furthermore, invalidated ethical questions of Juki-net, its influence on citizenship and democracy.

Zygmunt Bauman points out that modern bureaucracy replaced the individual's ethical responsibility with technical responsibility (Bauman, 1989). To accomplish the "final solution of Jewish problem", the Nazi bureaucracy transformed technology to morality, and denied the moral significance of non-technical problem (Bauman, 1989). The individual is only responsible for technical outcomes, and is exempted from ethical meaning of its action. The public debate on Juki-net followed this direction in which the ethical responsibility was replaced by the technical responsibility, although the individual protests came out of the concerns about freedom and state control. Technical responsibility could not measure the ethical impact of Juki-net on the relationship

between the individual and the state. Rather, it weakened the logic of protest in the long term.<sup>34</sup>

Today, despite the penetration of the system, Juki-net still remains an unpopular policy among the people. Evidence is the distribution rate of Juki-card. Ignoring the unsuccessful results of the local ID card projects, the Japanese government strongly encouraged cities and towns to attach other services to the function of Juki-card and to increase the number of card bearers. According to the Ministry of Public Management, 127 municipalities used Juki-card for multi-purposes in 2007, to access libraries, automatic machines issuing copies of Koseki or the Resident Basic Register, and other public facilities (Ministry of Public Management, 2007). Yet Juki-card was only distributed to 1% of the national population. The unpopularity of the system shows that few citizens want the national ID card. It is the government and corporations that are keen to attach the ID card to the citizenry.

#### **4.5 Direct, Individualistic, and Fluid Bio-power**

Juki-net has different characteristics from the predominantly disciplinary function of Koseki as a national ID system. While Koseki is discretely stored in a municipal office, Juki-net is centralized and connected to the state: *direct*. While Koseki creates a patriarchal family and uses it as an index to search for the individual, Juki-net pinpoints

---

<sup>34</sup> In this sense, seeking participation with reserving the individual the choice of non-participation also lacks an ethical responsibility for democracy as a whole. This attitude basically accepts Juki-net as a national ID card system. It breaks the totality of Juki-net but replaces the issue to individual choice and responsibility. Municipality abandons responsibility for the citizens whose data are sent to the state, and does not argue the municipal responsibility for taking part in the national ID card system. In this discourse, it is difficult to see why the national ID card system changes the basis of citizenship, or why Juki-net is the undemocratic system.

the individual through an ID number with no mediator: *individualistic*. Thus, compared to the collective information of Koseki, to which the state has only indirect access, the state can easily process and increase the personal data retrieved from Juki-net by linking many administrative categories. In addition, Juki-card has the potential to track individual movements and expand to the private sphere: *fluid*. These three major characteristics overlap and support each other to configure bio-power that links an *anatomo-politics* over the human body and *bio-politics* over the population (Foucault, 1978). The bio-power of Juki-net transgresses the categories of the modern state systems, represented by Koseki. It inevitably affects practice of citizenship, as Koseki has characterized the subjects of modern Japan as the norm. The bio-power of Juki-net points Japan's citizenship in the direction of "societies of control", Deleuze suggests, where the individual becomes "dividual" (Deleuze, 1995: 180).

*Direct:* The state has direct access to the personal data of citizens on Juki-net. This access is unilateral. Since Juki-net is only used inside government administration, citizens have no access to the users of their information, the bureaucrats, or their own data on Juki-net. Without the junctions of municipality, community, or household, the individual becomes a direct object of the state system, though she is unaware of it. Her data are available to the state, but the state is far away from her and the data are out of her control. The direct feature of Juki-net does not aid an interactive and transparent relationship between the state and its citizens. Rather, it functions to block such communication.

This asymmetrical relationship between the state and the citizen contributes to increasing bio-power, whose supervision is effected through a series of interventions and regulatory controls (Foucault, 1978:139). The individual has no way to react to Juki-net, and the population becomes legible for the state. Bio-power concerns and invests the individual lives through and through (ibid: 139). Direct handling of personal data gives the state more ability to intervene in the individual lives.

*Individualistic:* Juki-net radically cuts off family ties to the individual, which characterizes Koseki and the Resident Basic Registry System. It is the first ID system that purely targets the individual citizen. To be individualistic, a number is the key to align and sort out mass information on the population. *Juki-net not only counts each person, it turns each one into a number.*

Unitary numbering represents bio-power in Juki-net. It represents both the individual body and the population -- Foucault suggests that bio-power links an anatomo-politics over the human body and bio-politics over the population as the biological species (Foucault, 1978). For the state, an ID number is the perfect tool to avoid double counting and no counting, and to create an inerrant chart of a population, while permitting no place to hide. It reduces a human being into a datum that can be identified, processed, and circulated without conflicting with other components of his being, such as physical and social relationships. The number has no historical or familial tie to the individual, while Koseki entails family history and relationship, such as the son or

daughter of the master.<sup>35</sup> One can see that personal data attached to the ID number on Juki-net are predominantly biological data, without social components of individuality and livelihood: like a sign on an animal in the zoo, the name, gender, age and home. Juki-net binds the ID number that represents the corporeal body to be registered and controlled by the state, with the biological history.

In turn, for the citizen, a number moors her to the totality of the state because her number is for the masses, not for herself. She starts her life as a particular number in the state's alignment, and her ID number does not have any meaning on its own, without the entire enumeration. Her number is a component of the total, not an independent entity of its own. Her Number distinguishes her from the total, but embeds her in the total. It places every individual in an order. Contradictorily, but essentially, the ID number for one is for all.

In this duality, the number links both poles of bio-power: the individual body and the mass population. It finds the individual in the mass and ties the individual to the mass. It always offers fresh biological data of the population to the state. In this mechanism, the individualistic technique paradoxically works for total efficiency of governance. Foucault later says that the modern state developed a totalizing technique over the population, rather than a disciplinary technique over individual body (Foucault, 1981: 246). The intervention in individual lives can be qualified as totalitarian because the intervention provides the state its strength, its vigour. The government must ensure the

---

<sup>35</sup> The eleven-digit ID number is randomly constituted and distributed to the citizens. In some countries, the national ID number consists of date of birth, place of birth, gender, or other personal attributes. To deny that Juki-net is the General National Back Number System, the government chose a random number which

“communication” among individuals, the common activities of individuals, for total efficiency of the state (ibid: 248). In other words, the individualistic technique is necessary for the state to accomplish a totalitarian agenda. Reducing the citizen to a number contributes to aligning the population and cataloguing it for the intervention, although it pinpoints the citizen simultaneously. The mobilization of the population during the wartime might have been easier if the state had had the unitary ID number system. The individualistic scheme of Juki-net functions as means of totalitarian intervention in the mechanism of bio-power.

*Fluid:* ID numbers and biological data of Juki-net flow on the computer network beyond the boundaries of administrative categories. The ID card may even more carry the data to the new field, as the government encourages its use for multiple purposes. There is always a drive to expand data flow. Linking with other databases, Juki-net has unknown capacity to aggregate and divide all types of “communication” among citizens. Fluidity of Juki-net certainly accelerates the regulatory mechanism of bio-power.

Gilles Deleuze foresaw in the phenomena that transforms the individual to multiple figures, the “societies of control” (Deleuze, 1995). He believed Foucault also viewed such changes as part of the process replacing a disciplinary society. In a disciplinary society:

[the] power both amasses and individuates, that is, it fashions those over whom it’s exerted into a body of people and molds the individuality of each member of that body. [... In control societies, we are] no longer dealing with a duality of mass and individual. Individuals become “dividuals,” and masses become samples, data, markets, or “banks”. (Deleuze 1995: 179-80)

---

has no meaning to the citizen. For the same reason, the citizen can replace the ID number with a new number.

Juki-net distinctly corresponds to these characteristics of a control society. Just as Koseki can mould individuals into national subjects through its patriarchal definitions, Juki-net can process individual data for many purposes. The individual is divided through “a modulation, like a self-transmuting moulding continually changing from one moment to the next, or like a sieve whose mesh varies from one point to another” in the data flow of Juki-net (ibid: 178-9). Due to its expansive nature, once it is connected to other networks, one cannot determine the end of the data flow. Networked databases are nothing but discursive machines for producing retrievable identities (Poster, 1996: 186). The electronic and digital technologies unlimitedly transfer databases’ discourses to space and indefinitely preserve them in time, traversing and cancelling the distinction between public and private or between citizen and alien. The amount of electronic personal information retrieved for identification overwhelms any paper-based information, but the individual does not notice the moment of identification, and receives only indirect evidence, such as junk mail or a pension notice.

The more a citizen’s data flows, the more categories emerge to classify her data for different analytical purposes. She can be attached new names every time her data falls into a category, such as incompetent consumer, unproductive employee, diligent student, suspicious traveler, or dissent citizen. Her identity is controlled for multiple purposes rather than enclosed and fixed for one. Fluidity allows the state and corporations, the rulers of the networks, to cultivate new categories for identities. A society of control programs and sophisticates the intervention in individual lives by bio-power.

The direct, individualistic, and fluid characteristics of Juki-net elevate surveillance over citizens to a new level. It corresponds to the “rhizomatic” practice of the surveillant assemblage, Haggerty and Ericson suggest (Haggerty and Ericson, 2000). Inspired by Deleuze and Guattari, this metaphor explains an attribute in the convergence of discrete surveillance systems. “A rhizome may be broken, shattered at a given spot, but it will start up again on one of its old lines, or on new lines” (Deleuze and Guattari, 1987: 9). Juki-net can link other electronic ID technologies, such as biometrics and CCTV for policing, as well as for marketing. One can’t imagine how one’s own personal data are cut, copied, pasted, and transferred in the ever-growing rhizomes of the ID systems. Accordingly, the integrity of a person is fragmented, and the outline of the individual body blurs in the data flow (Van der Ploeg, 1999, 2001). The body is broken down by being abstracted from its territorial setting, and then reassembled in the different settings.

we are witnessing the formation and coalescence of a new type of body, a form of becoming which transcends human corporeality and reduces flesh to pure information. Culled from the tentacles of the surveillant assemblage, this new body is our ‘data double’, a double which involves ‘the multiplication of the individual, the constitution of an additional self’ (Poster 1990: 97). Data doubles circulate in a host of different centres of calculation and serve as markers for access to resources, services and power in ways which are often unknown to its referent. (Haggerty and Ericson, 2000: 613)

The rhizomatic process of data and ceaseless modulation of identities, citizenship is not only a matter of rights to the state. Citizenship interfaces with other domains of individual life and becomes a basis of identification for other domains, such as banking, renting, schooling, and working. Nikolas Rose points out that, today, one is obliged to

“continuously and repeatedly evidence one’s citizenship credentials as one recurrently links oneself into the circuits of civility” (Rose, 1999: 246). In order to access social resources, services and power, the securitization of identity is imposed on the individual. Taking the unique advantage of covering all citizens under the authority of the state, Juki-net attempts to be a hub of the ID systems as the single resource of citizens’ identities. The ID number of Juki-net can be any basis of accumulated and divided various kinds of information. Juki-net facilitates the society of control, and the society of control rationalizes Juki-net as the ultimate authority over identity. Juki-net may be self-perpetuating in this way: fragmenting, converging, securitizing, and monopolizing citizens’ identities.

Simultaneously, citizenship is surrounded by electronic eyes that monitor different domains of the individual life. The surveillance assemblage watches over the movements of citizens omnipresently and transforms them to the data. If the citizen, who is a counter-entity to the state in a democracy, is no longer the individual but “dividual” in the limitless data flow, so may be the citizenship. *Direct, individual, and fluid surveillance of Juki-net will excavate the totality of the subject as citizen and the active practice of civil rights. A society of control renders the foundation of citizenship fluid, too.*

Juki-net will replace Koseki as the main scheme of the national ID system. Juki-net is better at capturing individual movements and processing data on the population for multi-use as the technique of bio-power. However, this does not mean that Juki-net will diminish the norm of Koseki. Rather, *Juki-net reinforces the boundary Koseki draws between being inside and outside of citizenship, because drawing boundary is already the*

*technique of bio-power*. Koseki's boundary has been efficient for regulatory control of bio-power. In fact, the data on Juki-net are consistent with Koseki and used for the same administrative purpose as Koseki. Koseki has excluded foreigners and former colonial natives from citizenship, labelled women and children outside of institutional marriage as second-class citizens, tracked the feudal classification of bloodline, homogenized racial and ethnic minorities, and repressed disloyal citizens. So will do Juki-net. These modern and colonial categories remain in the data flow of Juki-net.

Furthermore, the direct, individualistic, and fluid surveillance of Juki-net can more efficiently classify those categories of people than Koseki. It can attach one category to another, for example, disloyal woman outside of institutional marriage. The more widely circulated the categories, the more real they become. In this way, Juki-net may duplicate discrimination against those people already under scrutiny by Koseki. On the norm of Koseki, bio-power of Juki-net will construct never-ending scrutiny realizing society of control. The modern and colonial legacy of Koseki and Alien Registration is resurfaced and controlled in surveillance assemblage Juki-net belongs.

#### **4.6 Discussion of Identity Politics**

I have examined above how the national ID card systems of Koseki, Alien Registration Card, and Juki-net have classified the populations to be used by the state, in the mechanism of discipline and bio-power. But I have hardly discussed what was identity, the exact objective of the ID systems. What is the impact of the national ID card system on the individual identity? If the national ID card system is a technique of bio-power, it may also produce identities. How does the national ID card system produce the

identity of an individual, and how does it relay subjectivity? In this section, I first introduce the theories pertaining to identity and explain how identity is constructed through interplay between the individual and social settings. Then I discuss what types of identities the currently proposed national ID card system attempts to construct in the individual. This discussion is not limited to Juki-net, rather focuses on the contemporary national ID card systems as a whole, that can connect each other as surveillance assemblage. As I mentioned in Chapter One, the current national ID card systems emerge more decisively as security apparatuses in the post-9/11 context and scrutinize people as risk. Thus, I particularly argue what the binary categorization of “terrorist” and the “innocent” bring about in our identities.

#### **4.6.1 Identity, Ideology, and the Subject**

Several theorists, whose work is not often seen together, provide important insights to understand the relationship between identity, ideology, and the subject. The following discussion is grounded not on the disagreements between the positions, but on what they offer to the debate.

I put in the previous section that Juki-net fragments, converges, securitizes, and monopolizes people’s identities. But Richard Jenkins suggests that we should only talk about “identification”, rather than identity, if we are keen to avoid reification (Jenkins, 2004: 5). Identity can only be understood as an interaction between the individual and her social settings. When an individual identifies herself with others, she must specify how she is similar to and different from the others (Hall, 1996). Categorization and identification are interdependent in process. Against the intrinsic image of the word,

identity is produced and reproduced by individual interaction in institutionalized contexts (Jenkins, 2000: 14). As Goffman says, we spontaneously manage self-identity in everyday presentation that depends on the situations and deeply relies on language (Goffman; 1959). Expressing identity is somewhat like acting. One ignores and exaggerates particular similarities to and differences from the others. But this process is subconscious. Why?

Many sociologists, including Gorge Herbert Mead, Charles Horton Cooley, and Ian Hacking, suggest that “the self” is socially constructed (Mead, 2004; Cooley, 2004; Hacking, 1999, Burr, 1995; Berger and Luckmann, 1967). Social constructionists put an emphasis on institutional settings rather than on individual choice as reasons for identity. Mead radically put it, “The self, as that which can be an object to itself, is essentially a social structure, and it arises in social experience” (Mead, 2004: 31). Identity embodies a social structure that the individual experiences herself from the general standpoint of other individual members of the same social group. But this structure is experienced only indirectly, not directly, Mead carefully notes. Thus, this experience does not bring special attention to her and often appears natural. Social institutions embedded with the experience are appropriated and incorporated deep within the self. In other words, the institution conceals the process of constructing the individual identities afterwards.

Louis Althusser described the mechanism of the self arising as the social structure, in Mead’s words, as a model of “interpellation” (Althusser, 2001). In “Ideology and Ideological State Apparatuses”, Althusser addressed the mechanism as a question of reproduction: how a power reproduces the workers who adapt themselves to the existing

systems. He finds that the state has the Ideological State Apparatuses (ISAs) in addition to the State apparatus (SA), which Marxist classics have defined as predominantly repressive.<sup>36</sup> The SA contains the government, the administration, the army, the police, the courts, and the prisons, which function through the threat of violence. The ISAs consist of religious, educational, family, legal, political, trade union, communications, and cultural institutions. Despite the diversity and contradictions among them, ISAs are assumed to massively function through the ideology of the ruling class.<sup>37</sup>

In the practice of ISAs, first, “*Ideology represents the imaginary relationship of individuals to their real conditions of existence*” (Althusser, 2001: 109). Because no one can recognize oneself on her own, the individual interprets oneself through her relationship to the world, like Mead’s self, arising from social experience. The ISAs suggest to the person ways of interpreting the world. At this point, ideologies are in an imaginary form for the individual. Later, “*Ideology has a material existence*” through the individual’s response to the world based on the ideological interpretation conveyed by ISAs (ibid: 112). Ideology is absorbed into the individual’s actions and then emerges with a material existence in reality. At the same time, the individual retains the subject, which recognizes the world and acts on its own. Therefore, “there is no ideology except for concrete subjects, and this destination for ideology is only made possible by the subject: meaning, *by the category of the subject and its functioning*” (ibid: 115, emphasis in

---

<sup>36</sup> For Althusser, it was an urgent practice of “symptomatic reading” of Marx to distinguish the Ideological State Apparatuses from the classical State Apparatuses (Althusser and Balibar, 1968; Imamura, 1997).

<sup>37</sup> Althusser put that all ISAs work for the same “ruling ideology”, but one should examine how different ISAs relate to each other and work together because each ISA has a different discourse. For example, the media usually do not support the government, rather, they often criticize it, when they are not censored. But the media often share the dominant discourse with the government in a different way. They are not forced

original). On this second stage, the individual stands on a boundary whether she embodies the material existence of ideology or not, i.e., whether she retains her subject of ruling ideology or not.

I shall then suggest that ideology ‘acts’ or ‘functions’ in such a way that it ‘recruits’ subjects among the individuals (it recruits them all), or ‘transforms’ the individuals into subjects (it transforms them all) by that very precise operation which I have called *interpellation* or hailing, and which can be imagined along the lines of the most commonplace everyday police (or other) hailing: ‘Hey, you there!’

Assuming that the theoretical scene I have imagined takes place in the street, the hailed individual will turn round. By this mere one-hundred-and-eighty-degree physical conversion, he becomes a *subject*. Why? Because he has recognized that the hail was ‘really’ addressed to him, and that ‘it was *really him* who was hailed’ (and not somebody else). (Althusser, 2001: 118)

When he affirmatively responds to the interpellation, his subjection to the Subject of ideology takes place. He resonates to the Subject of ideology and retains his subject. Subject here has dual meanings: subject as a free agency which is author of and responsible for its actions, and as a subjected being who submits to and is identified by a higher authority. The ideology and the subject constitute material existence together, where identity and identification coalesce through subjectification of the individual to the ruling ideology. The subject of the individual is produced through interpellation.

There are critiques that Althusser’s doctrine of ideology allows little room for freedom for the subject, as the author of its action (Hall, 1996; Butler, 1997), when he says “individuals are always-already subjects” (Althusser 2001: 119). Paul Hirst criticizes that an individual doesn’t have the faculty to respond to ideology and recognize the world

---

to do so, but they are willing to conform at some points. The ruling ideology does not seem to operate directly over various ISAs.

in the interpellation, if he is not a subject yet (Hirst, 1979: 65). There must already be a subject to support the process of recognition.

It seems impossible to answer Hirst's question about where we retain the *original* subject to recognize the world. But his question reminds us that interpellation comes from various ISAs in everyday life and that the individual reacts to it and expresses her subjectivity through repetition. Constructing the subject is also a process.

This productive attribute of ISAs overlaps that of bio-power, which does not only repress but produces category. Judith Butler explains the constitution of the subject based on discursive performance. In her book *Gender Trouble*, Butler ardently illustrates how gender identity is performatively and repeatedly constructed with every expression of gender by the subjects in compulsory heterosexual apparatuses (Butler, 1990: 34). There is no original gender identity before the gendered society is established. Heterosexual society interpellates the subjects, whose performance of gender constitutes gender identity. Moreover, sexuality is neither free from heterosexual interpellation, nor gender identity. The categorization between "sex" and "gender", where sex means biological and anatomical difference while gender refers to social and cultural, indicates that sex is naturally and absolutely determined prior to gender. Contrary to feminist intent, the category of gender instrumentally functions to establish and naturalize the category of sex in this dichotomy. Butler addresses how persistently natural scientists have defined sex as singular by a one-time determinant, such as concentrating on the concept of the "master gene" of femaleness, prior to discursive factors (ibid: 148).

The tactical production of the discrete and binary categorization of sex conceals the strategic aims of that very apparatus of production by postulating "sex" as "a

cause” of sexual experience, behavior and desire. Foucault’s genealogical inquiry exposes this ostensible “cause” as “an effect,” the production of a given regime of sexuality that seeks to regulate sexual experience by instating the discrete categories of sex as foundational and causal functions within any discursive account of sexuality. (Butler, 1990: 32)

Power discursively produces subjects, and subsequently represents them. This explains why many individuals seem to voluntarily support the existing system, even when the system does not benefit them. This process of becoming a subject is politically concealed and publicly forgotten, where the reverse of “cause” and “effect” arises. The subject is seen as the cause of the institution, not as the effect.

By constituting the subject through categories, bio-power achieves the smooth control of the population. As Althusser says, there is no system except for concrete subject (Althusser, 2001: 112). In addition, Mary Douglas suggests that binary category is a means of creating social order (Douglas, 1966). This anthropologist analyzes how the dichotomy of purity and impurity in rituals creates unity in experience.

[S]eparating, purifying, demarcating and punishing transgressions have as their main function to impose system on an inherently untidy experience. It is only by exaggerating the difference between within and without, above and below, male and female, with and against, that a semblance of order is created. (Douglas, 1966: 4)

Boundaries are politically constructed for bringing order to experience. The self arises through these tidy experiences, to add Mead’s words, and that is why the self reflects the social structure. Binary distinctions of “inner” and “outer” along a boundary stabilize and consolidate the coherent subject as well as the system. Expulsion and repulsion of the “outer” consolidates the identities of the “inner”. The external boundary

is never established only by material entities, but by a symbolic understanding of the limits of the social order.<sup>38</sup>

In sum, identity is constructed through the interaction between the individual and social institutions. It is also the process how individual obtains the subject. As described in Althusser's model of interpellation (2001), when the individual admits the category of the subject defined by the institution, her subject emerges. In that moment, identification by the institution turns into identity of the subject. The subject corresponding to the institution is necessary for the power. In this sense, the subject is the social structure, as Mead says (2004). Butler (1990) and Douglas (1966) indicate that what we believe as substantial, the category of biological sex, or the coherent subject, is not free from effect of discourse.<sup>39</sup> As a discourse of the category emerges, the people fall into the category (Hacking, 1986). *Categorization is a powerful means of constituting the subject and of*

---

<sup>38</sup> Interestingly, Douglas finds that the body is a model which can stand for any bounded system. She suggests that bodily boundaries can represent any boundaries which are threatened or precarious, and boundaries are always seen as threatened because they are adjacent to "outers" (Douglas, 1966: 115). The orifices of the body symbolise its especially vulnerable points (ibid: 121). Orifices are adjacent and open to one another, and they exchange the "outer" and "inner" worlds. Therefore, all margins in social systems are also considered dangerous, and all social systems are vulnerable at their margins. The power structure is concerned about and invested in control of the margins, where boundaries are continuously redefined. Douglas's suggestion of margins is consistent with Agamben's concept of the threshold between the law and state violence. Bare life is thrown onto the threshold between inclusion and exclusion and ruled by lawful sovereign violence (Agamben, 1998), just as Koreans and Chinese in Japan were once categorized as national subjects of the emperor state and later abandoned as alien. They are continuously redefined but consistently put under intensive surveillance.

<sup>39</sup> If the contours of the body are neither substantial nor eternal but arbitrary, so may emotion be. The U.S. Secretary of Homeland Security, Michael Chertoff, commented that fingerprinting identification for foreign travellers is minimally intrusive and respects their privacy (Vancouver Sun, 2007). He is not among the ones whose fingerprints were taken at the U.S. border, but he defined how they should feel: not intrusive. Although this controversial remark was met with serious critiques by experts after he left the conference, such discourse is an example of how the state attempts to create a social experience for the people, and what kinds of subjects the state wants to construct in feeling, understanding, and supporting the system. Bodily and emotional experiences are also constructed in social settings. Perhaps in a few years, people will feel that fingerprinting is a respectful way to secure privacy.

*maintaining a social order. But this cause of the subject is concealed and appears as effect of the subject in the productive attribute of bio-power.*

#### **4.6.2 No Terrorist, No Innocent.**

Applying these theories to the national ID card system as security apparatus, what can we see as the category of the subject?

Typically seen in the U.K. scheme, the current national ID card system is expected to find “terrorist”, “illegal immigrant”, and “identity theft” (Home Office, 2005). Accordingly, it produces such categories as the “innocent” or “terrorist”, “citizen” or “alien”, and eventually “desirable” or “undesirable” (Lyon, forthcoming). People obtain their subject by falling into these categories. As most people identify themselves as the “innocent”, the system represents those innocents. Under these binary categories, the category of “terrorist” seems caused by the system. It seems to have existed prior to the national ID card system and its categories. But is the category of “terrorist” really substantial?

As social constructionists suggest, “terrorist” or the “innocent” do not exist naturally in the self, and it is impossible to draw a clear line between people whose selves are always in process. Similarly, there is no “terrorist” or “innocent” subject, prior to the institution that produces those categories. Identity is constructed through the repeated performance responding to the institution. The identification of “terrorist” or “innocent” cannot be completed without “terrorist” performance or “innocent” performance.

In this sense, the national ID card system cannot capture the “terrorist” because its identification scheme has nothing to do with the bearer’s action (and her action is free

from any assumptions until the final moment). Furthermore, the national ID card is dangerous because it institutionalizes the compulsory categorization of the subject and conceals the political “effect” of categorization as a “cause”. There are a number of empirical reports about how the national ID card system is inefficient at preventing “terror”.<sup>40</sup> But I theoretically mean here that the category of “terrorist” has no material existence in the national ID card system, so it is inefficient for the real world. The binary categories of “terrorist” or “innocent” are ideological and imaginary. Yet the national ID card system reifies the binary categorization and rationalizes it as the cause of the “war on terror”, instead of as its effect.

This is of course not to say that “terror” does not exist. But I argue that the category of “terrorist” is provided by the system and that there is no “terrorist” prior to the action, in the sense of Nietzsche’s word. “There is no ‘being’ behind doing, effecting, becoming; ‘the doer’ is merely a fiction added to the deed—the deed is everything.” (Nietzsche, 1969: 45) If identification is rigorous, finding someone as “terrorist” must entail the deed of “terror”. In fact, few are willing to fall in this category although category has a power to produce the subject. The category of “terrorist” exposes the imaginary personage and fictitious fragility. However, in order to hide the arbitrariness of the categorization, the powers attempt to fill in the empty box of “terrorist”.

Finding the undesirable individual is not an imaginary, but a real obsession of power. It is not difficult to recall that thousands of people, mainly Muslim males, were

---

<sup>40</sup> Many report there are technical problems of false positive and negative recognition of biometric identification systems. Others point out that the system can never identify “first-time terrorists” or a suicide bomber who does not have a suspicious prior record. Although the U.S. army has introduced strict

falsely arrested and detained in the United States after 9/11 (Webb, 2007). The police victimized many people in anti-terror investigations, not only in the U.S., but around the world. We should not forget Jean Charles de Menezes, who was killed by police in London under an anti-terrorist campaign in July of 2005 (BBC news, 25/07/2005; Jean Charles de Menezes Family Campaign).<sup>41</sup> In Japan, a Bangladeshi businessman and permanent resident, Islam Mohamed Himu, was arrested in May 2004, under the charge of forging a registry of a company he invested in, but suspected of relating to Al Qaeda. After forty-three days in custody, law enforcement released him, having found no relationship to Al Qaeda. But he lost his business and his ties to the community. Humu sued some news agencies that had reported that he was a senior member of Al Qaeda, and he won compensation (Huq, 2006). But the erroneous investigation by the police has never been socially rectified. Why were those people victimized? It is not because of their deed, but because of the category of “terrorist” that raises the target of suspicion.<sup>42</sup>

---

biometric identification targeting the local population in Iraq and Afghanistan, the “terrorist” action, the armed resistance, has never stopped.

<sup>41</sup> A 27-year-old Brazilian man, Jean Charles de Menezes, was shot dead in the head by the Metropolitan Police on the London underground on July 2005. He was suspected of involvement in the London bombing of the same month, but turned out not to be connected with it. The police originally reported that he acted suspiciously: wearing a padded jacket, and that he ran when challenged, even vaulting over the ticket barriers. But the later report admitted that he wore only a light denim jacket, used his travel pass to enter the station, was not challenged by police, and appears to have been unaware of being followed until after he entered the train. Then, why was he shot? The only reason speculated is that the police believed so much that he was a “terrorist”, they were blind to any other elements, his behaviour, the due process of law, or the need for shooting, once he was categorized as a “terrorist” suspect. This tragedy is not just mistake, but shows how a category gives a completed picture of the person prior to the evidence of the deed. The same structure of police violence has been repeated around the world. A 40-year-old Polish immigrant, Robert Dziekanski, was shot by the Royal Canadian Mounted Police with a Taser within 25 seconds of their arrival, and was dead at the Vancouver International Airport on October, 2006 (CBC, 15/11/2007). Maureen Webb’s *Illusions of Security* (2007) introduces many cases in Canada and the United States. Among them, five Canadian citizens were detained and tortured in Syria at the request of the RCMP in cooperation with the Federal Bureau of Investigation in the U.S.. Those Muslim men were suspected of relating to Al Qaeda, but turned out to have no relations with it.

<sup>42</sup> Potentiality is another word for deed in police operations today. Electronic technologies support these operations. The enormous amount of personal data retrieved by networked databases offers ostensible

While none would identify themselves as “terrorist”, the national ID card system fails to construct and capture “terrorist”. However, while most or all identify themselves as “innocent”, the national ID card system constructs the view of innocent to the self, and the view of “terrorist” to the Others. As Douglas suggests, dichotomy secures social order and consolidates the subject, by generating “inner” and “outer” along with the boundary (Douglas, 1966). *Although the national ID card system fails as a security apparatus of finding a “terrorist”, it can succeed as a security apparatus of reinforcing a social order.*

Binary categorization threatens the individual and reduces her into an expected subject. This type of politics inevitably brings conformism to individuals who are rushing to obtain desirable identities for power. Any elements in the innocent category that are deviant in appearance, behaviour, and personal record, immediately fall into risk and are eliminated. People support this exclusion because deviance secures their own identity of innocent. The category of “terrorist” reinforces the subject of “innocent” in dichotomy. From the innocent point of view, the world is polarized between “innocent Us” and “dangerous Others”. Conflict and resistance in Iraq and Afghanistan are reduced to “terrorist” actions, without the cause of global politics. Furthermore, this division of Others from Us is used to justify the violence to the former (Bauman, 1989). Compulsory categorization divides the population and rationalizes violence toward Others. Such innocent view, bind to effect of categorization, is far from the understanding of human as a process. The National ID card system facilitates conformism to the dominant category of the subject, and Othering.

---

rationality for this irrational leap from potential to real. Although risk remains a potential, before they can commit a dangerous deed, the “suspicious” people have to be eliminated.

Though many people make efforts to identify themselves as “innocent” or “desirable”, Butler’s inquiry into gender politics suggests that no one can completely become “innocent” or “desirable” in the national ID card system. Butler shows that because the category of woman is constructed in every performance of femininity, and it is never substantial, it is never possible to ultimately become a “woman” (or “man”) (Butler, 1990, 1993). “Gender is the repeated stylization of the body, a set of repeated acts within a highly rigid regulatory frame that congeal over time to produce the appearance of substance, of a natural sort of being” (Butler, 1990: 45). The category of “innocent” or “desirable” is not either substantial like that of the opposition. One can *act* as an “innocent”, but can never finally *become* an innocent.

In turn, acting opens up a possibility of resistance to the national ID card system. In the interpellation model, it is a crucial moment when the individual decides whether to make a one-hundred-and-eighty-degree physical conversion to the voice of “Hey, you there”, in terms of subjection to the Subject. It is difficult not to turn around to the voice because the hail is often both punitive and produced by an officer of the Law, at least in the case of the national ID card system. Yet, the turn affects one’s subjectivity as an inquiry into identity. Turning is a self-reflexive moment because, “The turn toward the law is thus a turn against oneself, a turning back on oneself that constitutes the movement of conscience” (Butler, 1997: 107). According to Althusser, this subjectification is *misrecognition*, a false and provisional identification of the Subject. The movement of conscience should be theoretically illuminated and publicly verbalized because it may expose a crack of misrecognition between identity and identification, that is,

misconstruction of the subject. It may disclose an individual's mismatch between identity and identification, which is believed to be an essential unity of the individual.

A strong resistance developed against the movement of conscience during the anti-fingerprinting actions around the Alien Registration System. There were a variety of reasons why foreigners did not want to be fingerprinted by Japanese officers. One felt that he was disrespectfully treated like a criminal. Another did not want to support the remnants of a colonial policy. And another protested the Alien Registration System itself. Each reason for refusal came out of the individual movement of conscience to the ideological hail from the system. The refusers did not agree to give themselves to the Subject of the system, indeed, it was the Ideological State Apparatus of Japan that categorized foreigners as dangerous. The refusers did not identify themselves as part of a category the state defined as targets of surveillance. The hail from the system was harshly punitive, but thousands of foreigners took action as part of a massive movement of self-reflection. Resistance may have arisen from the crack where identification did not transform into identity.

Therefore, the moment of reacting to the hail is important to guarantee as a political right for individual freedom. Because refusal is difficult and less possible (not impossible), the moment is even more precious. Yet individual reaction to the national ID system is often ignored, underestimated, or suppressed, as the Ministry of Public Management ignored the people who refused to receive the notice of the ID number of Juki-net. Moreover, we can see a new state strategy to block citizen reaction to Juki-net: Juki-net institutionalizes an extreme reduction of individual involvement in the

identification process, since its “black box” of personal data is kept deep inside the administration.

Identification takes place without involving the individual in networked databases. Mark Poster concludes, “Interpellation by database is a complicated configuration of unconsciousness, indirection, automation, and absentmindedness, both on the part of the producer of the database and on the part of the individual subject being constituted by it” (Poster, 1996: 187). But interpellation is less likely to occur on networked databases (Simon, 2005). The bureaucrat does not have to hail the individual on-line, and the database answers yes or no without passing the hail to the individual. The individual cannot count on the movement of conscience or the moment of hailing to make a claim in the case of a problematic identification. And despite the enormous amount of information being processed, the computer networks essentially shut out individual involvement and subversive reaction. Possible mismatches between identity and identification are not exposed. Without flesh and blood reactions from individuals, the personal data in the system just support the self-prophecies of the computer networks that continuously produce data double.

Identity is discursively, and performatively constructed. There is no singular or final identity of any individual in nature. Therefore, it is impossible to establish the singular and final institution of identity/identification. Japan’s latest national ID card system, Juki-net, promises to fail in this sense. It cannot enclose the subjects of citizens in the arbitrary categories of desirable or undesirable for the state, because the subjects

transform in time and space. No one wants to fall into the category of “terrorist”, and no one can become “innocent” finally. Juki-net “dysfunctions” as a security apparatus.

However, compulsory categorization reinforces social order, facilitates political conformism, and produces the subjects of citizens that support the national ID card system. Electronic surveillance excavates active practice of citizenship. These conditions set a society in the direction to totalitarian principle of bio-power. The bare life in the margins of the Japanese society have been already threatened by excessive scrutiny in modernity and colonialism, in terms of ethnicity/race, class, culture, and gender. The direct, individualistic, fluid Juki-net sophisticatedly reinforces the social sorting. It is not enough to await the intrinsic collapse of the national ID card system. It is necessary to refuse to be classified into compulsory categories, including refusing the ID number, and to revive interpellation, and bring transparency and interaction to the flow of personal data. A person’s identity is an ever-lasting performance, not determined – though it cannot but be influenced -- by the national ID card system.

## Chapter 5

### Conclusion: Troubles Continued

I have examined the three present national ID card systems in Japan genealogically: Koseki, the Alien Registration, and Juki-net. To conclude this project, I present an overview of my findings with summarizing the history of the three systems. By this overview, I explain how the three systems altogether function in the subject, and why the national ID card system have continued in the transitions of political regimes.

Japan's national identification system was born as soon as the first sovereign state was established in the seventh century. It was first compiled as the lists of properties of the emperor. His people were recorded so as not to be lost as a national resource that would increase his prosperity. They were bound to the land to produce rice, which constituted the country's economical and political structure, and they were not allowed to leave their given land. This feudal characteristic of early registration did not change until the nineteenth century. Movement was basically outlawed and viewed suspiciously, as an escape from one's economical duty and social order. The sovereign state's power was grounded in the stability of the population. The national registration system was the means by which the state repressed movement in order to maintain the economy and the social order.

This prohibition on movement drastically transformed to acceptance on movement in the building of the nation-state. Beginning in the 19<sup>th</sup> century, modern registration became the means of allowing movement for the economy, and of tracking it

for the social order. Lawmakers and bureaucrats who created the modern system may not have been fully aware of this radical change, because the Koseki system reshaped the feudal warrior's tradition of patriarchy for the general population and established a social order based on patriarchy. Koseki focussed on binding people through hierarchy. So Koseki did not directly promote movement by the population. But regardless of its intent, the modern economy demanded free labour, and the Koseki system allowed people to move, following a long tradition of banning movement. Koseki played a significant role in developing the modern capitalism in Japan. I discovered this demand and acceptance of movement to be the origin of the *modern* national ID system.

Yet, people were still caught in a patriarchal web, so that they wouldn't become lost property to the emperor. Koseki set up intensive surveillance around the individual, using the human gaze of the family. The patriarchal model of Koseki contributed to mold the individual into a national subject for the emperor. In this sense, Koseki has been a foundation of the emperor state system materially and morally. It constructed the national identity of "Japanese" by repressing diversity of race, ethnicity, culture, and class among the population. As with the imagined unity of the Japanese, Koseki was part of the social underpinning that produced subjects who were willing to serve the emperor and support imperial wars with no fear of death. Japanese fascism of the twentieth century, inevitably configured by imperialism and militarism, could not be realized without systematizing individual loyalty and docility to authority, especially the state. Koseki came to represent the Norm of modern Japan, disciplining subjects to be faithful to the social hierarchy.

While the “Japanese” were constructed as part of nation-state building, the *Others* were also formed. Koreans and Chinese, who were supposed to be new members of the empire, were exposed to the new surveillance technique and to a harsh homogenization policy. Japanese suspicion of the “enemy-within” generated the first national ID *card* system in Japan. In the colony of “Manchuria” and on the mainland of Japan, the card enabled the direct monitoring of individual movement. The colonial ID card systems were the means of restricting the movements of suspicious populations, but at the same time mobilizing citizens to contribute to the national economy. Compared to Koseki’s passive approach to allowing movement, the colonial ID card systems used surveillance to activate the population as a labour force. The state and corporations made a lot of money from forced labour and slave labour under this condition. Foucault’s concept of bio-power overtly emerged over Koreans and Chinese of that time; it does not merely take life, but invests life through and through until the point of death (Foucault, 1978: 139).

The colonial ID card systems collapsed in 1945, along with the Japanese Empire. The modern patriarchy framed by Koseki was also dismantled, due to its contribution to the emperor system. However, as Japan became democratic, both systems remained. Koreans and Chinese who stayed in Japan after the war were unilaterally detached from Japanese citizenship and officially labelled as the *Others* in the post-war system. The Alien Registration Law institutionalized the national ID card system as the first statute, and it has required *Others* to bear the ID card until today. Koseki was reformed for the nuclear family, but it reserved the patriarchal concept of family, rather than replacing the individual registration system. Koseki still stigmatizes women and children who are

outside the institution of marriage, as well as people whose ancestors were classified as Untouchables under feudalism.

Why was the national ID card, which played a significant role in the colonial monarchy, not terminated at the end of the colonial regime? Why was the colonial technique of the national ID card system allowed to continue and was even officially legislated in democracy? What does the continuation of an ID card from imperial colonialism imply about our present democracy?

Bio-power draws and redraws the line that distinguishes inside from outside the law: defining who is included in and excluded from the law (Agamben, 1998). The regulatory control of bio-power produces different laws for different targets, as needed to strengthen sovereign power. Bio-power uses the law, but does not respect the law. “Government is defined as a right manner of disposing things so as to lead not to the form of common good, but to an end which is ‘convenient’ for each of the things that are to be governed” (Foucault, 1991:93). Therefore, the state corresponds to a society controlled by a security apparatus, using extensive and competing frameworks against the law but behind the law. The security apparatus draws the boundary of citizenship in disguising the laws. Koreans and Chinese were categorized as national subjects with Japanese citizenship until 1945, but changed to “aliens” in notification by Ministry of Justice in post-war democracy. The first category forced them to work for the imperial wars under their duty as loyal citizens, and the second category abandoned them outside of the responsibility of the state. For the best use of the population to strengthen the sovereign power, bio-power disposes life through and through.

Koseki and the Alien Registration System constitute the boundaries of citizenship for each person on the inside and the outside. This includes citizens who are protected against the direct operation of sovereign power under the law. Excluded are *bare life* thrown to the “state of exception”, by Agamben’s words (1998, 2005). The law is indistinguishable from state violence in the state of exception, which is defined by the sovereign power as existing outside of the law. It is lawful violence. The colonial requirement of the ID card became legal once “aliens” were defined as outside of citizenship. This problem of arbitrary categorization cannot be solved democratically, since the state holds ultimate power to constitute a state of exception. Others can be undemocratically treated in a democracy. Moreover, Others are necessary for the state to maintain the foundation of state violence inside the state system. This structure has been essential to nation-states, be they monarchic, colonial, fascist, or democratic. The colonial feature of the national ID card was transformed to monitor Others under democracy. Koreans and Chinese who became non-citizens overnight were officially attached to the ID card under democracy, although they were liberated from Japanese imperialism.

Therefore, bio-politics has become explicit around the boundary where state violence and the law work together. As Douglas suggests, the state sees the margins of its boundary as dangerous and develops security apparatuses to watch over it (Douglas, 1966). The national ID card system is one of those techniques. Now it is spreading to citizens, not only to *Others*. Bio-power extends the technique of intensive surveillance toward citizenship. It implies generalization of the state of exception in democracy. Bio-power transcends democratic laws and excavates citizenship. It implies more intensive violence in the marginalized population. Thus, Agamben, who sees the Nazi

extermination camps as a modern-day bio-political paradigm, says, “Today politics knows no value (and, consequently, no non-value) other than life, and until the contradictions that this fact implies are dissolved, Nazism and fascism—which transformed the decision on bare life into the supreme political principle—will remain stubbornly with us.” (Agamben: 1998:10) *Through Koseki and Alien Registration Card System, Japanese colonialism and fascism remain within our democracy.*

Against the dominant discourse, the national ID card, the alleged evidence of being a citizen, does not represent citizenship which protects the individual by law and right. Rather, it represents the threshold where sovereign violence operates as law. It represents abandonment rather than the application of law. It represents exclusion, rather than inclusion, more precisely, exclusive inclusion (Agamben, 1998). It virtually resembles citizens in bare life. In other words, *the national ID card system widens the threshold between state violence and law in democracy. It generalizes the relationship between bare life and the sovereign in democracy. It brings virtual totalitarianism that continues to dispose of individuals for the total benefit of the state.*

Juki-net adapted the colonial technique for governing Japanese citizens by extending the use of the Alien Registration Card System to inside the country. Juki-net works on the Norm of Koseki in terms of classifying citizens, and its electronic eye reinforces the classification. However, the electronic capacity for networking may produce more than Koseki’s predominantly patriarchal categories. Leaving Koseki’s collective human gazes, this national computer network directly and individually captures the movements of the citizen: where she has been and when. Moreover, it has

interoperability with non-administrative information about citizens. Juki-net can connect to databases for policing, or Juki-card can record one's shopping history. The fluid competence of Juki-net allows the government and corporations to track and use the individual for possible categories beyond Koseki's patriarchal categories.

If bio-politics is the politics of defining a boundary, the direct, individualistic, and fluid technique of Juki-net will certainly facilitate bio-power in drawing and redrawing boundaries around citizens. They reflect the emergence of a global surveillance assemblage. Japan's new biometric immigration system requires foreign travellers to fingerprint and photograph at ports of entry. And the Alien Registration System has been collecting familial information resembling Koseki since the abolishment of fingerprinting. So together, these national ID systems -- Koseki, the Alien Registration, Juki-net, new biometric immigration system, and probably biometric passport, too -- can compose an overview of the entire population. On this map, the distinction blurs between inside and outside against state intervention. Bio-power enlarges its freedom to exert regulatory control over the population by drawing arbitrary boundaries.

Deleuze's "societies of control" arises on this horizon of continuous classification, where the individual is put under "free-floating control" and becomes "dividual" (Deleuze, 1995). Personal data flows unlimitedly in space and indefinitely in time on the digital network. The further the data flow, the more categories follow. Individuals are continuously changed into data, and its integrity is fragmented. In this "universal system of deformation", social constructionists would ask how the subject is constructed. They suggest that the self is constructed in interaction with social settings (Jenkins, 2004;

Mead, 2004; Cooley, 2004; Hacking, 1999). The individual constructs the self through recognizing similarity/inclusion in and difference/exclusion from others. The state system classifies individuals and imposes categories on them. The subject is constructed in how the individual responds to the imposed category. It is difficult not to fall into a compulsory category because the category is a name given to the individual to be socially recognized. The refusers of compulsory categories are usually punished, just as the refusers of fingerprinting in the Alien Registration Card System were. So, how does new capacity of Juki-net, representing the current digital ID system, affect our structure of the subject?

In a society of control, as the national ID card system divides the individual to “dividual”, it floats the foundation of citizenship. When the subject appears in a category and subsequently represents the category (Hacking, 1986; Butler, 1990), the national ID card system will produce people who are categorized “desirable” and “undesirable” as citizens. And the “desirable” represents the national ID card system. In fluidity of categorization, perhaps, many versions of “desirable” and “undesirable” are classified and constructed for new social order of global capitalism.

I cited Engels at the beginning of this thesis that the state is evil at best (Engels, 1952). The repressive state system survived, despite changes of regime, and so did the national ID card system. I do not change my original hypothesis that answered yes to the question of whether the national ID card system, as implemented by democratic government, has essential characteristics that harm individuals. However, with the results

of the present national ID card system,<sup>43</sup> I find the reason for my answer not in the rule by one class, rather in the rule by power that produces the subject who represents and supports the status quo. It may be one class (which depends how to categorize one), or the some interest groups that *initiate* the national ID card system, like “card cartel” (Lyon and Bennett, 2008). But other classes or groups outside of interests also willingly or unwillingly *support* it through obtaining the subject from the ID card system. *There is no completion of any system without involving the subject. The national ID card system is evil not only in repressing people through compulsory categories, but also in producing the subject of the categories for a social order.*

Therefore, for resistance, it is important not to let the subject fall into a compulsory category. To prevent the fall, the model of interpellation is profound (Althusser, 2001): first, interpellation must occur as a political right between the state and individual in the identification process, because networked databases often omit this individual involvement. Second, the conditions of interpellation should be critically examined, because reduced and punitive hail of “Hey, you there!” makes it extremely difficult not to turn around. Binary categories that threaten one with the label “terrorist” or “innocent”, force the subject to fall into a category with no choice in reality. Threatening discourse inevitably brings about political conformism, and the omnipresent surveillance system underpins tacit acceptance of interpellation, in order not to be deviant.

---

<sup>43</sup> Engles wrote this phrase in 1891, specifically about the Paris Commune. The configuration and expression of “class” must have drastically changed since then. It may not be fair to criticize it from the viewpoint of our 21st-century world. I would like to shed light on a side of the subject that configures the status quo, differently working from the sovereign power.

Those conditions contribute to perpetuating the national ID card system and the arbitrary categorization by bio-power.

Resistance comes from the place where identification and identity do not coalesce. In the crack between identification and identity, misconstruction of the subject is exposed. This experience is a trouble. The individual will be harassed if she doesn't fall willingly into a category. The refusers of fingerprinting in the Alien Registration Card System experienced serious sanctions. The citizens who declined to be included in Juki-net were ignored. The company security guard yelled at an employee because of her fake ID. Trouble may occur, either way. But without the troubles of resistance, opportunities for change are unlikely. Compulsory categorization of the subject may be destabilized only at the price of more trouble.

## Newspaper and Media Articles Cited

Asahi Shimbun. 20/10/1999a. “Anxiety about having personal data revealed. ID number system”.

Asahi Shimbun. 20/10/1999b. “Pilot projects of local ID card continuously failed. Revision of Revised Resident Basic Registry Act”.

Asahi Shimbun. 31/05/2002. “Let’s learn about Juki-net from a Korean movie. Seinan University Open Lecture”.

Asahi Shimbun. 06/07/2002. “Municipalities say ‘wait!’ to Juki-net. The Juki-net contradicts absence of Personal Information Protection Law”.

Asahi Shimbun. 11/07/2002. “Local assemblies passed resolutions for postponement of Juki-net. ‘Personal Information Protection Law is not legislated’”.

Asahi Shimbun. 21/07/2002a. “80 % of municipalities in Fukuoka say ‘Residents don’t understand Juki-net’, in survey by Attorney Association”.

Asahi Shimbun. 21/07/2002b. “Personal data were unlimitedly searched by city officials in Yokkaichi city. Illegal disclosure is alleged. An ex-official says ‘I wanted to see celebrity’s record’”.

Asahi Shimbun. 22/07/2002. “86% say ‘Anxious’ about Juki-net, 76% want postponement of implementation”.

Asahi Shimbun. 23/07/2002. “Mayor of Yamatsuri town tells Fukushima prefecture, ‘we will not participate in Juki-net. It cannot protect data of our citizens’”.

Asahi Shimbun. 24/07/2002. “The Mayor of Yamatsuri town, Fukushima prefecture, who refuses connecting Juki-net: Ryoichi Nemoto”.

Asahi Shimbun. 26/07/2002. “One security error damages the whole system. ‘Abolish Juki-net and rethink the structure’, says computer security expert Joichi Ito”.

Asahi Shimbun. 28/07/2002. “Should we implement Juki-net? Debate between Yoshiko Sakurai, journalist, and Toranosuke Katayama, the Minister of Public Management”.

Asahi Shimbun. 29/07/2002. “Citizens took legal procedure to request Fukuoka city to delete their ID numbers of Juki-net”.

Asahi Shimbun. 01/08/2002. "Police monitored Koseki without attendance of municipal officer in Kumamoto city".

Asahi Shimbun. 04/08/2002. "Ministry of Public Management sent municipality Emergency Guideline of Juki-net, simulating unlawful usage by officials".

Asahi Shimbun. 05/08/2002. "Juki-net starts missing 4.11 million people. Six cities, ward, and towns did not participate. Technical disconnection occurred in Toyama and Kyoto".

Asahi Shimbun. 28/08/2002. "Let's know problems of National General Back Number System. The Korean movie became video".

Asahi Shimbun. 30/08/2002. "1100 households refused to receive notice of ID number of Juki-net in Kumamoto city. Suspicion spreads".

Asahi Shimbun. 07/09/2002. "Refusal of ID numbers don't stop in one month after implementation of Juki-net. Anti-Juki-net groups are continuously organized".

Asahi Shimbun. 12/09/2002. "Nakano word, Tokyo, cuts off Juki-net today".

Asahi Shimbun. 17/10/2002. "'Our choice was respected', says Mayor of Yokohama city after meeting about Juki-net with Minister of Public Management".

Asahi Shimbun. 13/11/2002. "746 households returned notice of ID number of Juki-net in Fukuoka city. 'Listen to our voice of citizens'".

Asahi Shimbun. 06/30/2003. "Contribution to Surveillance Society: Juki-net was awarded by Big Brother Award".

Asahi Shimbun. 25/08/2003. "Juki-net and Internet are connected. Problem of security remains".

Asahi Shimbun. 09/09/2003. "14 items of personal data are circulated on Juki-net: Koseki, child support, pension, and etc. Anxiety about security continues".

Asahi Shimbun. 01/12/2006. "'Juki-net is defective and unconstitutional', judged the Osaka High Court. Ordered eliminating data of four residents".

BBC News. 25/07/2005. "Police shot Brazilian eight times". Online. Available: [http://news.bbc.co.uk/2/hi/uk\\_news/4713753.stm](http://news.bbc.co.uk/2/hi/uk_news/4713753.stm) (accessed April 2008).

CBC News. 15/11/2007. "Taser video shows RCMP shocked immigrant within 25 seconds of their arrival". Online. Available: <http://www.cbc.ca/canada/british-columbia/story/2007/11/14/bc-taservideo.html> (accessed March 2008).

Mainichi Shimbun. 30/11/2007. "Suginami ward lost case in Tokyo High Court, asking for reform of Juki-net that allows citizens to choose their participation".

Nishinippon Shimbun. 28/28/2004. "Why my child was in battle field? Father wishes son release". Online. Available:

<http://www.nishinippon.co.jp/news/2004/iraq5/kiji/0410282.html> (accessed May 2008)

## Bibliography

- Agamben, Giorgio. 1998[1995]. *Homo Sacer*, California: Stanford University Press.
- Agamben, Giorgio. 2005[2003]. *The State of Exception*, Chicago: University of Chicago Press.
- Althusser, Louis. 2001 [1971]. "Ideology and Ideological State Apparatus" in *Lenin and Philosophy and other essays*, New York: Monthly Review Press.
- Althusser, Louis and Etienne Balibar. 1968[1970]. *Reading Capital*, London: NLB
- Baudrillard, Jean. 2004. *Violence and Globalization*, Fumi Tsukahara (trans.) Japan: NTT Shuppan.
- Bauman, Zygmunt. 1989. *Modernity and the Holocaust*, Cambridge: Polity.
- Benedict, Ruth. 1967 [1946]. *The Chrysanthemum and the Sword*, Japan: Kodan Sha.
- Berger, P. and Luckmann, T. 1967. *The Social Construction of Reality*, London: Allen Lane.
- Breckenridge, Keith. 2008. "The Elusive Panopticon: The HANIS Project and the Politics of Standards in South Africa" in David Lyon and Colin J. Bennett (eds.) *Playing the ID card*, London: Routledge.
- Bunda, Junko. 1993. "Nationality and Citizenship", *Bulletin of Fukuoka Education University*, 42(2): 115-29.
- Burr, Vivien. 1995. *An Introduction to Social Constructionism*, New York: Routledge.
- Butler, Judith. 1990. *Gender Trouble*, New York: Routledge.
- Butler, Judith. 1993. *Bodies That Matter*, New York: Routledge.
- Butler, Judith. 1997. *The Psychic Life of Power*, California: Stanford University Press.
- Caplan, Jane and Torpey, John. 2001. "Introduction", in Jane Caplan and John Torpey (ed.) *Documenting Individual Identity*, 1-12. Princeton: Princeton University Press.
- Choi, Sun-Ae. 2000. *Inquiring "My Country" ("Jibun no Kuni" wo Toitsuzukete)*, Japan: Iwanami Booklet (Japanese).

- Cole, Simon A. 2001. *Suspect Identities*, Cambridge, Massachusetts: Harvard University Press.
- Cooley, Charles Horton. 2004 [1983]. "The Self as Sentiment and Reflection" in Spencer E. Cahill (ed.) *Inside Social Life*, Roxbury Publishing Company: Los Angeles.
- Deleuze, Gilles. 1995[1990]. *Negotiations*, New York: Columbia University Press.
- Deleuze, Gilles and Felix Guattari. 1987. *A Thousand of Plateaus*, Minneapolis: University of Minnesota Press.
- Douglas, Mary. 1966. *Purity and Danger*, New York: Praeger Publishers.
- Engels, Frederick. 1952. "1891 Introduction" in Karl Marx, *The Civil War in France*, Hanji Kinoshita (trans.) Japan: Iwanami Bunko. Online. Available: <http://www.marxists.org/archive/marx/works/1871/civil-war-france/postscript.htm> (accessed May 2007)
- Foucault, Michel. 1977 [1975]. *Discipline and Punish*, New York: Vintage Books.
- Foucault, Michel. 1978 [1976]. *The History of Sexuality Volume One: An Introduction*, New York: Vintage Books.
- Foucault, Michel. 1980. *Power/Knowledge*, Colin Gordon (ed.) Pantheon Books: New York.
- Foucault, Michel. 1981[1979]. "Omnes et Singulatim", in Sterling M. McMurrin (ed.) *The Tanner Lectures on Human Values II*, 225-54. Salt Lake City, UT: University of Utah Press.
- Foucault, Michel. 1991[1978]. "Governmentality", in Graham Burchell, Colin Gordon and Peter Miller (eds.) *The Foucault Effect*, London: Harvester Wheatsheaf.
- Foucault, Michel. 2000 [1994]. *Power*, James D. Faubion (ed.) The New Press: New York.
- Foucault, Michel. 2003. *Society Must Be Defended*, Mauro Bertani and Alessandro Fontana (eds.) New York: Picador.
- Gandy, Oscar H. Jr. 1993. *The Panoptic Sort*, Colorado: Westview Press
- Goffman, Erving. 1959. *The Presentation of Self in Everyday Life*, New York: Anchor Books.

- Gorer, Geoffrey. 1943. "Japanese Character Structure", *The Institute for International Studies*.
- Group Saying "No" to Fingerprinting. 1987. "Fingerprints in Fake 'State of Manchuria'", *Institutes of Chinese Affairs*, 41(6): 16-27. Online. Available: [http://ci.nii.ac.jp/vol\\_issue/nels/AN00144813/ISS0000159093\\_jp.html](http://ci.nii.ac.jp/vol_issue/nels/AN00144813/ISS0000159093_jp.html) (accessed May 2007).
- Hacking, Ian. 1982. "Biopower and the Avalanche of Printed Numbers", *Humanities in Society*, 5:279-95.
- Hacking, Ian. 1986. "Making Up People", in Thomas C. Heller, Morton Sosna, and David E. Wellbery (eds.) *Reconstructing Individualism*, California: Stanford University Press.
- Hacking, Ian. 1990. *The Taming of Chance*, Cambridge: Cambridge University Press.
- Hacking, Ian. 1999. *The Social Construction of What?* Cambridge: Harvard University Press.
- Hall, Stuart. 1996. "Who Needs 'Identity'?" in Stuart Hall and Paul du Gay (eds.) *Questions of Cultural Identity*, London: Sage.
- Harggerty, Kevin D. and Ericson, Richard V. 2000. "The Surveillance Assemblage", *British Journal of Sociology*, 51 (4): 605-22.
- Hemmi, Yo. 2005. *For Eternal Disobedience (Eien no fufukuju no tameni)*, Japan: Kodan Sha.
- Higuchi, Yuichi. 1986. *Kyowakai*, Japan: Shakai Hyoron Sha.
- Higuchi, Yuichi (ed.) 1991. *Document Collection of Kyowakai vol. I (Kyowakai Kanke Shiryo Shu I)*, Japan: Ryokuin Shobo.
- Higuchi, Yuichi. 2002. *Koreans in Japan (Nihon no Chosen Kankoku jin)*, Japan: Doseisha.
- Hirst, Paul. 1979. *On Law and Ideology*, New Jersey: Humanities Press.
- Home Office. 2005. "Identity Cards: What are the benefits of the scheme?" Online. Available: <http://www.identitycards.gov.uk/benefits-society.asp> (accessed August 2007).
- House of Representatives. 2006. "Discussion of the Law Committee" (February 14-March 29), Online. Available: <http://kokkai.ndl.go.jp/> (accessed 1 July 2006).

- Huq, Monzurul. 2006. "The Misery of Mohamed Himu Isram", Online. Available: <http://www.fccj.or.jp/~fccjyod2/node/1722> (accessed April 2008).
- Immigration Bureau. 2006. "The Public Announcement of the Immigration Control and Refugee Recognition Act, 2006 Amendment", Online. Available: [http://www.immi-moj.go.jp/keiziban/happyou/20060524\\_law43.pdf](http://www.immi-moj.go.jp/keiziban/happyou/20060524_law43.pdf) and [http://www.immi-moj.go.jp/english/keiziban/happyou/law43\\_20060524.pdf](http://www.immi-moj.go.jp/english/keiziban/happyou/law43_20060524.pdf) (accessed 1 June 2006).
- Imamura, Hitoshi. 1997. *Althusser*, Tokyo: Koudan-sha.
- IT Strategic Headquarters. 2008. "The History of the IT Strategy", Online. Available. [http://www.kantei.go.jp/foreign/policy/it/index\\_e.html](http://www.kantei.go.jp/foreign/policy/it/index_e.html) (accessed May 2008).
- Jean Charles de Menezes Family Campaign. 2006. Online. Available: [http://www.justice4jean.com/about\\_campaign\\_2207.html](http://www.justice4jean.com/about_campaign_2207.html) (accessed April 2008).
- Jenkins, Richard. 2000. "Categorization: Identity, Social Process and Epistemology", *Current Sociology*, 48(3): 7-25.
- Jenkins, Richard. 2004. *Social Identity*, New York: Routledge.
- Jung, Yeong-hae. 2003. *Sing People's Reign (Tamigayo Seisho)*, Japan: Iwanami Shoten.
- Kaito, Yuichi. 2006. "The Border Control Assuming the People Moving Beyond National Border as Latent Criminal and Terrorist", *The Law Times (The Horitsu Jiho)*, Vol.78, No.4: 55-60. Japan: Nihon Hyoronsha (Japanese).
- Kiyama, Akashi. 2004. "The Start from the Crisis that does not appear as Crisis", in *The Constitution Festival of 2004*: Japan.
- Kokubunji city. 2003. "Participation in Juki-net", On-line. Available: <http://www.city.kokubunji.tokyo.jp/enews/zuijisir/juuki3.htm> (accessed March 2008).
- Lyon, David. 1994. *The Electronic Eye*, Minneapolis: University of Minnesota Press.
- Lyon, David. 2001. *Surveillance Society*. Buckingham: Open University Press.
- Lyon, David. 2003. "Surveillance as Social Sorting: Computer Codes and Mobile Bodies" in David Lyon (ed.) *Surveillance As Social Sorting*. London: Routledge
- Lyon, David. 2003. *Surveillance After September 11*. Oxford: Blackwell Publishing.
- Lyon, David. Forthcoming. *Identifying Citizens*. Cambridge: Polity Press.

Lyon, David and Bennett, Colin J. 2008. "Playing the ID Card" in Colin J. Bennett and David Lyon (eds.) *Playing the ID card*, London: Routledge.

Mainichi Shimbun. 1975. *One Hundred Million People's Showa History Volume 5*, Japan: Mainichi Shimbun-sha.

Marx, Karl. 2005. *The Capital Volume One, Two*, Hitoshi Imamura, Kenichi Mishima, Tadashi Suzuki (trans.) Japan: Chikuma Shobo.

Mead, George Herbert. 2004[1962]. "The Self as Social Structure", in Spencer E. Cahill (ed.) *Inside Social Life*, Roxbury Publishing Company: Los Angeles.

Metropolitan Police Department. 2007. *Keishicho Volume 26*. On-line. Available: [http://www.keishicho.metro.tokyo.jp/kouhoushi/no26/well\\_koho26.htm](http://www.keishicho.metro.tokyo.jp/kouhoushi/no26/well_koho26.htm) (accessed April 2008).

Mills, C. Wright. 1995[1959]. *The Sociological Imagination*, Hiroshi Suzuki (trans.) Japan: Kinokuniya Shoten.

Ministry of Foreign Affairs. 2004. "US-VISIT Program", Online. Available: [http://www.mofa.go.jp/mofaj/toko/passport/us\\_visit.html](http://www.mofa.go.jp/mofaj/toko/passport/us_visit.html) (accessed July, 2006).

Ministry of Justice. 2004. "The Alien Registration Law, 1947 established and 2004 Amendment", Online. Available: [http://law.e-gov.go.jp/cgi-bin/idxselect.cgi?IDX\\_OPT=1&H\\_NAME=%8a%4f%8d%91%90%6c%93%6f%98%5e%96%40&H\\_NAME\\_YOMI=%82%a0&H\\_NO\\_GENGO=H&H\\_NO\\_YEAR=&H\\_NO\\_TYPE=2&H\\_NO\\_NO=&H\\_FILE\\_NAME=S27HO125&H\\_RYAKU=1&H\\_CTG=1&H\\_YOMI\\_GUN=1&H\\_CTG\\_GUN=1](http://law.e-gov.go.jp/cgi-bin/idxselect.cgi?IDX_OPT=1&H_NAME=%8a%4f%8d%91%90%6c%93%6f%98%5e%96%40&H_NAME_YOMI=%82%a0&H_NO_GENGO=H&H_NO_YEAR=&H_NO_TYPE=2&H_NO_NO=&H_FILE_NAME=S27HO125&H_RYAKU=1&H_CTG=1&H_YOMI_GUN=1&H_CTG_GUN=1) (accessed April 2006)

Ministry of Justice. 2006. "The Immigration Control and Refugee Recognition Act, 2006 Amendment", Online. Available: <http://www.moj.go.jp/> (accessed April 2006).

Ministry of Public Management, Home Affairs, Posts and Telecommunications. 2007. "Report on distribution and multi-usage of Juki-card", Online. Available: <http://www.soumu.go.jp/c-gyousei/daityo/> (accessed 1 July 2007).

Nakano Bunko. "Resident Registration Act of 1951", On-line. Available: <http://www.geocities.jp/nakanolib/hou/hs26-218.htm> (accessed April 2008).

Nakano ward. 2006. "On Juki-net", On-line. Available: <http://www.city.tokyo-nakano.lg.jp/023/08/d03400009.html> (accessed March 2008).

Nakao, Hiroshi. 1997. *Basic Knowledge on Issues of Koreans in Japan (Zainichi kankoku chosenjin mondai no kiso-chishiki)*, Japan: Akashi Shoten.

Nakayama, Taro. 1970. *100 Million All Back Numbers (Ichioku Sosebango)*, Japan: Nihon Seisanse Hombu.

Nietzsche, Friedrich. 1969. *On the Genealogy of Morals*, Walter Kaufmann (trans.) New York: Vintage.

Ninomiya, Shuhei. 2006. *Koseki and Human Rights (Koseki to Jinken)*, Japan: Kaihou-Shuppansha

Nohara, K. 1936. *The True Face of Japan*, London.

Norris, Clive and Gary Armstrong. 1999. *The Maximum Surveillance Society*, Oxford: Berg.

Ogasawara, Midori. 2002. "The Forgotten Starting Point: Report on the Resident Basic Registration Network" in Yasuhiko Tajima (ed.) *Personal Information Protection Act and Human Rights (KojinJohohogohou to Jinken)*, Japan: Akashi-Shoten.

Ogasawara, Midori. 2003. "The Gaze of Unfairness" in Toshimaru Ogura (ed.) *Freedom on the Streets*, Japan: Impact Shuppankai.

Ogura, Toshimaru. 2006. "The Surveillance Society and Privacy: the New Crisis in Globalization". *The Law Times (The Horitsu Jiho)*, Vol.78, No.4: 33-37. Japan: Nihon Hyoronsha .

Parenti, Christian. 1999. *Lockdown America*, New York: Verso.

Parenti, Christian. 2003. *The Soft Cage*, New York: Basic Books

Piazza, Pierre, and Laniel, Laurent. 2008. "The INES Biometric Card and the Politics of National Identity Assignment in France", in David Lyon and Colin Bennett (eds.) *Playing the ID Card*, London: Routledge.

Poster, Mark. 1990. *The Mode of Information*, Chicago: University of Chicago Press.

Poster, Mark. 1996. "Databases as Discourse; or, Electronic Interpellations", in David Lyon and Elia Zureik (eds.) *Computers, Surveillance, and Privacy*, University of Minnesota Press: Minneapolis.

Rose, Nikolas. 1999. *Powers of Freedom*, Cambridge: Cambridge University Press.

Sakai, Takashi. 2001. *On Liberty (Jiyu-ron)*, Japan: Seido Sha.

Sato, Bummei. 1984. *Discrimination, that Koseki Makes (Koseki ga Tukururu Sabetsu)*, Japan: Gendai-Shokan.

- Sato, Bummei. 1988. *The Reversed History of Koseki (Koseki Urugaeshi Ko)*, Japan: Akashi Shoten.
- Sato, Bummei. 1991. *The Life, that Koseki Watches Over (Koseki ga Miharu Kurashi)*, Japan: Gendai-Shokan.
- Sato, Bummei. 1996. *The Reader of Foreigners in Japan (Zainichi 'Gaikokujin' Dokuhon)*, Japan: Ryokufu Shuppan.
- Scott, James C. 1998. *Seeing Like a State*, New Haven: Yale University Press.
- Simon, Bart. 2005. "The Return of Panopticism", *Surveillance & Society*, 3(1):1-20.
- Staples, William G. 1997. *The Culture of Surveillance*, New York: St. Martin's Press.
- Supreme Court. 2008. "The Decision on the Juki-net (March 20)", Online. Available: <http://www.courts.go.jp/hanrei/pdf/20080306142412.pdf> (accessed April 2008).
- Tanaka, Hiroshi. 1987. "The Origin of Fingerprinting", *Asahi Journal*, October 9: 21-23.
- Tanaka, Hiroshi. 1995. *The Foreigners in Japan (Zainichi Gaikokujin)*, Japan: Iwanami-Shinsho.
- Torpey, John. 1998. "Coming and Going: On the State Monopolization of the 'Legitimate Means of Movement'". *Sociological Theory*, 16-3: 239-259.
- Torpey, John. 2000. *The Invention of the Passport: Surveillance, Citizenship and the State*. Cambridge: Cambridge University Press.
- Torpey, John. 2001. "The Great War and the Birth of the Modern Passport System", in Jane Caplan and John Torpey (ed.) *Documenting Individual Identity*, 256-270. Princeton, New Jersey: Princeton University Press.
- Trinh, T. Min-ha. 1989. *Woman, Native, Other*, Indiana: Indiana Press.
- U.S. Department of Homeland Security. 2004. US-VISIT Program. [http://www.dhs.gov/dhspublic/interapp/content\\_multi\\_image/content\\_multi\\_image\\_0006.xml](http://www.dhs.gov/dhspublic/interapp/content_multi_image/content_multi_image_0006.xml) Retrieved in July, 2006.
- Van der Ploeg, Irma. 1999. "The Illegal Body: 'Eurodac' and the politics of biometric identification", *Ethics and Information Technology*, 1(4):295-302.
- Van der Pleog, Irma. 2001. "Biometrics and the body as information", in David Lyon (ed.) *Surveillance As Social Sorting*, London: Routledge.

- Webb, Maureen. 2007. *Illusion of Security*, City Lights Books: San Francisco.
- Weber, Max. 1946. "Bureaucracy", in Gerth, H and C. Wright Mills (eds.) *From Max Weber*, New York: Oxford University Press.
- Willson, James Q. 1975. *Thinking About Crime*, New York: Basic Books.
- Willson, James Q and Kelling, George L. 1982. "Broken Windows", in *Atlantic Monthly*, March.
- Wood, David M, Lyon, David, and Abe, Kiyoshi. 2007. "Surveillance in Urban Japan", *Urban Studies*, 44(3): 551-68.
- Yokohama city. 2006. "On Juki-net connection". On-line. Available: <http://www.city.yokohama.jp/me/shimin/jigyoy/j-net/> (accessed March 2008).
- Young, Jock. 1999. *Exclusive Society*, New York: Sage.
- Zureik, Elia. 2001. "Constructing Palestine Through Surveillance Practices", *British Journal of Middle Eastern Studies*, 28(2): 205-27.
- Zureik, Elia and Hindle, Karen. 2004. "Governance, Security and Technology: The Case of Biometrics". *Studies n Political Economy*, 73: 113-137.