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## Equal Employment in Contemporary Japan: A Structural Approach

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Much of the literature about Japanese society explains the marginalization of women as a cultural trait; however, it is naïve to conclude that the issue of gender equality is specific to the “nature” of a certain society or culture. To adequately understand gender inequality requires a systematic analysis of the sociocultural, economic, and political structures that produce such inequality. It is within these structures that the issue of equal employment arises, becomes problematized, and is negotiated. This paper relies on a structural perspective to understand the major developments concerning equal employment in contemporary Japan. To illustrate the problem of structurally based gender discrimination, I critically examine women’s position and treatment in the Japanese corporate employment system and consider how various actors contributed to the policy development process that culminated in the passage of the 1985 Equal Employment Opportunity Law.

Four primary features characterize the Japanese employment system—high job security, high worker commitment to the company, cooperative company unionization, and personnel management involving extensive in-house training and frequent transfers. These aspects constitute what is called “life-long” employment. The transfer system, known as rotation, is vital for Japanese companies’ ability to produce highly skilled workers, because these companies usually recruit recent graduates who lack management skills. Rotation provides executive trainees, in particular, with opportunities to become acquainted with all aspects of the company’s operations, as well as establish personal networks that promote their authority. Within the fairly rigid life-long employment system, such structural flexibility enables companies to adjust to market changes, technological innovations, and the globalization of the economy.

Data reveal that fewer women than men are employed, and among women, those ages 30 to 34 tend not to participate in the labor force. This pattern of Japanese women’s employment, referred to as the “M curve,” is partially explained by women’s withdrawal from

the labor market due to household and childcare demands. However, women’s employment must also be understood in the context of gender imbalances in the labor market and gendered practices in the Japanese employment system. Discrimination against women is embedded in the job recruitment and assignment process, wage structure, and training, promotion, and retirement systems of Japanese corporations.

The Japanese labor market is characterized by both horizontal and vertical segregation. Similar to the United States, women workers are highly concentrated in certain industries and occupations. Segregation within occupations and companies also exists; that is, men hold a disproportionate number of the high status positions. That only a small number of women hold positions of authority in Japanese companies reflects a cultural preference for men, who are regarded as more valuable employees. Women who want to work have had to accept positions as assistants, regardless of their professional qualifications and desires, resulting in the widespread devaluation of qualified women workers as well as a significant wage gap.

Although the Labor Standards Act of 1946 requires equal wages for women and men, the equal pay clause only applies to the same type of labor. Therefore, employers may claim that a substantial wage difference exists because women and men usually perform different jobs. Because wage disparity due to discrimination in recruitment, training, job assignment, and promotion is beyond the scope of this law, those groups that support full equality in employment began to call for new legislation around 1975. Their efforts were facilitated by the United Nations’ introduction of a set of women-friendly policy initiatives, including the CEDAW, which Japan ratified in 1980. Although its passage was complicated by conflicts between business and labor interests, Japan’s first Equal Employment Opportunity Law (EEOL) was enacted in 1986. The EEOL prohibited gender discrimination in training, pension allocation, and employee dismissal, but only encouraged companies to eliminate discriminatory practices in recruitment, job assignment, and promotion. Moreover, the law imposed no penalties for violations.

Many companies introduced the two-track system—a career-track (*sogoshoku*) and an assistant track (*ippanshoku*)—in response to the EEOL. Although the new system fi-

nally gave women an opportunity to enter the career track, it created new inequalities among women workers, and it continues to disadvantage women in terms of job content, pay, and promotion. In 1997, the EEOL was revised to prohibit discrimination in recruitment and promotion, require public disclosure of the name of companies that violate the law, grant employees the ability to enter arbitration without the employer’s consent, and encourage companies to adopt measures to end sexual harassment. Although the 1997 EEOL addressed several problems in the original law, it was still too weak to substantially prevent discriminatory practices.

I conclude that, overall, Japanese policy concerning equal employment reflects dramatic progress over the last three decades, yet employment conditions still vary substantially for men and women. It appears that systematic, indirect discrimination in personnel practices is at least partly responsible for impeding women’s full integration into the workplace. Another type of workplace inequality that is increasingly common in Japan is the division between full-time and part-time or dispatched workers. These forms of “flexible” employment have emerged in response to changing economic conditions. Since the 1990s, the equal employment bureau (formerly the women’s bureau) has worked ardently to implement measures that support part-time workers and help them reconcile the competing demands of paid work and family life. This reflects the shifting emphasis of women’s employment policy from universal equality to reconciliation.

## Engendered Violence: India in Comparative Perspective

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Although gender has often been neglected in standard academic discourse concerning violence and the state, increased media attention to collective violence against women in Bosnia and Rwanda in the 1990s raised public consciousness and challenged scholars to view political conflict through a gendered lens. For a long time, political analysts failed to recognize the gendered organization of violence during armed conflict. As a