The 1951 Refugee Convention defined a new actor, albeit imperfectly, out of the chaos of post-war Europe: the refugee. Today, the ethnographic conditions that constitute persecution at the heart of the Convention have shifted once again but the legal and administrative apparatus has so far failed to recognize this shift. This is affecting those fleeing their home countries and seeking asylum around the world, including in Japan, which, despite its generous support of refugees overseas, has one of the lowest refugee recognition rates in the world. This presentation illustrates this disjuncture by laying out Japan’s short history of refugee support, the current new flows of migrants into Japan, and the liminal conditions of asylum seekers as they wait for a decision on their refugee applications in Tokyo. Central to the situation is the Japanese twist on what Agamben has called the “state of exception,” not in refugee camps but in “provisional release” in the urban areas of Tokyo, leading to asylum seekers’ descent into irregular employment or “shadow work.” The presentation draws upon digital videos of oral narrative data from our project entitled “Refugee Voices Japan” at Sophia University and the continual efforts of the Sophia Refugee Support Group.

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