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JOSEONJOK MIGRANT WORKERS' IDENTITY AND NATIONAL IDENTITY IN KOREA

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This paper explores the changing views of ethnic Koreans in China. Though Koreans have lived in what is now China for centuries, approximately 2 million emigrated or were forced by the Japanese to move to China, mostly in the 1880-1945 period. We show that though briefly, during Japanese occupation, Joseonjok were viewed by Koreans on the peninsula as truly Korean, since the 1980s the government has mostly treated them as foreign. Focusing primarily on the past 15 years, we show the changing policy regarding Joseonjok, which increasingly gives them rights above and beyond those enjoyed by other migrants, but continues to keep them marginal and outside of the Korean nation. We also examine Joseonjok workers attitudes, and the discrimination they face on the job and in Korean society.

No nation-state is entirely isolated from its neighbors. Though the Westphalian state system created a world of contiguous, discrete nation-state entities, separated from each other by (usually) mutually recognized borders, the state system did not stop the tradition of human movement. Even the most proudly and self-consciously homogenous places, such as South Korea, have long traditions of both emigration and immigration. In the past two decades, South Korea has made a transition from being primarily a sending state to a receiving state. This is a momentous change and one of potentially great consequence for Korean national identity.

In Korea, as in other countries that have made similar emigration/immigration transitions, such as Italy and Japan, there are groups of people who represent both the past and the future. These are the return migrants, who left their homelands because of poverty or political persecution or both, but who now, sometimes several generations later, come knocking at the now enticing golden doors of their fast-developing ancestral homelands. Sometimes the homeland governments and people welcome them back with open arms, as with Germany (Joppke forthcoming). And sometimes they offer suspicion and exploitation.

In this paper, we examine the case of the Joseonjok, or ethnic Koreans who left their homeland in the late 19th and early 20th centuries and settled in China. They have long sought

to “return” to what is really a new nation-state, or a divided nation; the Joseonjok are not citizens of South Korea because South Korea did not exist when they left what was then simply “Korea.” But the Joseonjok are also not what they were when they left. Now in their third and fourth generations, they are no longer really Korean in the way that South Koreans are Korean. But living in mostly segregated communities in the Manchuria region of China, neither are they really Chinese in the way that the Han are Chinese. In legal formulations, they have dual identities: Korean ethnicity (*minjok*) and Chinese nationality (*gukjeok*). On the level of lived experience, and how they feel on a social-psychological level, one could say they are both Korean and Chinese, but our data indicate it is more accurate to say they are neither. In effect, Joseonjok are Chinese citizens with Korean ethnicity but are not members of the Korean nation.¹ There is a hierarchy of belonging, with Joseonjok just above any other foreigners but below Koreans in the West and Korean citizens.

Why are there Koreans in China?

The history of Koreans in Manchuria, what is now part of China, is a very long one. Indeed, by some interpretations, Manchuria is Korea’s ancestral homeland. The Yemaek people joined with other tribes forming the Goguryeo Dynasty, one of Korea’s “Three Ancient Kingdoms,”² and which included this territory north of the Amnok and Duman rivers.³ In the fall of Goguryeo, the Koreans were divided, with most moving under the Shilla Kingdom and leading to today’s Korean peoples. But others stayed and established Balhae Kingdom, and assimilated over time into Manchuria (C.J. Lee 1986; Piao 1990).

After this initial separation, Piao (1990) identifies three periods of immigration to Manchuria. In the 1200s, what he calls the “Yuan to Ming” period, more than 20,000 Koreans headed north either fleeing a Mongol invasion, or were forced to move by the Mongols. The “late Ming to early Qing” period in the 1600s brought another migration of

¹ Notoriously hard to define, we follow Anderson’s (1983) definition of a nation as an “imagined community.”

² Three Kingdoms are Goguryeo (37 B.C. – A.D. 668), Baekje (18 B.C. – A.D. 660) and Shilla (57 B.C. – A.D. 935).

³ In the romanization of Korean, we followed the newest official scheme introduced in 2000 instead of McCune-Reischauer system of Korean romanization. The Amnok river is pronounced as Yalu-jiang in Mandarin. The Duman river is also spelled Tuman river in McCune-Reischauer system, and is pronounced Tumen-jiang in Mandarin.

about 20,000, as some Koreans in the north fled onerous Joseon taxation or were captured and enslaved by invading Manchus. Koreans from these two periods have long since been absorbed into the Chinese population; almost nothing identifiably “Korean” remains from their descendants. The third period, the Late Qing (1860s) to 1945 period, is by far the largest immigration, and produced the overwhelming majority of Koreans in China today. According to Piao (1990), in the early 1860s, a series of natural disasters struck northern Korea, leading to terrible famines. In desperation, thousands of Koreans made an illegal move to Manchuria. In 1865, the Qing dynasty began to accept this immigration, allowing increasing numbers of Koreans to come and cultivate land. There is some dispute on the dates of the immigration. Chae-Jin Lee (1986) sees the disasters and large moves as coming in the 1880s. Both agree the numbers increased over the 1880s, though Piao argues the Qing allowed this to take advantage of Korean cultivation, and C.J. Lee maintains the numbers increased because the Qing was in decline, Russia’s influence was growing, Japan was pushing into the area, and Korea’s economic problems pushed Koreans to look for other opportunities. The Joseon Dynasty officials apparently considered them to be part of the Korean people, or nation, and dispatched a military force to protect them (C.J. Lee 1986).

The Korean community in China remained small for years. One estimate put the number of Koreans in China at 34,000 in 1894, with numbers increasing to 109,500 in 1910 (Kwon 1996). Most Joseonjok, however, went to China during the period of Japanese colonial rule of Korea, which began in 1910. Their reasons for emigration varied. Some were simply fleeing oppression. Others fled oppression with the goal of setting up a new Korean government-in-exile. Using China as a base, these exiled Koreans plotted the overthrow of Japanese rule, even while hiding from Japanese in China (Seol 1998, pp. 68-71; J. Lee 2002).

Most of the Koreans went to China during Japanese rule, however, because Japan sent them there. The goal of this movement of peoples was to siphon off excess labor in Korea and to gather manpower to farm remote areas of Manchuria; Japan had decided to make Manchuria a supply base for its invasion of China. Japan forced entire villages to move as part of this project of farming work camps, and the Korean population grew from 600,000 in 1931 to approximately 2.2 million at the end of World War II. Nearly all of them remained in the areas of original settlement, just north of the Amnok and Duman rivers (Seol 1999, pp. 344-347).

This period marked a crossroads in the identity of the Joseonjok, and a period where they lost Korean nationality even while maintaining Korean ethnicity. Japan claimed that all Koreans were Japanese subjects. China, meanwhile, encouraged them to become Chinese citizens. The Joseonjok themselves were conflicted, with many taking on Chinese citizenship, and others insisting on maintaining a distinctive Korean identity (C.J. Lee 1986).

The defeat of the Axis powers led to the end of Japanese rule in Korea, but not the emancipation of the country from foreign influence. The division of the country into a USSR-dominated north and a USA-dominated southern section created problems for the Joseonjok. The USSR prevented free elections in the northern section, and aided the political control of Kim Il-Sung's Communist Party. Joseonjok with hometowns in the north were free to return, but many were wary of moving to what became a new state, the Democratic People's Republic of Korea, or North Korea. The options were limited for Joseonjok from the area that became the Republic of Korea, or South Korea. Cold War politics prevented return there even as Cold War politics eased return to the North. China's Communist Party prevented their departure to South Korea (while conferring Chinese citizenship upon them in 1957), and South Korea prevented their return in any case (J. Lee 2002). But China, which had recruited Joseonjok support with promises of ethnic equality during the civil war after 1945, created in 1952 the Yanbian Korean Autonomous Prefecture (Piao 1990). There are now about 2 million Koreans in China, which is about as many Koreans as in the USA. The freedom to manage their affairs coupled with China's standard restrictions on movement within the country or *Hukou* system (Cheng and Selden 1994; Solinger 1999) has allowed Joseonjok to maintain the Korean culture and language.

How did Koreans view the Joseonjok at the time of this great migration? Were they part of the Korean nation? No systematic studies of popular opinion are available. However, it appears that though nationalist aspirations led some Korean writers to consider Joseonjok to be part of the Korean nation, using an ethnic conception of nationhood (Shin, Fredda and Yi 1999), it was quickly apparent that they assigned a second class status to them relative to Korean emigrants to the West.

Though there was a tendency for Korean writers to view emigration as somehow unnatural, and for Koreans to identify Korea specifically with the peninsula (Schmid 2002, pp. 239, 224), there were good reasons to argue that Korea properly extended north of the

Amnok and Duman rivers, and included territory where the Joseonjok resided. In short, there were good reasons to consider Joseonjok to be just as Korean as those living on the peninsula.

First of all, as mentioned above, the ancient Goguryeo Dynasty extended into Manchuria. Second, Korea's nationalist foundational myth involved a godlike figure, Dangun, who came down from heaven in 2333 B.C. to create the Korean people and culture. Significantly, according to the writings (which actually dated from the thirteenth century) Dangun did not come down in the heart of the peninsula, but arrived at a sandalwood tree on Korea's Mount Baekdu. This mountain, Korea's highest, is in fact on the border with China (Shin, Freda and Yi 1999; Schmid 2002). Consequently, some Korean nationalist writers included Manchuria as part of the Korean nation, seeing its loss as a temporary setback resulting from a weakness of nationalist spirit. Third, as historian Andre Schmid has pointed out, with Japanese domination of the peninsula it became possible to make an argument that spaces *outside* of Korea were the true holding place of the Korean nation – the peninsula had become tainted. This sort of reasoning, espoused by the great nationalist writer Shin Chae-Ho (1977a, 1997b, 199c) in 1910, assigned a significant and elevated role to the Joseonjok, a view that was adopted by other writers and some of the Joseonjok themselves (Schmid 2002, pp. 225, 235). For this reason, it was crucial that his day's Joseonjok did not follow the pattern of emigrants to China from centuries past, who disappeared as they assimilated. Shin exhorted them to set up schools and newspapers and work to preserve their religion, custom, language, and *kuksu* (national essence) in order to, in effect, establish “a new country” in another land (Schmid 2002, p. 239).

But if Korean nationalist writers saw it as appropriate to lecture the Joseonjok on Koreanness, Schmid shows, they took a different, more reverent view toward the far smaller number of Koreans who went to the West, specifically to the US. This reverence was rooted in the privileged position that Western nations assigned themselves in their categorical division of the world between the civilized and the barbarous (Gong 1984). Korea, like Japan (Befu 1993), accepted the idea that the West represented a higher civilization. This framed the Koreans emigrants to the West differently than the Joseonjok; they were, in Schmid's words, “entering a more enlightened realm” (Schmid 2002, p. 242). As such, Korea's turn of the century newspapers portrayed them as more successful, and more civilized, than Koreans on the peninsula. They reported that Koreans in San Francisco went there to obtain “civilized knowledge” to help make Korea “glorious”, and exalted, “Their loyal and patriotic objectives

and their advance toward civilization has created a new Korea in North America” (Schmid 2002, pp. 243-244; Schmid’s italics removed). Far removed from Japanese domination, the Koreans in the US used their newspapers to lecture the peninsular Koreans on the importance of maintaining their nationalist spirit. At least briefly, then, Joseonjok were Korean, but even at this time there were other Koreans who were *more* Korean.

Korean government policy and reluctant acceptance of Joseonjok

Joseonjok began to come to South Korea in the late 1980s, the same time that Korea began to make the shift from a country of emigration to one of immigration, or at least a country of sojourn. Forced to confront the issue of Joseonjok nationhood for the first time, the South Korean government of Roh Tae-Woo was unsure how to respond. There were many factors to consider in the making of Joseonjok-return policy. First, South Korea was a state that came into being after the Joseonjok came into being; no Joseonjok had ever been a citizen of an entity called the Republic of Korea. This being the case, South Korea owed them nothing and had no legal relationship to them. Second, many Joseonjok were from what became North Korea, and they therefore had no family ties to South Korea. Third, many Joseonjok did have a special relationship with the Korean nation, *minjok*: many were freedom fighters, or the descendants of freedom fighters, who fought against Japan. A strong case could be made that they were heroes. Fourth, the Korean economy’s take-off was recent, and fragile though impressive. Any policy Roh chose had the potential to create more demand, potentially bringing too many workers to the labor market, and putting strains on the economy. Fifth, South Korea had no diplomatic ties with China at the time, a result of the chilling effect the Cold War had in the region, and it was not at all clear how China would view any policies that involved its Korean citizens (Seol 1999, pp. 142-146).

Not surprisingly, given this confusing situation, Roh’s government took an ambiguous position toward these ethnic Korean newcomers, treating them in 1987 as nationals and allowing their legal entry, but did not issue visas. Instead, any Joseonjok (Korea followed China’s official ethnic designation, which is listed on all national identity cards) who wanted to visit could enter with “travel certificates.” It was a friendly policy that Roh believed would warm relations, and was part of a general “warming” course of diplomacy he

was pursuing with both China and the USSR. The policy went a step further, as it opened up an avenue to citizenship for Joseonjok who could trace lineage to former anti-Japanese activists.

The policy did not last. Roh never asked for China's views of the policy--and quickly learned that China disapproved. In 1990, the policy was revised, and great limitations put on it. The new policy clearly defined Joseonjok as foreigners, and not members of the Korean nation. Joseonjok could receive tourist visas, but the road to citizenship was blocked. The visa was good for three months, with one possible renewal and no work rights. If Joseonjok wanted to work, they could do so, but only through the industrial trainee program (described below).

In 1992, in a move suggestive of the continued view of Joseonjok as foreigners and threats to the Korean labor market, the policy changed with the addition of an age limit. Short-term visas were available only for those aged sixty or older. Younger Joseonjok could legally enter Korea only as trainees, students or on a business visa. Over the next ten years, the policy has continued to change every few years with the reduction of the age limit, apparently as Korea became more secure in its labor market and certain of the needs that Joseonjok could fill. In 1994-1995, it lowered to 55, held steady until 1999, when it became fifty. In 2002, it was lowered again to 45, and then 40 by the end of that year. The following year, it was thirty, and on July 1, 2004, it reached its current level of 25 years old (Seol 1999, p. 144; Seol 2004, p. 20).

The age restriction will likely not go any lower than twenty-five. At this stage, opposition will not come from Korean workers or those worried about the Korean labor market, but instead from the Joseonjok themselves, or rather Joseonjok intellectuals. In a development reflecting the complexity of the Korean nation, some Joseonjok intellectuals have urged their community to maintain itself in China. The age restriction helps do that by keeping younger Joseonjok in China, especially for schooling.

Joseonjok in the Korean workforce

Joseonjok began to come to South Korea in large numbers in the late 1980s, usually staying illegally to work in a variety of jobs, mostly concentrated in construction workers,

restaurant employees, domestic helpers, and a few manufacturing workers. The Korean government, especially the Justice Ministry, has tried to limit all immigration, including Joseonjok, and limit competition with Korean workers. It has also, however, allowed foreigners to work in low-level jobs, both illegally and as part of a government program.

The official government foreign worker program is called the Industrial Technical Training Program (ITTP). Joseonjok have been prominently included in this policy designed to bring in low-skilled workers for 3-D jobs. It developed in the late 1980s after the Korean Federation of Small Business (KFSB) began to lobby for (legal) access to foreign labor. In 1991 Korea's Justice Ministry—following a similar policy in Japan—created the ITTP to meet this need.⁴

The ITTP was ostensibly for teaching and transferring skills to less developed countries. It was originally and officially limited to Korean companies with investments or partnerships with firms in eleven specified countries; more were added later. It also limited trainees to fifty per company or ten percent of the company's workforce. Only 10,000 trainees were originally admitted for six months of training, with a possible six-month extension. Since 1991, the program has been continually expanded (with a brief break in 1997, during the financial crisis) to address worker shortages in low-end jobs. For example, over the past decade, the ITTP has allowed companies without overseas ties to take part, more trainees to come, and more different types of industries to hire trainees (fishing, agriculture and construction are now included with manufacturing). The program has never kept up with demand, and consequently there have been an enormous number of undocumented workers in Korea. In fact, the majority of foreign workers in Korea are undocumented (see Table 1). Many come to Korea usually on tourist visas and simply find jobs and overstay. Many trainees also run away from the firms that sponsored them, and work illegally for other firms. Undocumented workers earn more than legal trainees, creating a strong incentive for foreign workers to go underground.

Though legally classified as foreigners, the Joseonjok always had a privileged place in the ITTP. According to Timothy Lim, South Korea's first preferences for foreign workers was for these fellow Koreans because they would "pose less of a threat to South Korea's tight-knit,

⁴ The Labor Ministry and the Small and Medium Business Administration (SMBA) were also involved in instituting this program, but the major actor was clearly the Justice Ministry. For more on the history of ITTP, see Seol and Skrentny (2004).

homogenous society” (Lim 2002, p. 19). Joseonjok were given a separate (and large) quota in the ITTP and were paid higher wages in the beginning of the program. They remain the largest group of foreigners in the program and among undocumented workers (see Table 2 and 3). Though Joseonjok ethnicity clearly played a part in their elevated position, they were not the only group of elevated foreigners. Filipinos also originally had a wage preference. There were other rationales for group inclusion, and these recognized business ties rather than Korean blood ties. The trainee system is officially based on relationships with Korea’s major investment/trading partners, and that rationale fits with the program’s original limitation to Korean companies with overseas affiliates. The program began with eleven nations in 1994, and more were added and finally with seventeen nations in 2004.

There is an alternate “insider” account of the origins of the ITTP that gives almost no recognition to Joseonjok as co-ethnics. Country choices were made by officials closely linked to the small companies that employed migrants. The first sending states were chosen based mostly on research done by a KFSB official who examined the national origins of Korea’s undocumented foreign workers in the late 1980s and early 1990s. In this account, Joseonjok were privileged only because many were already coming to Korea. If economic ties or migrant labor pools led to the choice of the first ten countries in the program, it was politics—mostly based on Korea’s drive to get the Third World support for its 1991 admission to the United Nations—that decided the next four. Notably, other countries with sizable Korean populations—Kazakhstan and Uzbekistan—were added only in 1994 by President Kim Young-Sam, with little fanfare or attention to their Korean populations (called “Goryeoin”). This inattention or lack of care for a special case of co-ethnics further attests to the ambiguous role of Korean ethnicity in a program that clearly defines all participants as foreign.

The classification of Joseonjok as foreign and their inclusion in the ITTP or their status as undocumented workers actually speaks more to the exclusion of Joseonjok than it first appears. The ITTP continues to attract migrants, but it is notorious among NGOs and the news media as an embarrassing source of egregious human rights violations. Due to their legal status as “trainees,” they have been denied basic rights given to all Korean workers. Protests organized by NGOs have included such basic demands as preventing employers from confiscating passports, withholding wages, or beating trainees. Protesters regularly present gruesome photos of trainees and undocumented workers who have suffered

disfiguring injuries at work but denied full or any compensation. Though the program has been reformed, with years as a “worker” possible after a “trainee” period (the so-called “work after training” worker permit system), that Joseonjok were relegated to such a humiliating status says much about how narrowly the Korean government was willing to define or draw lines around the Korean people.

By the 2000s, the full picture of the ever-changing status of the Joseonjok seemed to be settling into an intermediary position between regular South Korean citizens and foreigners with no Korean ancestry. Though not truly Korean, they were more desirable than the ethnic Chinese, Bangladeshis, Filipinos, Mongolians and other Asians who make up the bulk of Korea’s foreign workers. This was recognized in a 2002 policy, the Employment Management Program for Overseas Ethnic Koreans (*Chuieop Gwanri Jedo*). The Justice Ministry, in collaboration with the Small and Medium Business Administration (SMBA), created and explicitly built ethnic preferences into Korea’s the first labor-importing mechanism not linked to training. Overseas Koreans over the age of forty and with family (cousins or closer relatives) in Korea would receive special two-year visas to work in the labor-starved service industry—supplying cheap labor to restaurants, cleaning companies, and nursing facilities (not as nurses, but “caregivers”) but excluding bars and sex-based “room salons” and karaoke hostess bars. Employers can now hire up to ten overseas Koreans provided they show they cannot find workers domestically. The government originally expected between 40,000 and 50,000 overseas Koreans to take advantage of the new program, which formally began in December 2002 (*Joongang Ilbo*, July 18, 2002; *Korea Herald*, July 18, 2002; *Chosun Ilbo*, July 18, 2002), though the numbers have been much lower than this.⁵ Though nominally open to any overseas Korean, the program was clearly targeted to the relatively disadvantaged Joseonjok and Goryeoin.

The saga of the “Act on the Immigration and Legal Status of Overseas Koreans” (hereafter, *Overseas Koreans Act*) offers further evidence of the intermediary status of Joseonjok—and is a bizarre echo of turn of the century nationalist writers’ elevation of Korean Americans above Joseonjok. In 1998, the Korean National Assembly passed a law that targeted persons of Korean ancestry in the West for special benefits should they choose

⁵ By 2004, there was a 16,000 quota for the *Chuieop Gwanri* program (which also added construction), 25,000 for the work permit system, and 38,000 for industrial trainee for Joseonjok or Goryeoin (though only 3% were Goryeoin).

to return to Korea. The law did not explicitly make geographical or any social distinctions, but instead limited its provisions to those with South Korean citizenship, or “persons who have emigrated abroad after the birth of the Republic of Korea, i.e., 1948, and have relinquished their Korean nationality, and their lineal descendants.” This restriction excluded all Joseonjok and Goryeoin. While not conferring citizenship on those within the law’s reach, it came close, as it allowed a special visa status, economic rights, and social benefits, including health care (J. Lee 2002, p. 131). In effect, the law created a new intermediary category, the overseas Koreans in the West, placing them just below Korean citizens, and quite above Joseonjok, who languished with other foreigners or just above them in the reach of the Korean nation.

Not surprisingly, Joseonjok, keenly aware of Japan’s much more favorable approach to its disadvantaged return migrants (in that case, from South America; Tsuda 2003), were offended by the new law, and with the help of Korean NGOs, pressured for change. Their efforts were rewarded in February 2004 when the National Assembly revised the Overseas Koreans Act. Their cause was greatly aided by a November 2002 opinion of the Constitutional Court that declared the 1998 law unconstitutional for its unfair treatment of the Joseonjok (Seol 2002, pp. 200-202). The Court also ruled that the law ran afoul of the Constitution because it failed to give automatic citizenship to Koreans displaced by Japanese colonial rule. Rather than simply striking down the law, the Court used its power to send the law back to the Assembly for revision (Ginsburg 2003). In response, the Assembly eliminated the distinctions that disadvantaged the Joseonjok and Goryeoin (*Korea Times*, Feb. 10, 2004). With this change, the Joseonjok entered a status—on paper at least—mostly equivalent to that of the Nikkeijin in Japan: they had a right of free movement to and from South Korea and China to work. This was a hollow victory, however, as another obstacle separated Joseonjok from Koreans in the West. The Overseas Koreans Act only offered openings in professional jobs, where Joseonjok lacked the skills of Western Koreans.⁶ If they wanted to work in a nonprofessional job, they had to get permission from the government, and were channeled into the *Chuieop Gwanri* program. After the National Assembly passed the *Act on Foreign Workers’ Employment, Etc.* in July 31, 2003, the program was included in

⁶ The clause 3 at Article 23 of the *Enforcement Decree of the Departures and Arrivals Control Act* refers to the prohibited categories of employment for overseas Koreans with foreign nationality in Korea: 1. simple laborer, 2. occupations regarded as subversive of the existing social order, 3. occupations recognized to need restriction to employment for the public good or for the protection of domestic labor market.

the Employment Permit Program (*Goyong Heoga Jedo*). In effect, the Overseas Koreans Act has recreated the old early twentieth century valorization of Korean Americans, replacing “civilization” with “skills” as the trait that sets them apart (though remaining silent on patriotism).

Yet another legal/policy Joseonjok struggle centering on their Koreanness regarded their possibility of deportation. The Justice Ministry decided in 2002 to deport foreign workers in the country illegally, including about 50,000 Joseonjok. The date of deportation was continually delayed, but the threat was real, causing much stress among the 80 percent of all foreign workers who lacked documentation. The threat was especially poignant for Joseonjok, who protested with support of pro-Joseonjok NGOs for access to citizenship.

In April of 2004, the government loosened citizenship rules for Joseonjok.⁷ Though few Joseonjok would actually take full advantage of it (preferring to simply work in Korea and use those earnings for superior buying power in China), it was a significant move toward inclusion of Joseonjok in the Korean nation. Previous rules demanded that they prove they lived in Korea before 1948, which was basically impossible because there was no family registry at that time. The new guideline allowed citizenship to those who could find a cousin in the registry, and could prove the relationship with a notarized document or DNA testing. The guideline also gave automatic citizenship to war veterans and those who fought the Japanese occupation, down to the fourth generation. Finally, in two surprisingly liberal expansions, the guideline allowed spouses of those eligible offspring to claim Korean citizenship, regardless of ancestry, and—after months of NGO pressure—opened the door to Korean citizenship to spouses and children already in Korea but without documentation (*Joong-Ang Ilbo*, April 1, 2004).

Korean people’s attitudes toward Joseonjok migrant workers

The question of who is or is not Korean is not simply a matter of law and legal classification. Equally important are the attitudes of Koreans themselves on this question. If we examine the views of the Korean people toward Joseonjok identity, we see fluidity similar

⁷ The Justice Ministry adopted the *Guideline for Naturalization of Overseas Koreans with Foreign Nationalities* instead of the *Guideline for Naturalization of Korean-Chinese*.

to that in the law, but lacking time series data it is harder to discern trends toward erasing the distinctions between Joseonjok and ordinary Korean citizens (or distinctions between Joseonjok and Koreans from the West). There is little, if any, recognition of any heroic Joseonjok past; apparently, service in fighting the Japanese is now too many years, and too many generations, in the past. To be sure, Korean citizens (when they think about them, which are not often, unless they are employers or co-workers) prefer Joseonjok to other foreigners. But it seems clear that they usually treat them as just that—foreigners—and often have contempt for them that may, in the case of employers of small and medium-sized companies, go beyond what they harbor toward other Asians, Middle Easterners, and Africans.

There are not much data regarding Korean attitudes toward Joseonjok, but what exists indicates they are seen as the lesser of two evils. One survey showed that while 34 percent favor and 40 percent oppose Joseonjok entering Korea to work, the comparable numbers for other foreigners coming to Korea are 13 percent in favor and 64 percent opposed (Seol and Skrentny 2004, p. 501). Though preferred over other foreigners, we see from these results that a greater percentage of Koreans opposes the entry of Joseonjok than supports it. Among employers, there is some evidence that employers prefer Joseonjok, as evidenced by the somewhat higher wages they earn. It is also the case, however, that Joseonjok are more likely to leave a job, or runaway from a trainee position, and therefore some employers prefer to hire foreign workers without Korean ancestry (Seol 1999, pp. 382-390).

The attitudes of employers become more clear when we examine the attitudes of Joseonjok workers themselves toward their jobs and Korean society. In Seol's research, including interviews and surveys of migrants, Joseonjok complain of discrimination as do other foreign workers. Typical is the view of one who reported, "They (employers) treated me like a dog" (Seol and Han 2004, p. 48). The Joseonjok's experience with discrimination is somewhat paradoxical. On the one hand, they experience less discrimination than do other foreign workers. At the same time, they are more aware of and sensitive to the discrimination that they do experience than are the other foreign workers. This is because their expectations are higher, as they believe (despite their lower legal status) they should be treated exactly the same as their fellow Koreans, and because their knowledge of Korean language and culture allows them to notice the everyday discrimination, disrespect and dismissive treatment that non-Korean foreign workers simply do not detect. Even though Joseonjok receive higher

wages than do other trainees, they complain of their unhappiness because their reference group is Korean citizens, and not foreign workers (Seol 1999, p. 266). What matters most to them is that the wages they receive, and their overall work experience, is still lower or worse than that of Korean citizens.

The discrimination experienced by foreign workers, including Joseonjok, is not only subtle but can be very severe. Their basic situation as trainees is one of low status, as they are paid low wages and lack the benefits of Korean labor laws, including easy access to benefits, even when injured or disfigured on the job. Running away and working illegally actually brings higher wages, but leads to new vulnerabilities, as exploitative employers can threaten to expose the undocumented workers' status. Both trainees and undocumented workers can suffer unauthorized withholding of pay or their passports, verbal abuse, and beatings on the job. Women foreign workers have reported sexual abuse. Though exploitation of foreign legal and illegal workers is common throughout the world, as is abuse, it is also the case that foreign worker protests in Korea are especially based on bodily harm and exploitation (Seol and Skrentny 2004).

To some Joseonjok workers, this abuse is intolerable even if the jobs are desirable. We should not be surprised that there have been a few occasions when they have struck back. Lim (2002) describes a virtual mutiny that occurred on a South Korean fishing ship, led by Joseonjok, that resulted in the deaths of a Korean captain, seven Korean sailors, and three Indonesian sailors. The murderous rampage was incited by what the Joseonjok regarded as excessively harsh working conditions (Seol 1999, p. 395).

A survey of foreign workers in Korea 2002 released by the National Human Rights Commission of Korea shows some revealing differences between Joseonjok and other foreign workers (Seol, Choi and Han 2002). Some data indicate Joseonjok are better off than other foreigners. For example, Joseonjok who changed jobs are almost three times as likely as others to say they changed because the jobs was too difficult (31 percent vs. 12 percent); whereas other foreigners are more likely to change jobs for higher wages (45 percent vs. 31 percent), suggesting that either Joseonjok are more satisfied with their wages or their wages are actually higher.⁸ When asked about their levels of dissatisfaction with the level of safety

⁸ Another question in the survey shows somewhat contradictory results. When asked about levels of satisfaction with wages, nearly the same percentages of Joseonjok and other foreign trainees say they are dissatisfied

at their jobs, only 5 percent of Joseonjok trainees and 11 percent of undocumented workers expressed dissatisfaction, compared to 28 percent and 33 percent of non-Koreans in those respective categories.

In other areas, however, Joseonjok indicate greater levels of dissatisfaction than do non-Korean foreign workers. These discrepancies appear greatest among the undocumented workers. When asked about levels of dissatisfaction on medical benefits, 80 percent of Joseonjok expressed dissatisfaction, compared to 60 percent of non-Koreans. For “solution of difficulties at work,” the figures were 86 percent to 48 percent dissatisfied, “entertainment facilities,” 77 percent to 60 percent dissatisfied, and “guarantee of employment,” 71 percent to 38 percent dissatisfied (Seol, Choi and Han 2002, p. 83). Similarly, when asked to assess their happiness with their overall workplace, 32 percent of Joseonjok undocumented workers expressed some unhappiness, whereas only 16 percent of non-Koreans did so (Seol, Choi and Han 2002, p. 86).

When asked of discrimination or human rights violations, the results of Seol, Choi and Han’s survey show great complexity, with Joseonjok reporting better treatment than non-Koreans on some measures and worse on others. In general, the pattern is for Joseonjok to be better treated in the legal trainee program than the undocumented workers (though one should keep in mind that the number of undocumented workers is far larger). Non-Koreans are more likely, in either category, to suffer sexual harassment, physical assault, and seizing of passports. Among the undocumented workers, greater percentages of Joseonjok than non-Koreans report long hours, poor working conditions, occupational disease, injury, unpaid wages, low wages, excessively fast work speed, conflicts with Korean co-workers, conflicts with Korean superiors, mockery or insults (42 percent vs. 24 percent),⁹ and rape/sexual violation (Seol, Choi and Han 2002, p. 94).

Regarding treatment in the wider society, surprisingly, Joseonjok are more likely to report discrimination. For example, when asked “Have you ever been subject to suspicion or hostility due to being a foreigner?,” 18 percent of Joseonjok trainees and 22 percent of undocumented workers said they had. Only 13 percent of non-Korean trainees and 21 percent

(between 37 and 40 percent), though among undocumented workers, 57 percent of Joseonjok report being dissatisfied, while 43 percent of the non-Koreans report dissatisfaction (Seol, Choi and Han 2002, p. 83).

⁹ The results are reversed among trainees, with only 10 percent of Korean trainees reporting mockery, and 30 percent of non-Koreans so reporting. On another question on “ridicule” or “extreme insulting remarks,” the numbers come up differently, with 56 percent of Joseonjok undocumented saying yes, and 53 percent of non-Korean agreeing (Seol, Choi and Han 2002, p. 105).

of non-Korean undocumented workers (who are more likely to be racially different) said yes. When asked if they had experienced “disregard or insult by Koreans” for no clear reason in a restaurant or shop, 15 percent of Joseonjok trainees and 27 percent of the Joseonjok undocumented workers answered in the affirmative, compared to 14 and 19 percent of the non-Koreans (Seol, Choi and Han 2002, p. 182).

What are the political goals of Joseonjok and their representative NGOs? A few generalizations are possible. First, most basically, they do not like that they are treated as foreign workers, and they wish to be treated as ethnic Koreans. This is manifested in the nature of their NGOs, which are organized around their Korean identities, and are separate from other NGOs working on migrant worker issues, and in general are not on good terms with them.¹⁰

But they also do not want to move *en masse* to Korea and lose Chinese citizenship. To do so would sacrifice the opportunity to return to China to take advantage of the much-cheaper cost of living. To summarize the policy goal of the Joseonjok succinctly, we can say that they want to be treated as the *Nikkeijin*, or ethnic Japanese return migrants (mostly from Brazil, Peru and other Latin America), are treated in Japan. Japan’s policy toward the *Nikkeijin* (described in more detail below) includes unrestricted employment rights, and renewable visas for what amounts to permanent residence. In short, the *Nikkeijin* have rights to do as they please. The Joseonjok know about this policy because it has been widely publicized via an academic report released by an NGO that was then reported in Joseonjok newspapers in China.

Korea has made moves toward this policy but it is not there yet due to worries in the Labor Ministry that it would negatively impact the Korean labor market, harming many unskilled workers. But other parts of the Korean government were also opposed—as well as the Chinese government. The Korean Ministry of Foreign Affairs and Trade, on the front lines of dealing with the giant neighbor to the west, opposes the free movement of Joseonjok because China has made known its opposition. China does not want its citizens to lose loyalty to China. Therefore, Joseonjok policy is a matter of constant political struggle.

¹⁰ There are about 155 NGOs working for migrant workers in Korea, and about 15 that focus on Joseonjok issues (Seol 2003, pp. 109-116).

The complexity of Joseonjok migrant workers' identity

The personal identities of Joseonjok workers in Korea are a matter of continual disruption and renegotiation. Though it is a complex matter, on several points the Joseonjok experience is far from unique.

The most basic point regarding Joseonjok identity is a pervasive feeling of marginality, of not really quite fitting in—ever. Joseonjok have a sense of being foreign in both China *and* in Korea. Of course, to some extent this is a feeling common to all immigrants, including Asian Americans in the U.S. For example, Tuan (1998) and Kibria (2002), among others, have argued that Asian Americans feel marginalized, racialized and “forever foreign” in the US, even after many generations there. Moreover, as Kibria shows, Asian Americans can also feel marginalized or alienated from recent co-ethnic immigrants from Asia, even seeking to avoid association with them (Kibria 2002, pp. 32, 87-92).

More similar still are the various return migrants, such as Hungarians moving into Hungary from Romania (Fox 2003) and Brazilian and Latin American Japanese moving to Japan, or the *Nikkeijin*. Return migrants such as these typically feel foreign no matter what country they are in: Nikkeijin feel Japanese in Brazil, but Brazilian in Japan. This basic fact of return migration characterizes Joseonjok as well as other return migrants. Joseonjok are also similar to Nikkeijin in that when they are in Korea, they tend to exaggerate their Chinese identity, as Nikkeijin exaggerate their Brazilian identities (Tsuda 2003). Both groups also typically plan to return to their home countries, where they can take advantage of lower costs of living. Many Nikkeijin plan to save for a home and then return to Brazil. Only about 30-40 percent intend to stay in Japan (Kajita 1998, p. 127; Kuwahara 1998, p. 371). Both groups also tend to receive somewhat better treatment on the job, including higher wages (Tsuda and Cornelius 2004, p. 456).

Yet there are also differences distinguishing Joseonjok from Nikkeijin. Part of this distinction is legal. As discussed above, Nikkeijin can remain in Japan as long-term residents with unrestricted rights to work (Tsuda and Cornelius 2004; Tsuchida 1998). In contrast, most Joseonjok work without documentation and are therefore very vulnerable in the labor market. Another difference regards residential integration. Despite their legality, Nikkeijin tend to live isolated from Japanese, often in company towns (Kajita 1998, pp. 128-129). Even when they live in regular apartments in Japan, the Japanese typically move away (Tsuda

2003). The Joseonjok, in contrast, usually live among the Korean people. Even when they are residentially segregated, as many are in the cheap housing district in the former industrial region of Garibong-dong, Guro-dong, Daelim-dong, and Gasan-dong in Seoul, they live their daily lives with much contact with regular Koreans (Seol 2002, p. 214), working as domestic helpers or in restaurants. A final difference regards language and culture. Whereas Nikkeijin often cannot speak Japanese (Tsuda 2003), Joseonjok have maintained their Korean language in China and almost all can speak Korean well. Though their Korean dialect is more northern Korean, they are eager to learn the South Korean style, which they perceive as more modern and preferable.

Are the Joseonjok, then, a special case of return migrants? Though it is difficult to measure cultural similarity, Joseonjok may be the most culturally similar return migrants (thanks to China's granting of autonomy and segregation policy) who are nevertheless defined as outsiders. It is also likely the true that of all the cases of return migrants, only in Korea are the majority in the country illegally. Finally, Joseonjok may be the only ethnic return migrants who are denied rights to bring over their family members (a right denied to all migrant production workers in Korea).

Conclusion: Joseonjok and Korean national identity

So what, then, are we to conclude about Korean national identity after our examination of the special situation of the Joseonjok in China and in Korea? We can begin with one point that should be uncontroversial: Korean national identity and definitions of national belonging are fraught with complexity and contradiction. But sorting through the tangle of laws and data, we can say it appears that though bonds of blood matter greatly in Korea, national goals of economic development matter more.

South Korea, like most Asian states, utilizes a *jus sanguinis* definition of citizenship. Blood, or ethnic ancestry, is the basis of national belonging, rather than place of birth, as in the US or France. We see this in the *Nationality Act* of Korea, the strong resistance to immigrant settlement (Seol and Skrentny 2004), the Overseas Koreans Act giving special privileges to Koreans that are denied foreigners without Korean ancestry, and the South

Korean constitution, which declares that North Koreans are in fact South Korean citizens (J. Lee 2002).

But we also see, in the case of the Joseonjok, a willingness to draw more narrow lines around the Korean nation. Despite the pure Korean ancestry, their ability to speak Korean, and their strong understanding of Korean culture (at least its more traditional aspects), Korean law transcended a brief period of initial indecision and decisively labeled Joseonjok as foreigners. Though given a slight wage advantage over non-Koreans, the basic fact was that the law defined them as foreigners, and forced them into a guest worker program that pays far below Korean norms and is notorious for human rights violations. Without actually naming them, the Overseas Koreans Act managed to indirectly discriminate against Joseonjok, and though there is the “Chueop Gwanri” program for low-end service jobs specifically for Joseonjok, the freedom to move back and forth or stay in Korea has been elusive. And any day, on the job or living life in Korea, Joseonjok may experience acts or comments of discrimination or derision.

Why is this the case? Part of the reason is cultural; like the Transylvanian Hungarians studied by Fox (2003) or the Nikkeijin studied by Tsuda (2003), the Joseonjok really are detectably different from South Korean citizens. Despite their similarities, they still stand out because their dialect and cultural style is different. They also lack the skills that Koreans in the West are more likely to have. But the key to understanding Korean conceptions of belonging and nationhood seems to be that national goals are overwhelmingly oriented around economic development of the South Korean state, and not protection of those with Korean blood.

Korea does indeed have a blood-based conception of national belonging. Those that are of Korean ancestry are generally considered to be close to or part of the Korean people. But economic goals trump blood bonds. If fellow Koreans may get in the way of national goals of economic health and development, their Koreanness will matter for considerably less, and in some cases almost nothing.

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Table 1. Numbers of Migrant Workers in Korea, 1987-2003^a

(Unit: Person)

Year	Total	Registered Migrant Workers				Industrial Trainees	Undocumented Workers
		Professionals	Non-Professional Workers ^b	Employment Management ^c	Post-Training Workers ^d		
1987	6,409	2,192	0	0	0	0	4,217
1988	7,410	2,403	0	0	0	0	5,007
1989	14,610	2,474	0	0	0	0	12,136
1990	21,235	2,833	0	0	0	0	18,402
1991	45,449	2,973	0	0	0	599	41,877
1992	73,868	3,395	0	0	0	4,945	65,528
1993	66,919	3,767	0	0	0	8,644	54,508
1994	81,824	5,265	0	0	0	28,328	48,231
1995	128,906	8,228	0	0	0	38,812	81,866
1996	210,494	13,420	0	0	0	68,020	129,054
1997	245,399	15,900	0	0	0	81,451	148,048
1998	157,689	11,143	0	0	0	47,009	99,537
1999	217,384	12,592	0	0	0	69,454	135,338
2000	285,506	17,000	0	0	2,063	77,448	188,995
2001	329,555	19,549	0	0	8,065	46,735	255,206
2002	362,683	21,450	0	156	12,191	39,647	289,239
2003	395,679	20,014	159,705	6,964	20,244	50,696	138,056

Source: Seol (1999, p. 112); calculated from the *Statistical Yearbook of Departures and Arrivals Control*, released by the Justice Ministry.

^a Number of migrants calculated as of December 31 of each year except 1992, when the tally was made on July 31.

^b Former undocumented workers granted legal status through amnesty in 2003.

^c Ethnic Korean foreigners who works in service or construction sectors.

^d The Work-After-Training Program, introduced in April 1998, allows foreign trainees who pass certain skill tests after two years of training to spend the next year as "workers." In January 2002, the program changed to one year of training followed by two of work.

Table 2. Numbers of Joseonjok Migrant Workers in Korea, 1991-2003

(Unit: Person)

Year	Total	Registered Migrant Workers				Industrial Trainees	Undocumented Workers
		Professionals	Non-Professional Workers	Employment Management	Post-Training Workers		
1991	18,436	7	0	0	0	12	18,417
1992	27,240	7	0	0	0	287	26,946
1993	23,286	14	0	0	0	1,885	21,387
1994	21,441	31	0	0	0	4,317	17,093
1995	32,365	47	0	0	0	6,612	25,706
1996	40,286	101	0	0	0	8,112	32,073
1997	40,323	131	0	0	0	10,334	29,858
1998	35,310	166	0	0	0	8,956	26,188
1999	57,507	178	0	0	0	15,160	42,169
2000	77,779	268	0	0	196	19,967	57,348
2001	79,723	321	0	0	1,434	5,636	72,332
2002	84,958	346	0	156	1,925	2,794	79,737
2003	99,811	361	54,440	6,931	2,115	2,418	33,546

Source: Seol (1999, p. 140); calculated from the *Statistical Yearbook of Departures and Arrivals Control*, released by the Justice Ministry.

Table 3. Ratio of Joseonjok Migrant Workers in Korea, 1991-2003

(Unit: %)

Year	Total	Registered Migrant Workers				Industrial Trainees	Undocumented Workers
		Professionals	Non-Professional Workers	Employment Management	Post-Training Workers		
1991	40.6	0.2	-	-	-	2.0	44.0
1992	36.9	0.2	-	-	-	5.8	41.1
1993	34.8	0.4	-	-	-	21.8	39.2
1994	26.2	0.6	-	-	-	15.2	35.4
1995	25.1	0.6	-	-	-	17.0	31.4
1996	19.1	0.8	-	-	-	11.9	24.9
1997	16.4	0.8	-	-	-	12.7	20.2
1998	22.4	1.5	-	-	-	19.1	26.3
1999	26.5	1.4	-	-	-	21.8	31.2
2000	27.2	1.6	-	-	9.5	25.8	30.3
2001	24.2	1.6	-	-	17.8	12.1	28.3
2002	23.4	1.6	-	100.0	15.8	7.0	27.6
2003	25.2	1.8	34.1	99.5	10.4	4.8	24.3

Source: Table 1 and 2.