

Hierarchical Citizenship in Perspective: South Korea's Korean Chinese*

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This article analyzes the regulations governing citizenship status for immigrants in South Korea under globalization. It focuses on the Joseonjok (Korean Chinese), a group who live in Korea under a hierarchy of three different citizenship statuses: “the Special Status of Overseas Korean (jaeodongpo)”, the “Foreign Korean Worker (dongponodongja)” status, and the “Foreign Worker (oeguginnodongja)” status. It examines the logic behind these statuses’ creation, development and the different socio-economic rights they grant. The paper shows how citizenship policies for immigrants (or foreign workers) have changed in line with the neoliberal transformation brought about by South Korea’s economic globalization: the original nationalistic basis of the country’s policies towards overseas ethnic Koreans has been adapted and subordinated to practical industrial and economic needs, and the hierarchy of citizenship statuses for Joseonjok is a concrete reflection of this complex economic process.

Keywords: Joseonjok, Korean Chinese, hierarchical citizenship, economic citizenship policy, compatriot globalization, neoliberalism, South Korea

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Introduction

Between the late 1800's and late 1940's, particularly during the colonization of Korea by Imperial Japan, a considerable number of Koreans moved to Manchuria. They moved for a variety of reasons, some to take part in Korea's independence movement, some for missionary work, and others for business or employment. And when Manchuria became a part of the People's Republic of China some of this population moved back to the Korean Peninsular. A large number, however, stayed, and became Chinese nationals. This latter group came to be called "*Joseonjok*" (Korean Chinese, *Chanxianzu* or *Chaosenzu* in Chinese) (Piao 2017).

In the late 1980's large numbers of this Joseonjok population began to move from China to South Korea. It was a rapid process: while before 1987 there were less than 1,000 Joseonjok visitors to Korea a year (Diplomatic White Paper 1991, p. 218), by 2015 the number living in South Korea reached 618,673 (Korean Immigration Service Statistic 2016). This is a similar number to the population of Yanji (or *Yeongil*), the capital of China's Korean Chinese Autonomous Prefecture. It is also about one third the size of the Joseonjok population in China (1,830,929, according to the 2010 Chinese census, China Statistical Yearbook 2010). This migration was driven, on one hand, by a shortage of blue-collar labor in South Korea created when its economic structure began to transform in the 1980's (Seol 1999), and on the other, by the decline in socio-economic status experienced by some Joseonjok in the wake of China's rapid transition away from socialism (Piao 2017). Later, in the 1990's, institutions like the Overseas Korean Foundation and laws like the Overseas Korean Act established a relationship of interdependence between the South Korean state and overseas Koreans, and a variety of complicated legal statuses were established for those with Korean heritage wishing to work or live in Korea (Piao 2012; Piao and Kim 2012). It is the logic and motivation behind the creation and reworking of these legal statuses that this paper will focus on.

This is not an entirely fresh endeavor – the legal and socio-economic status of South Korea's Joseonjok has already attracted the attention of a small number of scholars. These scholars can be divided into those concerned with the group's categorization and those who analyze its role in providing a pool of immigrant labor. Within the first group there are scholars drawn to practical questions about how the state should be dealing with the Joseonjok. Some, such as Lee (2001) and Loh (1999, 2002) argue that the Joseonjok need

to be legally categorized as Overseas Korean (*jaeodongpo*), while others, like Jung (1999) and Park (2001) argue that the Joseonjok should be categorized as normal immigrants, but with their special cultural and ethnic characteristics taken into extra consideration because a state applying regulation to another state's citizens based on ideas of blood and descent could cause diplomatic conflict (Lee 2002). There are also scholars interested in the way the Joseonjok's ethnic identity is reflected in the legislation process (Kim 2016). These approaches are related to a perspective from which the Joseonjok are seen as part of the Korean diaspora (Jung 2013). The second group (interested in the Joseonjok's economic role) argues that imported labor (including Joseonjok) filled the industrial jobs avoided by the domestic labor force (Lee 1994; Lee et al. 1998; Seok et al. 2003), and was economically efficient. A part of the foundation of South Korea's economic development was the unskilled and low paid workforce who endured discrimination in the secondary labor market. For these scholars, the industrial demand created the need for this labor, and the functional requirement decided foreign workers' citizenship status (Seol and Skrentny 2009; Seol 2012). So, we can see these studies that emphasize the importance of the Joseonjok's ethnicity argue that nationality and blood-ties determine their citizenship status in South Korean society, whilst studies focusing on the domestic industrial labor force suggest that the Joseonjok will be, or are already, fixed in the unskilled labor market by the state's citizenship policy.

This paper takes a different stance. For when we trace the development of Joseonjok citizenship status it will become clear that their status is not solely determined by former nationality or ethnic blood-ties, and nor is this population simply stuck in the lower, unskilled, labor market. Moreover, the idea that Joseonjok citizenship status can be explained exclusively in terms of economic function implies that it differs little from the status of foreign-nationals. But a key element of Joseonjok's position in South Korea is that they act as *foreign* labor whilst being seen as ethnically *co-national*. This contradiction introduces significant issues as it is translated into legal statuses. As such we cannot simply treat Joseonjok citizenship in the same way we treat the statuses of those who are both ethnically and legally non-nationals. Both of the aforementioned groups, despite their detailed and careful analyses, fail to recognize the complex way of economic thinking and ideas about ethnicity *combined* to produce Joseonjok status in South Korea's society and economy.¹ And neither group makes the wider implications

¹ The first group emphasizes ethnicity and ignores industrial and economic factors, while the

of Joseonjok citizenship status explicit. This, then will be the goal of the present paper – to reexamine the formation of Joseonjok status in South Korea in a way which draws out the complexity behind its development and allows us ask more general questions about its significance. After all, according to Chang (2012a 2014a), the character of South Korea’s neoliberal transformation is revealed in the state-citizen relationship: it would be productive, then, to ask what Joseonjok citizenship status tells us about Korean (and maybe even East Asian) society.

Hierarchical Citizenship

Citizenship studies in social science, including sociology, have often looked at the citizenship rights of immigrants in the context of globalization. This research has been interested in the legal status and rights of people who have moved across borders, as well as the kind of political action immigrants have taken part in as they seek to acquire status and rights in their new country (Cohen ed 1996; Soysal 1994; Bauböck ed 2006; Castles and Davidson 2005).

Citizenship can be seen as a set of “contributory rights” and obligations situated within the framework of the nation-state relating to labor, public services (eg military, legal services), parenting or family formation. Turner argues that they are “contributory rights” since claims upon a society are only effective if based upon contributions. That is, if the claimants are supplying something that society requires, such as participation in the labour market, the military or in social reproduction (Turner 2001). However, the concept of citizenship explains the relationship between the state and various social groups (as well as the citizen) as they emerged from a relatively long and stable modernization process, and does so on the basis of Western rationality. As such, state-society relations and the formation and development of civil society in East Asia cannot be adequately explained through Western theories of citizenship (Chang 2012b, 2012c) These ideas need to be modified if they are to help us understand the situation in South Korea (Chang and Turner 2012; Turner and Chang 2012).

Chang’s (2010, pp. 5-8) over-arching theory of South Korean (and East Asian) society is useful here. His guiding concept is the notion of “compressed modernity”. Compressed modernity draws attention to the complex relationship between modernity and Korea’s traditional ideas and

latter group does the opposite, stressing industrial and economic matters while ignoring ethnicity.

practices, which coexist thanks to its adoption of Western experience over just a few decades. This relationship is the cause and result of the political and economic transformations witnessed in Korea over the last century, as well as the repeated reorganizations of its state-society relationship.

Under this transformation “There have arisen transformation-orientated state, society, and population for which each transformation becomes an ultimate purpose in itself, the process and means of the transformation constitute the main sociopolitical order, and the transformation-embedded interests form the core social identity.” Accordingly Korean citizenship under neoliberalism can be called transformative citizenship. Transformative citizenship can be defined as “effective and/or legitimate claims to national and social resources, opportunities and/or respects and accrue to citizens’ contributions to the nation’s or society’s transformative purpose.” (Chang 2014a, pp. 163-164).

Neo-liberalism demanded the transformation of a series of economic and political structures, including the labor market. This was pursued by the South Korean state and international order through the creation of a new ideology and policies designed to materially integrate citizens into public life (a project which was both possible and inevitable because of the weak state-citizen relationship). As such, the citizenship of Koreans came to be based, not on firmly established rights, duties and identities within a stable social system, but rather on the basis of “contributions” that are subject to constant upheavals in state and society. From within these transformations always emerge social groups that are either excluded or oppressed (Chang and Turner 2012; Chang 2012c).

This exclusion and oppression is produced by individuals’ contributory differences and in South Korea has led, according to Seol and Skrentny (2009), to a form of “hierarchical nationhood” whereby Joseonjok and Korean Americans occupy different social strata: Korean Americans are seen as more important than Joseonjok by society as a whole and by the state as more significant economically and politically. Park (2012) detects a similar phenomenon in the case of North Korean Defector’s citizenship. Her research focuses on the position of female defectors under South Korean patriarchy in the context of the country’s continued division and uses the term “hierarchical citizenship” to help describe their situation. From this perspective hierarchy can be seen as an aspect of transformative citizenship and that citizenship status of South Korea’s immigrant communities is determined in significant part by their contributory role within the country’s ongoing political and economic transformation (or development). This is an important point for

the present paper because it means we can determine the direction of the state's political and social changes through the citizenship status of migrants who enter the country. To help achieve this we will define hierarchical citizenship as "the system of statuses formulated by a state according to how much (and how) an individual can or should contribute to the community's political, economic and social transformation"²

This paper measures the citizenship status of citizens, quasi-citizens, overseas-Koreans and foreigners without ethnic ties to Korea through residence status (and/or visa type). The rights conferred by these statuses are divided into economic rights (including labor, consumption, investment, employment), cultural rights (such as education and residence autonomy) and political rights (such as the right to participate in elections). And, as we shall see, the conditions for being granted these statuses and the associated rights are based on the migrants' "contributory" role or resources. The paper will examine each of the statuses occupied by Joseonjok in Korea in turn, beginning with "Foreign Worker" status, before moving on to the "Special Status of Overseas Korean" and finally the "Foreign Korean Worker" status. This analysis will then be tied into an examination of the state-citizen (society) relationship in connection to the country's transition into neoliberalism.

Joseonjok as "Foreign Worker"

The Logic of Foreign Worker Policy and its Problematic Institutionalization

In the mid 1980's labor shortage and rising wages for domestic workers prompted the South Korean government to set up an "Industrial Technical Training System" (ITTS) so that businesses could employ *de facto* foreign workers (Lim and Seol 2000a, 2000b). These workers were given the status of "Industrial Trainee" and began to receive official visas from the Ministry of Justice (MOJ) before entering Korea from 1991. Once these workers were integrated into the industrial field the Ministry of Commerce and Industry (MCI) established rules to manage details like their contractual relationship with employers, extra benefits and economic activities. However, before long

² The term hierarchy is common in citizenship studies. Whereas normally scholars focus on the hierarchy of states under world capitalism's division of labor (a prime example is Castels's (2005) research), I have focused on the hierarchy within one immigrant group.

there were numerous cases of workers overstaying their visas or changing their place of work without official permission due to inexperience with foreign workers and the inefficient administration. This made the need for a dedicated agency clear and the government responded by assigning responsibility for the recruitment and introduction of foreign workers to the Korea Federation of Small and Medium Business (KFSMB) (MOJ 1993). The KFSMB set up the Industrial Technology Training Cooperation Team and established its own guidelines for the introduction and operation of “Industrial Trainee”. Industrial Trainees first entered the country under these guidelines in May of 1994. In 1997 the KFSMB released their “Manuals for ITTS Employers” which set out procedures governing trainee recruitment, training period expiration and departure from the country. However, there were many problems despite these efforts at systematization: small and medium businesses complained about delays getting workers into the country and problems with workers suddenly disappearing without notice; there were investigations of corruption in the system; and Nepalese workers bearing signs reading “We may be from a poor country...but we have our basic human rights too” staged a sit-in protest in Myeong-Dong Cathedral (Yamanaka 2010). These issues led to calls for fundamental improvements.³

In 1996 the Globalization Promotion Committee (GPC) set up the “Comprehensive Foreign Labor Policy”. Under this policy, GPC decided to completely revise the ITTS rather than introducing the Employment Permit System (EPS) proposed by Ministry of Labor (MOL). However, because this proposed new system greatly altered the existing wage regulation-free arrangement it immediately ran into opposition from other government departments recommending partial reform of the existing ITTS framework instead. These departments also argued that EPS’s faced increasing labor burdens (*Hankyoreh* August 1, 1996a, 1996b).⁴ This opposition stymied the GPC’s original plan, and they had to settle for proposing a partial overhaul of the ITTS, which would be called the Training and Employment System (TES), to be put into action from 1998. Its main feature would be to allow

³ The government decided that the issues with workers changing or abandoning their jobs without permission stemmed from low wages, and suggested a minimum wage system. This would raise the basic monthly wage from 200-260 USD to 320 USD (260,000 KRW). The KFSMB also pushed for more comprehensive insurance for Industrial Trainee (who were at that point denied insurance against industrial accident), looking to increase the cap from 2 to 30 million won (*Maeil Business News Korea* January 18, 1995).

⁴ See this article for an analysis of the issues surrounding self-interest in the development of regulatory systems.

some trainees to obtain an employment visa after their workmanship and related skills had been assessed (*Kyunghyang Shinmun* September 10, 1997). However, the Korea Employers Federation (KEF) officially opposed this redesign as well (*Maeil Business News Korea* September 24, 1997), and the problem ended up being passed on to the next administration. The MOL also tried to amend the Immigration Control Act (ICA) for this introduction of TES, but the departments impacted made their opposition clear and claimed that the legislative amendment was difficult (*Hankyoreh* October 24, 1997). A compromise of sorts was finally reached, and the MOJ introduced the term “Trained Employee” into the ICA in December 1997 (over which they had control), along with details about trainee importation and management. On the 1st of April 1998 the E-8 Employment Training Visa was introduced alongside the C-4 (short-term employment), E-1 (for University Professors) and E-2 (Special Activities) visas in the Enforcement Decree of Immigration Control Act (Presidential Decree 1998, paragraph 1). From then on, after passing the Foreigner’s Employment Training Qualification Exam and completing a 2-year training period Industrial Trainees were able to change their existing D-3 (training) visa to a Training Employment visa (E-8), which would provide a 1-year guarantee of legal worker status.⁵ On the 6th of February, 2000 the Small and Medium Business Administration (SMBA) announced that TES would be put into full-scale operation (KFSMB and KSBI 2001, pp. 10-14, 2004, pp. 46-53).

“Foreign Worker’s” Limited Sphere of Socio-Economic Activity

From the above we can see that foreigners receiving training in South Korean businesses were directly required by capital (especially small and medium size capital), and that they were imported into Korea through a “planned”, state-led selection process. In this environment industrial trainees faced various limits on their socio-economic activities. Not only was economic activity outside the workplace was heavily restricted, but trainees were also not easily able to quit their job: any change of workplace or training plans had to be reported to the head of the relevant immigration office by the person or organization that invited the trainee to South Korea (MOJ 1991). From 1994 trainees had to receive a recommendation from the President of the KFSMB⁶

⁵ When the Industrial Trainee system began trainees were given 6 months residency at most. From 1996 this was extended to two years.

⁶ Although in practice recommendations were not provided by the President himself, but by those in more junior positions.

60 days before visa expiration if they wanted to extend their stay (KFSMB 1994; MOL 1995), and in 1996 it was decided that when trainees entered or left the country the head of their workplace had to immediately report this to the local immigration office. Moreover, once they entered the country the trainee's status (such as their place of work and training plans) was checked frequently (MOJ 1996). Under TES, trainees' status as laborers with the right to work might be recognized, but other rights and freedom were not granted (KFSMB and KSBI 2004, pp. 46-57). From 2002 industrial trainees were supposed to stay at the same workplace, and could only move if the employer did not want to keep the trainee on or business the closed (Presidential Decree 2002, article 1 paragraph 5): changing workplace was rigorously restricted and controlled, and even when possible it inevitably required them to go through a complicated bureaucratic process. As such, under the ITTS and TES foreign workers were not truly incorporated into the labor market and could not engage freely in socio-economic activity. This groups' legal status in South Korea, and the rights based on this legal status, were prepared for the sake of the employer who decided to introduce them into the country, and according to the administrative agencies' economic logic. It was a logic secured by the state in law and policy, and employers who exploited the system's various problems and loopholes often made the trainees' situation worse.

Industrial trainees' pay was based on South Korea's minimum wage system from the beginning of the policy (MCI 1992). The first 3 months however, were considered a training period and only 80% of the normal wage was paid during this time. Overtime work, night work, and holiday work was paid at a rate of 150% of the basic wage. And the trainees had to deposit 50% of their monthly wage into an installment savings account at a bank predetermined by their country of origin. Joseonjok trainees born in China, for example, had to use Industrial Bank.⁷ These savings could not be withdrawn outside of exceptional circumstances such as the trainee's own death or illness, the bankruptcy of the training company, or a temporary suspension of operations at the company. Any other reasons would have to be approved by the President of the KFSMB (KFSMB 1997, pp. 8-10).

At the time it seemed as if TES would make up for many of ITTS's limitations, and in terms of the transitional stages between ITTS and EPS it

⁷ Workers from China, Bangladesh and Thailand were assigned to Industrial Bank. Workers from Vietnam, the Philippines and Myanmar were allocated Kook-Min Bank. Workers from Uzbekistan, Pakistan, Kazakhstan had to use Dong-Nam Bank, and Sri Lanka, Mongolian, and Nepalese workers were allotted Dae-Dong Bank.

was a somewhat positive development. But TES severely limited the socio-economic activities of foreign workers. And because it tied the legal length of stay in South Korea to the training and employment period this introduced a new risk for those with Foreign Worker status: if, when moving companies, a trainee's contract could not be finalized in time, they automatically became unregistered immigrants and lost the right to claim any kind of social security. Some employers took advantage of this situation to illegally exploit foreign workers.

ITTS, TES, and other policies relating to "foreign workers" were oriented towards industrial requirements. Under this system Joseonjok were not distinguished from other foreign laborers were given the same rights.

Joseonjok as the "Special Status of Overseas Korean"

The Logic of Overseas Korean Policy

From the formation of the South Korean government, to the administration of Roh Tae-Woo and its "Nordpolitik" strategy, the purpose of South Korea's policy for Overseas Koreans can be seen as being shaped by regime competition with North Korea. The main object of this policy is the ethnically Korean residents and citizens (*hangukgyomin*) of liberal democracies in North America, Japan, and Europe (Oh 1983; Kim 1991), but in 1988 the *Special Declaration by President Rho Tae-Woo in the Interest of National Self-esteem, Unification and Prosperity* made clear that South Korea "will make necessary arrangement to ensure that Koreans residing overseas can freely visit both parts of Korea", and will "continue to seek improved relations with the Soviet Union, China and other socialist countries (Diplomatic Chronology of Republic of Korea 1998, pp. 538-540). In the *Follow-up Measures on the Implementation of the Open-door Policy for ensuring Free Visits of Overseas Koreans to South and North Korea*, the government specified that "We will ensure that those Koreans residing in Communist-bloc countries can make free visits to the Republic of Korea" (DCROK 1988, p. 584). As a result of this policy change, ethnic Koreans from China and the Soviet Union could participate in the World Korean Athletic Meeting held in Seoul from September 26th to 30th, 1989. And with the opening of the Incheon-Shandong Intercity passenger Ferry it became easier for Joseonjok to visit Korea to meet relatives (DWP 1990, pp. 189-190). After the establishment of diplomatic ties between South Korea and China in 1992, Joseonjok also began to enter

Korea, not as “overseas Koreans”, but as Chinese citizens. These changes reflected South Korea’s confidence that they had begun to secure economic superiority over North Korea.

The civilian government’s (*moonminjeongbu*) so-called “new overseas Korean policy” (*singyopojeongchaek*) was actually based on the existing policy (*gyominjeongchaek*). Its headline change was to extend the validity of the visitor’s family visa issued to overseas Korean, including Joseonjok, from 3 months to 2 years - changes made to strengthen ties with the visitor’s home countries (DWP 1996, p. 269). The government attempted to streamline the overseas Korean policy in 1996 by clearly distinguishing between two categories: ethnic Koreans with South Korean nationality living abroad, who were dubbed “overseas Korean nationals” (*jaeogukmin*), and ethnic Koreans without South Korean nationality, who were called “Korean compatriots with foreign nationality” (*oegukjeokdongpo*). The former concept was applied to those receiving legal protection from the South Korean State. The latter was a much broader concept, concerning more general cultural and educational policies of the South Korean state (DWP 1997, pp. 286-287). Regarding China’s Joseonjok as “Korean compatriots with foreign nationality”, the South Korean government stated that “despite the fact that, thanks to the Chinese government’s policies protecting ethnic minorities, this group preserved Korean culture and language relatively well, we have to consider that compared to ethnic Koreans from other regions they have limited understanding of and sentiment towards their mother country (*mogukuisik*), and that the Chinese authorities are concerned about our government’s excessive interest in them. So, to avoid impinging on China’s ethnic minority policy our policy should not be to offer direct governmental support, but to instead strengthen support from local private sector organizations and civil society” (DWP 1997, p. 288).

The Overseas Koreans Foundation (OKF), established in 1997, is representative of the civilian government’s systematic policy towards ethnic Koreans living abroad. In Osaka in November 1995 and in Los Angeles in September 1996, President Kim Young-Sam announced that the OKF center would be established in Seoul and declared that he would be promoting wide-ranging project for overseas Koreans (DWP 1997, pp. 288-289). The Overseas Koreans Foundation Act (OKFA) of 1997 and the establishment of the OKF center can be seen as an important milestone in the institutionalization and legalization of the South Korean government’s relationship with overseas Koreans. Through this system ethnic Koreans from all over the world, including Joseonjok living in China, began to be tied

into a new official relationship with South Korea.

When President Kim Dae-Jung visited the United States in 1998 (while South Korea was reeling from effects of the 1997 Asian Financial Crisis) he asked Korean-Americans to help their mother country and promised to solve their issues with dual nationality. The Ministry of Justice subsequently began to properly examine the subject of immigration and residency status, including the problems with dual nationality, and the government proposed systematically revising the problematic legal status of overseas Koreans (*Kyunghyang Shinmun* August 26, 1998). With this commitment the 1999 Act on the Immigration and Legal Status of Overseas Korean (AIOK 1999) passed through congress with overwhelming support (154 votes in favor against only 8 votes against and 4 abstentions) (Kim 2002, p. 87). So, within 4 years of the GPC establishing the category of overseas Korean (especially for the “Korean compatriots with foreign nationality”) the AIOK passed through congress and set in place the basic framework defining the legal status of this new category.

However, the AIOK made a distinction between populations of ethnic Koreans who left Korea after the formation of the Republic of Korea, and those who continued living in China (*Joseonjok*), the Soviet Union, or former Soviet Republics. The latter groups were omitted from the overseas Koreans category. This discrimination did not pass unnoticed by the excluded groups, whose civil society groups, academics and political circles all called attention to the problem. As a result, it was proposed in 2004 that the originally excluded groups be incorporated, and from 2007 the law was gradually applied to Joseonjok (Piao 2011).

Conditions and Socio-Economic Right for the “Special Status of Overseas Korean”

Revision of the AIOK did not provide a stable legal status for all Overseas Koreans (including Joseonjok). The state showed priority to overseas Koreans in professional work. For example, anyone who had stayed in South Korea for 6 months or more as a professional, who had a master’s degree or higher from a Korean university, or who had a professional job in their country of residence or third country could get the Special Status of Overseas Korean unless they had previously overstayed on a short-term visa (MOJ 2007a). The South Korean government started to expand the Special Status of Overseas Korean in 2009, making it available to a wider range of overseas

Koreans⁸ then also decided to grant the Special Status of Overseas Korean status to people overseas Koreans with specific roles in the secondary labor market (especially for the Joseonjok workers).⁹

Those who received the Special Status of Overseas Korean began to be issued with Domestic Resident Registration Cards (*gunгнаеgeososingojeung*). These ID cards had a big, positive effect on the holder's everyday life, especially for those used to the limitations associated with the "Alien Registration Cards" normally issued to non-citizens. Cell phone subscription, for example was much easier, and the cardholders were eligible for the same contract conditions as full citizens. There were also other benefits extended to those with the Special Status of Overseas Koreans status. The maximum stay period was increased from 2 to 3 years (AIOK 2008a, article 10), and this could be extended even longer. Re-entry permits were also no longer

⁸ Specifically, those who have been staying in South Korea for over 6 months while working in recruitment, cultural arts, trade management, or as professors; (2) graduates of 4-year undergraduate programs and students receiving scholarship from the South Korean government; (3) those with the right to permanent residency in OECD countries; (4) Representatives and registered employees of corporations; (5) owners of private businesses with sales of more than USD 100,00 in the previous year; (6) multinational company executives, media executives and reporters, lawyers, accountants, doctors, artists, agricultural engineers, marine engineers, aviation engineers, researchers at research institutes, university professors and associate professors at universities in their country of residence; (7) a delegate or deputy delegate of an officially recognized ethnic Korean associations for culture and art (officially recognized groups include: the Joseonjok Entrepreneurs Association, the Korea International Trade Association, the Yanbian Korean Autonomous Artists Association, the Yanbian Korean Traditional Cuisine Association, and the Beijing Goguryeo Cultural Economy Study Group); (8) Former and current members of the National Assembly, civil servants and employees of state owned enterprises with more than five years service; (9) University professors (including associate professors, and lecturers), principals of educational institutions for ethnic Koreans (also vice-principals, head teachers, head secretaries), middle and high school teachers, elementary school teachers; (10) individuals who manage, or want to manage small businesses (MOJ 2009b).

⁹ Specifically: (1) people who have entered Korea with a short term or H-2 visa more than 10 times in the last two years (as long as they stayed less than 30 days each time), and those who stayed in the country less than 150 days in one year after entering with a visiting employment visa; (2) people with a H-2 visa who graduated from a 4-year undergraduate course and submit a letter stating that they are not employed as an unskilled worker. (MOJ, 2009b) In 2010 the South Korean government extended the Special Status of Overseas Korean to existing workers in the secondary labor market. This applied to: (1) those who have worked for more than one year in the same position in manufacturing, agriculture, fishing, care work, or as a household employee; (2) those who have worked for over 6 months in manufacturing, agriculture or fishing and have acquired a work-related qualification whilst in Korea; (3) those who have stayed in the country for more than 200 days per year for the last two years, or those aged 63 or older. Joseonjok workers in long-term employment within sectors with severe labor shortages can also qualify for the Special Status of Overseas Korean (MOJ 2010).

necessary for those exiting and re-entering the country in the middle of their stay. Moreover, foreign nationals with the Special Status of Overseas Koreans were allowed to freely engage in employment or other economic activities in the primary labor market, as long as they were not damaging social order or economic stability (by, for example, violating customs law or regulation, or engaging in unskilled labor). Ethnic Koreans with foreign nationality who were registered residents in South Korea were also granted the same right to acquire, possess, use and dispose of property as full citizens (except in military bases and facilities). They were permitted the same rights as full citizens to use domestic financial institutions, and could receive the same interest rates (although capital transactions were still restricted in order to regulate against hot money).¹⁰ Lastly, registered residents with the Special Status of Overseas Korean were eligible for health insurance after staying more than 90 days in Korea (AIIOKb 2008, article 6-16).¹¹ However people with the Special Status of Overseas Korean (Korean compatriots with foreign nationality) couldn't participate in elections or stand for office. They were, in sum, given economic rights but not political rights.

The Selective Relaxation of Conditions for Permanent Residency and Naturalization

a. Conditions for Permanent Residency

The South Korean government sought to achieve what they called an "orderly opening" by easing the requirements for permanent residency and improving the living conditions for residents. At first they set the permanent residency income requirement for professional foreign workers at a level more than 4 times per capita income, assuring that only those with a higher economic status than ordinary Korean citizens were eligible. However, in 2007 the income requirement was reduced to a level corresponding to three times per capita income. They also altered the requirement so that overseas Koreans with foreign nationality who have been residents in Korea in the past, but were now living abroad were also eligible (MOJ 2007b).

After this the South Korean government granted the status of permanent residence to those who have lived over two years in the country with

¹⁰ In this case, "hot money" refers to capital moved regularly and rapidly between financial markets to make use of different interest rates.

¹¹ Refer to Jung (1999, pp. 182-183) for additional explanation of the conditions applying to activity in the property and financial markets by residents with Overseas Korean status.

Overseas Korean status if they fulfill one of the following conditions: (1) have an annual income more than twice the per capita income for the previous year; (2) are over 60 years of age and receives a pension from overseas that is more than twice South Korea's per capita income; (3) have paid more than 500,000 KRW or more in property tax last year, or, despite not paying property tax themselves own (or lives with a family member who owns) a property with a considerable rent-deposit; (4) have invested over 500,000 USD in South Korea; (5) are, or have been in the last three years, delegates for Overseas Korean organization, or corporate representatives recommended by the head of a foreign embassy (MOJ 2008, 2009a).

The government also relaxed the requirements for permanent residency eligibility for ethnic Koreans in the secondary labor market. However, rather than directly granting permanent residency in this case, candidates were able to apply once five years had passed since they first acquired resident status. This was thought of as a way to both help alleviate the shortage of skilled production workers, and to show gratitude to those who had worked diligently and obeyed domestic laws (MOJ 2007c). The policy at the time was actually to encourage worker circulation, so the amount of time workers could stay in Korea was actively limited. However, this meant that many workers had to leave Korea almost as soon as they managed to acquire some skill. That made it very difficult to form efficient employment relationships in the industrial field, an issue that negatively affected productivity levels.

Since 2009 the number of eligible candidates for permanent residency has been increasing quickly. This is particularly the case for Foreign Korean Workers in the secondary labor market, where conditions for permanent residency have been relaxed even more: workers with long service in certain areas of industry, people with the assets needed to cover living costs, and those with technical qualifications recognized by the South Korean government, have all been added (MOJ 2009a). Those recognized as part of the wider Korean ethnic group have been able to apply for, and receive the status of permanent resident much easier than other foreign citizens.

b. Conditions for Naturalization

The naturalization process of foreign citizens normally takes one of five general paths:¹² general naturalization, simplified naturalization, special naturalization, naturalization through parents, and restoration of nationality.

¹² Lee (2012) has described various conditions of naturalization. Here I only focus on the conditions of naturalization for Joseonjok.

However, as the policy for the naturalization of ethnic Koreans was systematized, it became possible for ethnic Koreans, including Joseonjok, to become South Korean nationals through a separate, additional process within the existing framework. This process was created in 2001 through the Established Rule of MOJ, No. 551.

In 2005 the Established Rule of MOJ, No. 729 further defined the concept of “Korean compatriots with foreign nationality” used for applications to acquire (or recover) nationality. This was defined as someone who had Korean nationality in the past or is the direct descendent of someone who did. Since Koreans in China who left the Korean peninsula (or its associated territories) before the foundation of the People’s Republic of China on the 1st of October, 1949 or were born in China before that day were considered to have forfeited their Korean nationality they wouldn’t be included in this category. Those who thought they should be included and wanted to recover or acquire Korean nationality had to first prove that they or their forebears had been Korean citizens.¹³ According to the 2005 ruling this could be proved with: a copy of your own family register; a copy of your mother’s or father’s family register along with a birth certificate proving your relationship to this family (notarized, or with an official document guaranteeing authenticity); a family register proving your relationship to a Korean citizen within four degrees of kinship (notarized, or with an official document guaranteeing authenticity); a genealogy with a letter of guarantee; the results of genetic tests undertaken by an accredited medical institutions (MOJ 2005a). Since then these standards have been changed somewhat, the most important change being the extension of four degrees of kinship to six in 2007 (MOJ 2007d), and to eight in 2013 (MOJ 2013).

Where an applicant could not prove that they themselves had been citizens of South Korea, it was possible to reacquire nationality by providing proof about to their parents. First of all they would need a copy of the maternal grandfather’s family register. Then they would need a family register proving one of their parent’s is related to a Korean citizens within four degrees of kinship, and proof that this is actually their mother or father. Alternatively they could provide a genealogy with a letter of guarantee, or the results of genetic tests undertaken by an accredited medical institution (MOJ 2005a).

These paths to naturalization were generally only open to those who had

¹³ See Kim’s (2016) excellent research on the process by which *conceptual* compatriots became *legal* compatriots.

entered and stayed in South Korea legally. However, in rare cases, especially where there were “humanitarian” concerns, it was possible for ethnic Koreans living as undocumented immigrants to become naturalized South Korean nationals. According to the Established Rule of MOJ, No. 729 and No. 781 this was possible for: (1) those introduced into a South Korean family register (through marriage or adoption, for example) and their unmarried children; (2) the spouse and unmarried children of those who have received permission to reacquire South Korean nationality and have given up their previous nationality; (3) Ethnic Koreans with Chinese nationality (Joseonjok) who entered South Korea legally before the resumption of diplomatic relations between China and South Korea on August 24th, 1992 (except undocumented immigrants and immigrants with fake passport) (MOJ 2005a, 2007e).

From 2013 a new system was introduced to allow the family of qualified applicants to stay in South Korea. Here, the concept of “family” extended to spouses, children, and the children’s spouses. As such this rule could be applied to family members who were on the family register of the person possessing Korean nationality, or who were staying with them in South Korea. If a family member of a person who has reacquired South Korean nationality and given up (or has pledged to give up) their former nationality has entered the country illegally, but has an appropriate reason to stay in Korean (such as family reunification), then they could apply for permission to stay once the immigration rule violation had been dealt with. The only real exception was if they had been involved with people smuggling or passport forgery (MOJ 2013).¹⁴

At this point then, the eligibility criteria for South Korean nationality has been expanded to include, not only Joseonjok who used to have Korean nationality, but Joseonjok who cannot prove they used to be Korean national, Joseonjok who have stayed in the country without permission of documentation, and even the families of Joseonjok who have simply made an application for Korean nationality.

The status of “overseas Korean with foreign nationality”—which has become almost equivalent to full Korean citizenship—has been granted

¹⁴ Providing all the supporting documents did not guarantee a successful application, however. There were cases when nationality would not be granted. For example, if the applicant had lived or studied in North Korea, or if they had worked for the Communist Party, or in the military, or in government agencies. Where the documents were insufficient exceptions could be made for individuals who had made important contributions to Korea’s independence or were people of “national merit”. These exceptions could also be made for their kin (MOJ 2005a).

selectively according to the individual's level of economic contribution. So Joseonjok were not collectively acknowledged by the government as having the Special Status of Overseas Korean, and this was not a policy whereby all Joseonjok could freely engage in economic activity within South Korea's labor market. It was a system that recognized only a certain class of Joseonjok as the Special Status of Overseas Korean, and did so according to strict criteria. This included, first of all, Joseonjok who possessed human and social capital that could be transferred to the primary labor market in Korea, or who possessed the economic capital to contribute to the expansion of private sector investment and/or help create employment in South Korea. Secondly, it included those who, in their role as professionals, or thanks to their association with particular parties, states or organizations, could play an important role in the development of a positive, mutually beneficial relationship between South Korea and China. Third, Joseonjok who were incorporated in the secondary labor market could also be granted the Special Status of Overseas Korean if they had shown that they could, and would, fill positions that were avoided, not only by South Korean workers, but also foreign workers

Once gained the Special Status of Overseas Koreans granted rights effectively equal to full South Korean citizenship, meaning the range of socio-economic activity its holders enjoyed was very different to that of people with Foreign Worker status. For instance, the Domestic Resident Registration Card issued with the Special Status of Overseas Korean was comparable to South Korean citizen's Registration Card (*jumindeunglogjeung*), and because its holders could leave and re-enter the country without re-entry permits it essentially allowed permanent residency - the period of stay was not linked to employment contract like it was for Foreign Workers. Holders could also engage freely in economic activities outside the secondary labor market, buying and selling property just like South Korean citizens, and using domestic financial institutions just like full citizens as well. Health Insurance, too, was provided for those with the Special Status of Overseas Korean. The Special Status of Overseas Koreans even greatly improved holders' chances of being granted permanent residency of becoming a naturalized Korean as it opened up separate (and easier) tracks to permanent residency and naturalization unavailable to other non-nationals. So, although not all regulations pertaining to Joseonjok with foreign nationalities could be removed, those incorporated into South Korea with the Special Status of Overseas Korean were legally and institutionally very different to other groups of foreign workers in secondary labor market.

It is clear that one portion of the criteria determining the Special Status of Overseas Korean eligibility according to the AILOK was an individual Joseonjok's human and social capital, and another portion was the value of their long-term employment in one of Korea's unattractive jobs. The South Korean government displayed the nature of its blood-based nationalism in selecting ethnically Korean Joseonjok individuals to play the role of industrial worker (and investor) in South Korea's labor market. However, not all of the Joseonjok population possessed the same human, social, and economic capital. And not all possessed the same skills. As such, those who could be incorporated into the primary labor market began to be systematically separated from those who could be included in the secondary labor market. This was the division between the "Special Status of Overseas Korean" and the "Foreign Korean Worker".

Joseonjok as "Foreign Korean Worker"

From EMS to VES - The Logic behind Overseas Korean Labor Force Policy Institutionalization

The Employment and Management System (EMS) was introduced in 2002, when the AILOK's unconstitutional character had been acknowledged, and the collective action of Joseonjok organization demanding that they be offered the same recognition offered to other groups of ethnic Koreans was in full swing. EMS was designed to supplement the existing ITTS framework so overseas Koreans with foreign nationalities from countries such as China could be used in the service sector, manufacturing, construction, offshore fishing and agricultural industries (Office for Government Policy Coordination 2002).

Under EMS the South Korean government lowered the minimum age of Joseonjok employees in Korea from thirty to twenty-five, and allowed them to work in the construction industry. It also simplified the procedure for both job seekers and prospective employers (MOL 2004). With the lower entry age, the increased range of industries in which employment was possible, and the simplification of procedures for entry into the country and employment once there, it became much easier for Joseonjok to enter South Korea and find employment.

However, from the 17th of August, 2004 EMS was absorbed into the 2003 Employment Permit system's (EPS) procedures for "special" circumstances.

The EPS was an early attempt at reducing the high rate of illegally employed foreign workers inadvertently caused by ITTS limitations. It was also supposed to improve the system's ability to adjust to changes in domestic economic and labor market conditions. To achieve these goals it introduced a comprehensive legal system that prevented the employment of foreign workers without specific authorization and was calibrated to encourage the employment of foreigners in professional and technical fields (Song 1993, pp. 88-91). It was hoped that EPS would alleviate the problems faced by foreign workers with industrial trainee status (such as human rights issues, and the ease with which they could fall into illegal employment or overstay their visa). Under EPS, when a company applied for the introduction of foreign workers the government reviewed this application before granting the business owners with an employment permit and the foreign workers with a work permit. One significant feature was that foreign workers who received work permits in this way were guaranteed the same working conditions as domestic workers. However, these work permits were not easy to obtain, and, with South Korean workers struggling to find domestic employment at the time, it was really a policy intended to minimize the impact of foreign workers in the domestic labor market (*Maeil Business News Korea*, February 14, 1995a, 1995b).

Despite the EMS's limitations it was widely expected that the introduction of EPS would cause dispute among stakeholders. Regardless, a government-wide "Improvement Plan for the Policy of Foreign Laborer" was finalized in 2003 (OGPC 2002; MOL 2003). Meanwhile, after a cutthroat debate the National Assembly's Environment and Labor Committee passed the Foreign Laborer Employment Act (FLEA) on the 31st of July, 2003 (Environment and Labor Committee of National Assembly of ROK 2003). As a result, EPS was put into effect from August 17, 2004. Included in the EPS's "special" cases section were Joseonjok who had already entered Korea with an F-1 (Korean relatives visiting) visa (Presidential Decree 2004, article 19).

In 2005, the Ministry of Justice began measures to introduce the Visiting and Employment System (VES) to remedy the limitations of the existing EMS and EPS frameworks (MOJ 2007f, p. 1). This was not a simply about the introduction of foreign workers, but a policy regarding foreign ethnic Koreans (especially for the foreign Koreans workers from China and former Soviet Union) (MOJ 2005b). It looked to ease foreign ethnic Koreans into the South Korean workforce, a measure which was attractive given the worker shortage caused by the country's low fertility and aging. However, immigrants introduced in this way are absorbed into the low-income classes, and as such,

it was necessary to consider the negative effect that this kind of immigration could provoke. This included the kind of human rights violations and social conflict that is brought about when immigration is mixed with a national identity that emphasized pure blood. The motivation for this policy was, then, not simply about solving work force issues. There was a national consensus that human networks are important. The policy regarding ethnic Koreans from China and former Soviet Union countries could, (1) strengthen the global ethnic Korean network, (2) develop the ethnic Korean society in China and former Soviet states, and (3) develop Korea's economy at a low cost (MOJ 2005b, p. 1).

The AILOK affected workers in the primary labor market, but not those in the secondary market, where there was a labor shortage. To deal with this shortage the government decided to attract more Joseonjok by expanding the AILOK to apply to overseas ethnic Koreans in both labor markets. This was achieved by combining the visitor visa and employment visa so that Joseonjok visiting Korea were permitted to engage in employment without changing to an employment visa. This new visa, which was valid for four years and ten months and allowed stays of up to two years at once, permitted holders to engage freely in the secondary market (although participation in the sex industry or other occupations seen as immoral was restricted). Overseas Koreans without family (or relatives) in South Korea were allowed to work, but in order to prevent just anyone coming to work in the country by claiming Korean heritage the Foreign Laborer Policy Committee established a visa quota and required applicants to provide Korean Language test scores. Also, in order to prevent students from abandoning university education to find employment in South Korea only overseas Koreans over twenty-five years old were allowed to work. According to the Ministry of Justice, the long-term plan was to abolish the visa quota, allow absolute freedom to work in the country, grant the Special Status of Overseas Korean or resident status to all overseas Koreans, and abolish the maximum stay period (MOJ 2005b, pp. 6-12). As of 2017 Joseonjok as Foreign Korean Worker can stay in Korea for a total of four years and ten months. If you are not employed at this point but still want to stay for the extra period then you need to make a return trip to China.

When VES became the responsibility of the MOJ this policy began to undergo systematization (MOJ 2007f, p. 1) First, the MOJ eliminated various EMS restrictions. Once a business had been issued with an Overseas Korean Employment Certificate they could find and employ any Foreign Korean Worker without need for further authorization. Foreign Korean Workers

could move freely between industries, and rather than applying for permission simply had to report the change to the relevant authority. Whereas under the previous EMS they were only permitted to work in twelve sectors (such as construction, manufacturing, fishing, and the service industry), they now had access to thirty-two sectors (MOJ 2006). This system was put into operation on the 4th of March, 2007.

In this way VES brought together ITTS, TES, EMS, EPS and the other policies covering industrial work force and non-national ethnic Koreans. It was also a transition stage towards granting the Special Status of Overseas Koreans rights equivalent to those of full citizens. If Joseonjok enter South Korea for the first time with the Special Status of Overseas Korean rather than Foreign Worker status then regulation governing their residency and economic activities dissolve. Through the visiting employment visa the opportunities for Joseonjok without relatives in the country to come to South Korea have increased as well as the period for which they can stay. For those who were already employed in Korea before VES was introduced it became legal to find new employment through personal contacts rather than having to go through a government agency, as long as they reported the conclusion of their previous contract.

After the 2008 financial crisis VES underwent some revision. From 2010 the FLPC limited the number of visiting employment visas to 330,000¹⁵ and Joseonjok entering South Korea began to be issued short-term multiple-entry (C-3) visas rather than visiting employment visas. Visiting employment status began to be granted only upon successful completion of a course at a private technical training academy (which could be attended with a D-4 training visa). This is the policy as of 2017.

Socio-Economic Autonomy

In contrast to people with the “Special Status of Overseas Korean”, who were prohibited from participating in most jobs in the secondary labor market, the status of “Foreign Korean Worker” was given to Joseonjok who could be incorporated only into the secondary labor market.

Unlike under ITTS and TES, Foreign Korean Workers were now able to engage freely in economic activity in almost all areas of the secondary labor market. This is directly related to the fact that the labor market in Korea is

¹⁵ At the same time, the number of people possessing Overseas Korean status increased, meaning that the total population of Joseonjok in Korea could expand.

constantly in need of industrial manpower. The Joseonjok who were eligible for visiting employment were able to stay in Korea for up to 4 years and 10 months. During this stay, Joseonjok were able to move freely in Korea's labor market. Importantly, unlike under previous systems, the employee-employer relationship was no longer skewed so far in favor of the employer. Their freedom was relatively well guaranteed. After staying in Korea for the maximum 4 years and 10 months they could return to China and reapply for the same residency status as before. It was even possible to make the application in China, and then return to Korea with a short-term visa to wait for it to come through.

Although Joseonjok living in Korea as a Foreign Korean Worker did not quite have equal status with Korean citizens, their socio-economic freedom within the labor market was similar. Moreover, if their skill in a specific industrial area increased enough, then it was possible for them to change their Foreign Korean Worker status to permanent residency, Special Status of Overseas Koreans, or even to acquire full nationality.

Conclusion and Discussion

China's post-socialist transformation (which began at the end of the 1970s) was also an ideological transition in that it brought with it the idea that inequality could be tolerated in the name of development. China's Joseonjok society was not able to escape this structural transformation and experienced rapid social and economic differentiation. Whilst Joseonjok who were incorporated into the leading-edge of the post-socialist society could rise into the upper class, other Joseonjok who had experienced a decline in socio-economic status were forced to leave in search of new opportunities. The inequality born of Chinese Pragmatism (or Liberalism) forced a population to seek new opportunities in the midst of South Korea's own unequal society (Piao 2017).¹⁶

The state-dominated globalization of Korea since the early 1990s, did not begin of its own making, but was made necessary by the political and economic context of neoliberal globalization, and the concerned transformations have embodied various neoliberal tendencies (Chang 2012a). A part of the logic of this globalization was institutionalized by a

¹⁶ This phenomenon can be seen as a part of the Globalization of Asia, or specifically, the "Asianization of Asia" (Chang 2014b).

strategy which attempted to reinstate South Korea's past conditions of work and marriage through foreign bodies (Chang 2014a, p. 172). One of the major targets of this economic (and industrial) development plan and strategy for social reproduction was the large number of foreign workers and brides from Asia who had been incorporated into Korean society. The major part of this population is Joseonjok, an extremely complex group as their ethnic identity and status as industrial workers is intricately intertwined (Piao 2012). From the late 1980s and early 1990s, there have been about 600,000 Joseonjok incorporated into Korean society and this population is split across the primary labor market (Piao 2013), secondary labor market (Seol 2012), and social reproduction (Kim 2012, 2014).

The period of rapid industrialization that instigated a transformation in South Korea's macro-political economy began in the 1980s. The fragmented labor market and labor supply problems that were the result of this change became a key issue for Korean society to resolve. As labor supply became a serious difficulty for small and medium-sized businesses, they demanded that the state allow them to hire foreign labor. And because of the key roles of small and medium-sized enterprises in almost all areas of the secondary labor market, the state relented and developed a policy of gradually introducing a foreign labor force. This policy decided the kind of labor to be employed by these small and medium-sized businesses based on their functional role, and the state managed the nature of the available foreign labor through the visa statuses and their requirements. These citizenship policies for foreign workers (or migrants) have changed over time in line with economic globalization.

It was also in the 1980s that South Korea's competitive advantage over North Korea became clear, with global or regional events such as the Asian Games and the Olympics being a prime example of South Korea boasting of their system's superiority. In this context the state began confident moves at the end of the 1980s to reconfigure their relationship with ethnic Koreans overseas, especially with those residing in communist countries. As South Korea reinstated friendly relations with communist countries one after another, Korean capital came into contact with a huge market and the ethnic Koreans from China, whilst CIS countries met South Korea's segmented labor market. Subsequently, the Asian financial crisis in the mid to late 1990s also fashioned a new relationship between South Korea and overseas Koreans, and the state enacted a series of laws to allow Korean-Americans (particularly, but not exclusively) to help their mother country. South Korea's economic globalization thus came to include a kind of "compatriot (ethnic) globalization".

Joseonjok as “Foreign Workers (*oegukinnodongja*)” were gradually incorporated (in numbers limited according to the nature of the industries and the skill level of the Joseonjok workers) into the secondary labor market according to the visa statuses made available by the state. These people’s socio-economic autonomy was severely limited, and the increasing numbers of immigrant workers existing entirely outside the system exposed the limits of the system: those Joseonjok incorporated into the secondary labor market had their freedom restricted despite existing inside the system, and those outside the system were blocked from any kind of citizenship. On the other hand, the South Korean state hoped that the newly institutionalized “Special Status of Overseas Korean (*jaeodongpo*)” status would allow groups like overseas Koreans to contribute to the country’s development (or globalization) both officially and effectively. This was when the conceptual, blood based notions of what constituted fellow countrymen began to be made concrete in law. However, Korea’s existing population of Joseonjok in the secondary labor market was excluded from the *jaeodongpo* status and strongly opposed this discrimination. Their effort, coupled with the constant demand for foreign industrial workers, has had a significant impact on the gradual transformation of the state’s legal status of Joseonjok (or Korean Chinese in a broad sense). However, despite this, not all Joseonjok were allowed equal access to the *jaeodongpo* status because the state continued to distinguish between those in the primary labor markets and the “Foreign Korean Workers (*dongponodongja*)” in the secondary labor markets. Under globalization Korea’s immigration policy has an economistic (*kyeongjeajueijek*) character: the nationalistic basis of policies governing overseas ethnic Korean has been adapted and subordinated to practical industrial needs.

Human capital, social capital, and economic capital were the criteria for how effectively and efficiently Joseonjok individuals could contribute to specific industries, and at what level. This has had the effect of stratifying the legal statuses of South Korea’s Joseonjok population: holders of the Special Status of Overseas Korean have superior socioeconomic status and can change (upgrade) their legal status by actively utilizing their resources whilst Joseonjok with Foreign Korean Worker status, with their particular skills and function in industry, have been granted a legal status almost equivalent to that of full South Korean citizens. In this citizenship status system economic contribution is the primary way in which one can upgrade one’s status - the hierarchy of citizenship statuses for Joseonjok is a concrete reflection of the country’s economistic citizenship policy.

To summarize, the citizenship status of Joseonjok in South Korea has not

been simply based on past nationality or ideas about ethnic blood-ties. It was instead based on the resources and contribution required by society at that particular time. This economically oriented citizenship policy, to which the nationalist factors are subordinated, has created an internal hierarchy of citizenship statuses for Joseonjok. And that has in turn created institutional possibilities for Joseonjok individuals to acquire higher statuses. Thanks to this hierarchy the Joseonjok ethnic group could diversify to participate in various areas of the labor market rather than being fixed as a socio-economic status group fulfilling one specific role in the labor market.

The South Korean state has justified the selective inclusion and exclusion of “citizens” by selecting and reorganizing the logic of nationalism and economic development as the state’s needs changed, and whichever direction the state has taken it has helped to create socio-economic inequality.

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