

Civil Society and Social Movements for Immigrant Rights in Japan and South Korea: Convergence and Divergence in Unskilled Immigration Policy*

*Keiko Yamanaka***

During the early 1990s, the two recent countries of immigration in East Asia, Japan and South Korea, adopted convergent immigration policies that resulted in gaps between official policies and their actual outcomes. These policies included admitting a variety of *de facto* unskilled immigrant workers, including industrial trainees and co-ethnics from abroad. By the early 2000s, immigration policies of the two countries began to diverge. In 2004 South Korea inaugurated the Employment Permit System by which unskilled workers arrived on contract and were guaranteed labor law protection. Two years later, it abolished the industrial trainee system

* I presented the original of this article at the University of California, Berkeley and Korea University Conference, held in Seoul, June 22-23, 2009. Many people helped me complete this paper, including Woo-Seon (Denis) Kim, Timothy Lim, Ken Haig, Hiroki Bell, Sunhyuk Kim, Yang-Sook Kim, and Heyjin Lee. I thank them for their valuable comments. I also thank many NGOs in Japan and Korea for their willingness to share with me their thoughts and activities to improve immigrant rights in each country.

** Keiko Yamanaka is Lecturer at the Departments of Ethnic Studies and International and Area Studies, University of California, Berkeley, U.S.A. She primarily works on transnational migration in the Asia-Pacific, immigration policy, immigrant community, gender, empowerment, civil society, and social movement. Her recent publications include "Immigration, Population and Multiculturalism in Japan" (2008). E-mail: yamanaka@berkeley.edu.

entirely. In contrast, Japan has not initiated the major immigration reform to this day. In this article, I examine the roles of civil society and social movements in shaping governmental policy in Japan and South Korea. Results indicate that differing histories of industrialization, democracy and civil society have created contrasting state-civic relationships in the two countries, leading to varying culture, organization and strategy for civil society, thus contributing to a divergence in immigration policies in the mid-2000s.

Key Words: Civil Society, Immigration Policy, Convergent Hypothesis, Gap Hypothesis, Democratic Transition, Regulatory Framework, *Minjung* Legacy

I. Introduction

With the advent of global immigration, in the early 1990s, Japan and South Korea (hereafter Korea) adopted very similar immigration policies for unskilled foreign workers. These policies were characterized by the state's reluctance to import immigrant workers and by the absence of a contract labor system. As a consequence, the two countries employed large numbers of *de facto* immigrant workers with few entitlements. These workers included industrial trainees, unauthorized residents, and co-ethnics from abroad, such as in the case of Japan, *Nikkeijin* (people of Japanese ancestry), and in the case of Korea, *Joseonjok* (people of Korean ancestry from China). These contradictory immigration policies caused serious problems among immigrant workers in the area of social welfare, employment and documentation. In response, by the early 2000s each of the two governments began to address immigration reform.

In 2004, in an effort to make their policies consistent with the fact that there were already many immigrants employed in the country, Korea launched a labor contract system — the Employment Permit System — by which immigrant workers were legally employed and protected by labor law. Three years later, Korea terminated its indus-

trial trainee program that had caused human rights violation, resulted in huge numbers of unauthorized workers, and been linked to corruption among their recruiters. In sharp contrast, as of this writing, Japan has not substantially revised its immigration policies. Despite a state policy that prohibits unskilled immigrants from being employed, a total of more than half a million *de facto* immigrant workers — *Nikkeijin*, industrial trainees, and illegal visa-overstayers — continue to provide inexpensive and flexible labor to the economy.

In this article, I will discuss civil society and social movements acting on behalf of immigrant workers in Japan and Korea from the early 1990s to the mid-2000s. By analyzing the history of civil society and its relationship with the state, I try to understand the extent to which civil society and social movements for immigrant rights have contributed to changes in state immigration policies in the two countries. Results of this study indicate that Japan's strict bureaucratic regulations make it difficult for Japanese civil organizations to act independently and be financially secure. As a result, they have not been able to organize dynamic social movements in advocacy for immigrant rights. By contrast, the legacy of Korea's democratization in the 1970s and 1980s enables coalitions of Korea's civil groups, the majority of which are affiliated with Christian churches, to effectively press the government for major policy changes.

This article is divided into three sections. In the first section, I discuss theories of immigration policies and describe immigration policies of Japan and Korea. In the second section, I examine the history of civil society and social movements in the context of the democratic transition in Japan and Korea. In the third section, I focus on civil society and social movements for immigrant rights in each country. In conclusion, I briefly discuss that the different histories of civil society and their relationships with the state resulted in different organizations and strategies of civil society in advocacy for immigrant rights, thus giving rise to diverging immigration policies by the mid-2000s in the two countries.

II. Divergence and Convergence in Immigration Policies

In their comparative studies of immigration policies among highly industrialized countries, Cornelius and his associates (1994, 2004) examined two central theses.¹ The first of the two is the “gap hypothesis” that postulates existing significant gaps between official policies and their actual outcomes. According to the authors, the gaps in immigration policies arise because by constructing policies, industrialized countries desire to achieve two contradictory goals. On the one hand, states want to stem undesirable unskilled immigration in order to maintain social homogeneity. On the other hand, states wish to recruit immigrants in order to alleviate labor shortages in the jobs shunned by locals (Cornelius and Tsuda, 2004). Consequently, immigration policies are commonly inconsistent, generating confusion in implementation and thus making it impossible to attain stated goals. Such policies generate widespread public distrust in governmental ability to manage immigration, making it a highly controversial but extremely difficult problem to solve. Results of contradictory policies are usually borne by immigrants who are marginalized and powerless in their host society.

The second hypothesis Cornelius et al. discuss is the “convergent hypothesis” that claims a growing similarity in immigration policies adopted by industrialized countries. Their immigration policies increasingly resemble one another because they are generally moving toward a similar set of policies (*Ibid.*: 16). This becomes clear at regional levels. For example, in Europe during the 1990s, the fifteen EU member nations adopted similar policies on refugees and asylum seekers, nationality law, border control, and skill-based admission of immigrants. As another example, in East Asia, governments of six industrialized countries (Hong Kong, Japan, Korea, Malaysia, Singa-

1. In the 1994 study by Cornelius et al., nine industrialized democratic countries were analyzed: the United States, Canada, Britain, France, Germany, Belgium, Italy, Spain and Japan. Ten years later, in their 2004 study, Australia, the Netherlands and South Korea were added to the list, totaling eleven countries analyzed (Belgium was dropped in the the 2004 study).

pore and Taiwan) have implemented similar immigration policies characterized by short-term admission, many types of *de facto* unskilled immigrant workers, and denial of rights to social incorporation and family reunification (Yamanaka and Piper, 2005).

Immigration policies are also expected to converge among traditional countries of immigration (such as the United States, Canada and Australia) and recent countries of immigration (such as Italy, Spain, Japan and Korea). This is because the recent countries of immigration tend to emulate immigration policies of the more experienced traditional countries of immigration. For example, following the 1986 U.S. Immigration Reform and Control Act, Japan instituted a criminal penalty for hiring undocumented workers in its 1990 Revised Immigration Law (Cornelius, 1994: 391). Among the recent countries of immigration, policies are also likely to converge, because they respond to immigration in similar ways (Tsuda, 2006). Until a few decades ago, Italy Spain, Japan and Korea were all major labor-exporters. By the end of the 1980s, the rapid industrialization transformed each of these countries into labor-importers. In response to an influx of foreign workers, they typically moved slowly. Lacking experience, their governments assembled immigration policies that were *ad hoc* and inconsistent, creating disparities between the official policies and their actual outcomes (Cornelius et al., 2004).

With the advent of global migration during the early 1990s, the two recent countries of immigration in East Asia, Japan and Korea, adopted convergent immigration policies that also resulted in gaps between official policies and their actual outcomes, the topic to which I now turn.

A. Japan's Immigration Policies

In 1990 the Japanese government revised its Immigration Control and Refugee Recognition Law, to institute the three major changes affecting unskilled labor. First, the law confirmed the state's stance against employment of unskilled foreigners, defining such employment to constitute a criminal offense. Second, the same law created a

new “long-term residence visa” category for foreign nationals of Japanese ancestry (*Nikkeijin*) up to the third generation, to enter and reside in the country with few restrictions. Third, the law also created a new category of visa for “industrial trainees” (*Kenshusei*).² In the same year, a governmental decree instituted a new system, “Industrial Trainee System” (ITS: *Sangyo Kenshusei Seido*). This permitted foreign trainees to receive on-the-job “training” for two years in companies with less than fifty employees. By definition, trainees were not workers, and were therefore paid less than market wages and excluded from the protection of the Labor Standard Law.³ Subsequently in 1993, the government enacted the “Technical Practical Trainee System” (TPTS: *Gino Jisshusei Seido*), by which, upon completion of one year’s training, trainees would engage for a second year in duties of job performance. In 1997, the period of technical and practical training was extended to two years.

These immigration reforms from the early to mid-1990s resulted in a situation that contradicts Japan’s law prohibiting employment of unskilled foreigners. After the reforms, Japan’s foreign population, including foreigners who had arrived before 1990, grew rapidly each year, surpassing two million by 2005.⁴ They accounted for 1.57 percent of the nation’s population, which included a diverse collection of both skilled and unskilled foreigners who entered and worked under various constraints and conditions and for varying periods of time. Of all foreigners, of the greatest concern to the government and the industries, were unskilled foreigners who arrived under a variety of non-working visas, including *Nikkeijin*, “illegal” visa-overstayers, and industrial trainees. Due to Japan’s sluggish economy, throughout the

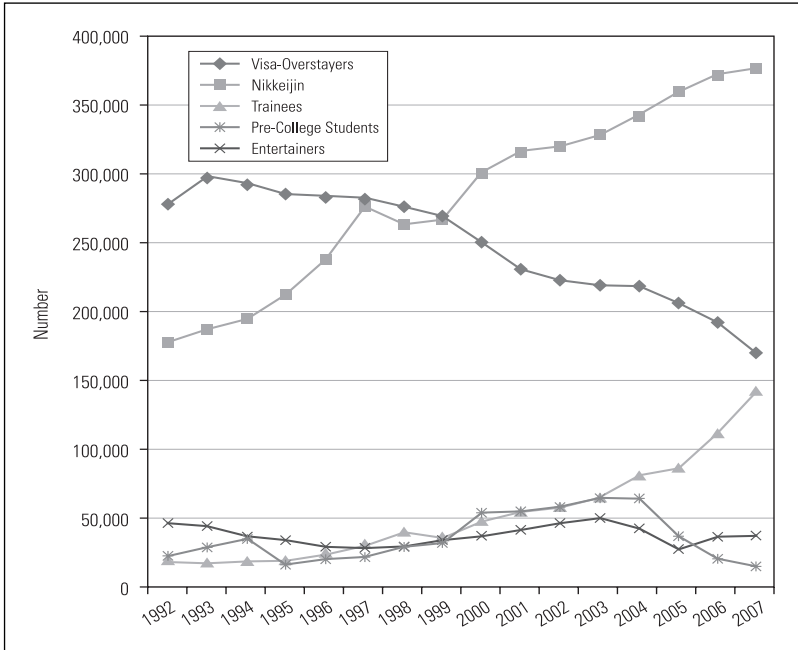
2. Prior to that law change, foreign trainees from a developing country had arrived in Japan to receive job training designed to contribute to their country’s economic development.

3. The Labor Standard Law is applied to all workers regardless of nationality.

4. Most immigrants who had arrived before the late 1980s were former colonial citizens from the Korean Peninsula and their descendants (N=650,000). They are called the “oldcomers” as opposed to the “newcomers” who arrived in the late 1980s and afterwards.

1990s and 2000s, labor demands for foreign workers fluctuated greatly. However, numbers of *Nikkeijin* (mostly from Brazil and much less from Peru) continued to grow, surpassing 300,000 in 2000 and reaching 376,000 by the end of 2007 (see Chart 1).⁵

Chart 1. Numbers of Unskilled Foreign Workers in Japan, 1992-2007



In sharp contrast, the number of unauthorized workers decreased steadily and sharply during the same period, especially after 2001, the year in which the terrorist attack on New York’s World Trade Center occurred. Japanese authorities thereafter strengthened law enforcement against unauthorized residents, as a result of which their numbers dwindled from 252,000 in 2000 to 171,000 in 2007. During the

5. The number of the *Nikkeijin* population has plummeted since the fall of 2008 when the sudden economic crisis that began in the United States, caused massive unemployment among the immigrant population.

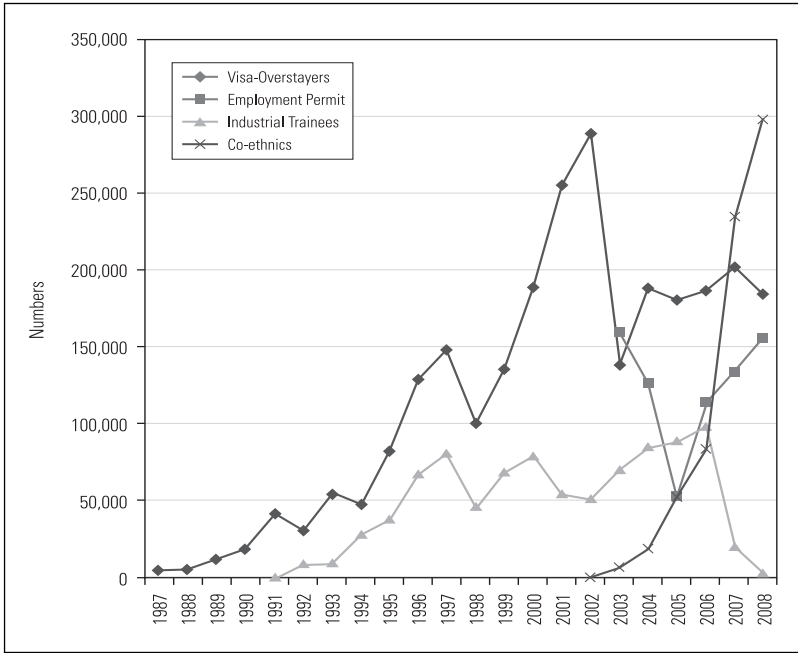
same period, there had been a rapid increase in the numbers of industrial trainees (industrial and technical practical), almost more than quadrupling them from 32,000 in 1997 to 142,000 in 2007. The trainees' employers often allow them to engage in actual job performance. Therefore, immigrant rights advocates call industrial trainees "workers in disguise" (Gaikokujin Kenshusei Mondai Network, 2000).

B. Korea's Immigration Policies

In 1991, one year after the passage of Japan's Revised Immigration Law, Korea instituted its immigration policies to meet challenges posed by increasing numbers of foreign workers. During the early period of their arrival, most of them were *Joseonjok* from northeastern provinces of China, the majority of whom were unauthorized (H. K. Lee, 1997, 2005; Lim, 1999). Similar to Japan's immigration law before revision, Korea's Immigration and Emigration Law allowed entry and exit of skilled foreigners only. In order to legally admit unskilled foreigners without amending the Law, the Korean government created its own "Industrial Technical Training Program" (ITTP), following Japan's ITS (Seol and Skrentny, 2004: 493). Like those in Japan, Korea's trainees were explicitly denied protection of Korea's labor law, including the rights of unionizing, collective bargaining and collective action (Lim, 2009).

Once implemented, however, outcomes of the ITTP were very different from what the government expected. Upon arrival, trainees found their wages too low to accept and their employers too abusive to tolerate, thus immediately leaving their jobs for higher wages (*Ibid.*, 2006: 245). By deserting their first job on contract, trainees became unauthorized. As a result, their numbers jumped from 55,000 in 1993 to 148,000 in 1997. These figures accounted for more than 60 to 80 percent of the total number of immigrant workers during the same period (see Chart 2). Similarly, the number of industrial trainees also increased from 10,000 to 81,000, but they remained less than half those of unauthorized workers. This alerted the Korean government to the acute necessity of overhauling the ITTP (Yamanaka and Kim, 2008).

Chart 2. Numbers of Unskilled Foreign Workers in Korea, 1987-2008



In search of a new policy, Korea looked again Japan. In 1997 — the year Japan introduced the TPTS — the Korean government adopted exactly the same system. Like that in Japan, Korea’s revised ITTP permitted industrial trainees to engage in actual job duties for one year after two years of training. However, in the same year the Asian Economic Crisis hit Korea hard, effectively diminishing a need for immigration reform. In a few years, despite high unemployment rates among Korean workers, numbers of unauthorized workers increased. In 2002, the government revised ITTP to extend the actual job performance to two years after one year of training (W. Kim, 2007: 110; Lim, 2006). In the same year, the number of unauthorized workers rose to 289,000, tripling 100,000 in 1998 (see Chart 2).⁶

6. In 2003, the government legalized 184,000 unauthorized workers as part of its efforts to inaugurate EPS in the following year.

Among the unauthorized workers were increasing numbers of *Joseonjok* workers, at about 40,000 (H. K. Lee, 2005). Unlike the Japanese policy that privileged *Nikkeijin* with a preferential visa, Korean policy granted no such special visa for *Joseonjok*. Despite their Korean ancestry, *Joseonjok* workers were subject to many forms of exclusion and exploitation (Lim, 1999). This motivated powerful Korean NGO leaders to press the government hard to change the policy.⁷ In 2004 the Korean government amended the 1998 Immigration and Legal Status of Overseas Koreans Act, which entitled *Joseonjok* to legally enter, reside and work in Korea (H. K. Lee, 2003: 135). In 2007 the government launched the Visit Employment System that permitted employment for all overseas Koreans (H. Lee, 2010; Seol and Skrentny, 2009). As a result, numbers of legal co-ethnic workers, the majority of whom were *Joseonjok*, multiplied fifteen-fold from 20,000 in 2004 to 298,000 in 2008 (see Chart 2).

C. Divergence in Immigration Policies

In short, in response to an influx of foreign workers, Japan and Korea adopted very similar immigration policies. These policies were characterized by: (1) reluctance of the state to admit unskilled immigrant workers; (2) admission of a variety of temporary *de facto* immigrant workers who enter the country through many “side doors,” including industrial trainees and co-ethnics from overseas; (3) admission of large numbers of unauthorized workers through the “back door,” and (4) denial of rights to social incorporation. These converging policies of the two countries can be attributed to a number of shared structural and historical factors. First, during the period of rapid industrialization, both Japan and Korea relied heavily on a large pool of inexpensive workers, including rural migrants and women, in small and middle-sized firms to manufacture goods for export. Sub-

7. They included Reverend Gyeong-Seok Seo of the Seoul Korean Chinese Church and Reverend Hae Sung Kim of Migrant Workers’ House & Korean-Chinese House in Seoul.

contracted to larger firms, these smaller firms (with less than fifty employees) constituted the most numerous, but the most vulnerable, sector of the manufacturing industries. Labor shortages were a chronic problem among them.

Second, by 1990 both Japan and Korea faced extremely low fertility rates far below the replacement level (1.59 and 1.54, respectively, in 1990).⁸ In both countries, this brought about a rapidly aging population and a work force that was too costly to respond flexibly to demands of global competition. During the 1990s both governments relaxed employment rules, which caused a substantial growth in numbers of casual workers, including foreign workers, with few benefits.

By the early 2000s, immigration policies of Japan and Korea had begun to diverge. Recognizing that the existing ITTP was failing, Korea initiated a major shift in its immigration policy, this time on its own. Instead of revising the ITTP, in 2004 the government launched a “front-door” policy, the “Employment Permit System” (EPS), through which unskilled foreigners were legally employed in the country for three years. In this labor contract system, immigrant workers were entitled to provisions of the Labor Standards Law equal to that of Korean workers.⁹ Two years later, despite strong opposition by the Korean Federation of Small Business (KFSB) — an association of small business owners that monopolized recruitment of foreign trainees (Lim, 2006: 263) — the government terminated the ITTS entirely. In short, in an effort to make immigration policies more transparent, Korea took a step forward by introducing a labor contract system, thus closing a major side door while narrowing the gap between policy and practice (Cornelius and Tsuda, 2004).

In sharp contrast to Korea’s recent policy changes, immigration policies of Japan have remained by and large the same since 1990 when the Revised Immigration Law took effect. During the past two decades, the Japanese government has repeatedly stated as its main

8. Throughout the 1990s and early 2000s, fertility rates of Japan and Korea continued to decline. In 2005 they were 1.25 and 1.08, respectively.

9. However, as with the ITTP, the new EPS granted no freedom of mobility to immigrant workers. This continues to pose a problem for immigrant workers.

policy, the prohibition of unskilled foreign labor. Despite this official policy, the reality has been that Japan has admitted a variety of *de facto* unskilled immigrant workers, as described above. Having become aware of such contradictions between official policy and actual outcomes, by the early 2000s many national policymaking organizations announced study reports and policy proposals for immigration reform and emerging multiculturalism (Roberts, 2008; Yamanaka, 2008). The heightened attention of national leaders to these issues clearly indicated a major shift and step forward compared with ten years earlier when, as will be discussed below, local administrators and civil activists were the only actors responding to immigration problems and multicultural issues. However, despite the changing perceptions at the national level, at this writing Japan, unlike Korea, has not yet come up with comprehensive unskilled immigration policy that would ensure protection of labor rights for the workers. This has remained true even after the major political change in 2009 that brought the Democratic Party of Japan (DJP) in power.

What explains the divergence in immigration policies between Japan and Korea during the early 2000s? I argue that in contrast to Japan, Korea has a vital civil society that has the power to help shape immigration policy. In Japan, on the other hand, civil society's access to policy making is contained by a restrictive political opportunity structure (Pekkanen, 2006). Policy making in Japan is shaped much more by initiatives stemming from the nation's powerful bureaucracy.

The media, public opinions, and civil society and social movements strongly influence the political processes of immigration policymaking in any highly industrialized country (Cornelius et al., 2004). Civil society particularly serves the daily needs and interests of immigrants, which are often systematically ignored by domestic lawmakers and bureaucracies. Civil groups and their social movements speak for immigrants, advocate their rights, and project their viewpoints into the policymaking processes. In an effort to understand the crucial difference in the large structural context, in the next section I discuss briefly history of civil society and social movement in Asia, and those in Japan and Korea.

III. History of Civil Society and Social Movements in Asia

Following the collapse of the communist regime in Eastern Europe in 1989, the discourse on civil society attracted much attention in the West. The process of rebuilding former communist countries required these nations to establish an intermediate sphere between state and economy that was glaringly lacking in the former system. At about the same time in Asia, beginning with the Philippines' People Power in 1986, there was a surge of democratic transformations that overthrew military backed-up dictatorships.¹⁰ Until then, Asia was known for strong governments that had long subordinated opposition parties, civil associations, and the masses. In these revolutionary processes, Asia's civil society grew dramatically in numbers and increased substantially its influence as a powerful agent that could intervene in policymaking processes. According to Callahan (1998: 151), civil society is:

the "sphere of social interaction between economy and state, composed above all of the intimate sphere (especially the family), the sphere of associations (especially voluntary associations), social movements, and forms of public communication" (Cohen and Arato, 1992: 9). Social movements constitute the "dynamic element" that links collective action with the democratic potential of civil society. The political role of civil society is not to seize state power, but to engage in a "politics of influence" where citizens have a part in the discussion and critique of state policies. Seen in this way, social movements are not inherently anti-state, but rather typically rely on the state to define the legal space for "civil society" in a dualistic relationship.

Despite establishment of more democratic government than before, Asian societies are characterized by extraordinary diversity in political structure and level of democracy. On one extreme, North Korea and Myanmar are still governed by strict military rules. Similarly,

10. After the Philippines, democratic transformation took place in South Korea (1987), Taiwan (1987), Nepal (1990), Thailand (1992) and Indonesia (1997).

China and Vietnam are dominated by single party politics that adhere to a single political ideology. In these countries, dissenting opinions are rarely heard while civil society and social movement are kept under strict state control. On the other extreme, India, the Philippines, Japan and Korea have established constitutional democracies, guaranteeing political freedom to all citizens. In these countries, states are expected to be tolerant of civil society and social movements as long as they adhere to law. In short, civil society and social movements play varying roles in differing processes of democratic transition. Alagappa (2004: 5) classifies the process of democratic transition in three phases and discusses the role of civil society for each phase as follows:

In the *liberalization* phase, their [civil organizations'] focus may include the construction of individual rights and a public space free from state control. In the *transitional* phase, their focus may include delegitimizing and ousting the incumbent system of government or ruler and drafting and ratifying a new constitution, ... In the *consolidation* phase, their focus may widen to include the substantive dimensions of democracy: improving socioeconomic equity, making the system more inclusive, increasing the transparency and accountability of government, demanding change in specific policies, and assisting the delivery of services.

As Asia's most stable democracies, with highly developed economies, Japan and Korea have already made the transition to the consolidation phase of democracy. In this phase, the Constitution of each country guarantees its citizens the right to "take collective action deploying civil means to influence the state and its policies" (*Ibid.*: 9). However, despite shared goals to consolidate democracy, Japan and Korea differ widely in the ways in which civil society and social movements operate to achieve the same goal. This indicates differences in the history and nature of civil society and its relationships with the state in the two democracies.

A. Japan

As Asia's first nation to modernize, Japan began its liberalization

phase of democratic transition as early as the 1870s with the popular rights movement (*Jiyu Minken Undo*). In promotion of industrialization and militarization, the Meiji leaders placed strict limits on the formation of civil society (Pekkanen, 2004a: 229-230). Oppositional politicians and intellectuals responded state oppression with vibrant and contestant debates and publications. Despite such lively discourse, "prewar Japan was marked by a 'failure to draw any clear line of demarcation between the public and private domains,' asserted Maruyama Masao" (quoted by Schwartz, 2003: 5). Upon Japan's defeat in the Pacific War, the American Occupational Forces imposed an American style of civil society on Japan but fell short of uprooting its heavy reliance on the state (Schwartz, 2003: 5). The history of Japan's civil society as the history of a self-conscious and self-aware society, therefore, only began during the postwar era (Barshay, 2003; quoted by Bestor, 2002: 30).

More specifically, the history started in the 1960s and 1970s during the years of dramatic social movements for change. Participated in by students, intellectuals, workers and farmers, these popular movements occurred in protest against unregulated industrialization, corporate greed, and state policies that resulted in many forms of injustice and inequality among ordinary folks. Many of these movements had political ties with progressive political parties and politicians of the time, and therefore were able to make inroads to the center of local and national politics (Haig, 2009). Although most groups disbanded after achieving their goals, many individual members remained to be active in their daily lives as community volunteers. Commonly these volunteers worked for community building, social welfare, education, crime prevention, and other neighborly concerns (Nakano, 2005).

In the mid-1990s, in response to the Great Hanshin-Awaji Earthquake that hit the Kobe-Osaka metropolis, the tradition of community voluntarism suddenly emerged as a popular social movement. The 1995 historic earthquake took more than six thousands lives and caused substantial damage to urban infrastructures. While governmental rescue efforts delayed by red tape, actions of Japanese citizens

were immediate and autonomous. Literally millions of volunteers from all over the country rushed to the disaster site to assist survivors and reconstruct communities (Bestor, 2002). This unprecedented exercise of "people power," in the aftermath of the earthquake, provided a unique political opportunity for Japanese civil society to press the government for legislation of the Special Non-profit Activities Act (Pekkanen, 2000) in 1998. The new law not only simplified the application process for non-profit organizations (NPOs) to obtain legal NPO status, but also broadened the range of civil activities for NPOs on which to engage. Official legal status enabled NPOs to enjoy such privileges, as owning an office, telephones and bank accounts. Consequently, by 2004, some 16,000 legal NPOs emerged, which greatly invigorated Japanese civil society (Kingston, 2004: 75).

However, like the previous law, the new law maintained strict state control over NPOs to screen, supervise and sanction their activities (Pekkanen, 2004b: 369). It also continued to deny tax benefits to most NPOs. This meant that legal Japanese NPOs faced low budgets and enjoyed only limited autonomy from the state (*Ibid.*, 2006). These structural constraints explain the fact that despite the NPO Law, only a small fraction of Japan's 80,000 volunteer groups chose to apply for legal recognition. Without official status, the majority of Japanese civil organizations remain small and local, serving primarily community interests. According to Pekkanen (2006), Japanese civil society has a dual structure. On the one hand, it has a myriad of small local groups that help citizens develop social capital. Examples are Neighborhood Associations, Women's Clubs, and Children's Clubs, all of which are aimed at self-help, communication and socialization. On the other hand, Japan lacks independent professionalized organizations that advocate a cause, conduct research, or campaign for policy change. Examples of this type of civil society outside of Japan include Amnesty International, Greenpeace, and the American Association of Retired People. Because there are yet few such national organizations specialized to mobilize resources for social change, civil society in Japan constitutes what Pekkanen (2004a: 243) calls "members without advocates."

B. Korea

If Japanese civil society constitutes “social capital without advocacy” (Pekkanen, 2004a), Korean civil society is characterized by a “confrontational legacy and democratic contributions” (S. Kim, 2004). Such a sharp contrast between Japan and Korea in the nature of their civil societies is indicative of the differences in the histories of their civil societies and relationships between civil society and the state in the process of democratic consolidation for the two countries. Ironically, the history of Korean civil society began in response to Japanese colonial occupation on the Korean Peninsula from 1910 to 1945. Korean nationalists, many of whom were Christian leaders (Clark, 2007), organized a “highly resistant, militant and oppositional civil society” against Japan that imposed Japanese culture on Koreans, including Shinto ceremonies and surname changes (S. Kim, 2004: 140). Upon liberation from the colonial yoke in 1945, a populist movement of labor and peasant organizations briefly dominated Korea’s civil society. The imposition of American military government, its Cold War policies, and the Korean War dismantled left-leaning groups entirely. Following the establishment of the Republic of Korea in 1948, students and intellectuals revolted against a series of the authoritarian rightwing governments closely allied with the U.S.

According to Sunhyuk Kim (2004, 2007), it was the period of oppressive military dictatorship of 1973 to 1987 that gave birth to Korea’s contentious civil society and to a democratic social movement, known as the *Minjung* (people’s) Movement. In 1972, President Park Chung-hee launched the *Yushin* (revitalization reform) system that dramatically increased his power thereby shutting down all oppositional forces. His successor, President Chun Doo-hwan, violently crushed a popular protest in Kwangju in 1981 and arrested thousands of pro-democracy politicians, professionals and religious leaders. In spontaneous response to the state brutality, a broad range of pro-democracy civil society organizations (including students, workers, and churches) joined together to effectively employ their collective resources for public campaigns. Students joined workers in

factories to fight for workers' rights, religious leaders preached for freedom of beliefs and human rights. On the streets, tens of thousands of Korean citizens from all walks of life rallied for democracy. It was this unprecedented mobilization of the masses that finally brought down the authoritarian Chun regime (N. Lee, 2007). In 1987, President Chun announced his concession to the popular demands for democracy and accepted constitutional revision to install a direct Presidential election.

Once democracy had been installed, Korean civil society lost no time consolidating Korea's fledging democracy. A "New Citizens' Movement" (*Shimin Undong*) emerged in this last phase of democratic transition. It attracted the attention of former prodemocracy activists who had sought alternative ways to reform Korean society and politics (S. Kim, 2004, 2007). Many civil groups and their coalitions emerged to influence the state on behalf of their new public interests. In post-democracy Korea, civil society organizations were no longer an anti-state force, but became part of the discussion and critique of state policies (Callahan, 1998). As had been the case in the democracy campaigns, however, Korea's new citizens' movement groups continued to employ highly confrontational approaches against the state. These strategies included street demonstrations, sit-ins and hunger strikes. As will be discussed below, such militant campaigns for immigrant rights within Korean society had tangible impact on the process of governmental policymaking.

IV. Civil Society and Social Movement for Immigrant Rights

The blatant contradictions inherent in economic globalization have generated grassroots movements throughout the world advocating universal human rights. The daily experience of oppression spurs ethnic minorities, immigrants and other socially disadvantaged groups to develop collective identities with shared interests that lead them to rally for change (Sassen, 1998; Portes, 1999). Immigrants and

civil activists in Japan and Korea are no exception to this process. Immediately following an influx of immigrant workers, waves of social movements for immigrant rights have rippled throughout both countries. Increasing incidents of foreign workers being discharged without pay, and uninsured foreign workers becoming ill or injured without medical care, have mobilized dedicated citizens in both Japan and Korea to help the vulnerable foreigners. Despite similar responses by civil groups to the plight of immigrant workers, differing civic history and relationships with the state have given rise to very different patterns of organizations and approaches to enhancement of rights of immigrants in the two countries.

A. Japan

Japan's immigrant rights movement (comprising ethnic Koreans and their Japanese supporters) began in the 1960s and 1970s when the second generation of immigrants started demanding their rights as residents and taxpayers (Haig, 2009). That social movement corresponded with the emergence of progressive governors and mayors in many prefectures and cities, including Kawasaki and Osaka where large oldcomer Korean populations lived. Based on immense electoral popularity, these new local chieftains initiated new policies by breaking down existing political barriers in the areas of education, social welfare, and environmental protection. One such achievement by local leaders was the extension of welfare packages to all residents regardless of nationality, consequently expanding ethnic minority rights within their jurisdictions (*Ibid.*). The majority of foreign residents were Koreans who had lived in Japan as colonial citizens during the pre-war era and as permanent residents during the post-war era. Lacking citizenship and divided by Cold War politics, 650,000 Koreans were unable to unite as a social and political force to improve their rights in Japan (Lie, 2009).

However, by the 1970s, a small, but highly assertive, group of second generation Koreans rose to claim their rights as local residents. Speaking native Japanese and identifying themselves as *Zainichi* (resi-

dent) Koreans, everyday racism and institutional exclusion constituted their main concerns (Fukuoka, 1993; Gurowitz, 1999; Harajiri, 1998; Tai, 2004; Lie, 2009). To fight against discrimination, these mostly young activists frequently used the courts as a battleground. As progressive governors and mayors took center stage in local politics, Korean groups pressed local Japanese leaders to acquiesce in their demands for local citizenship (Tegtmeyer Pak, 2003; Haig, 2009). Many of these politicians and their deputies were former student activists or community volunteers, being receptive to expansion of ethnic minority rights as a way to realize their liberal ideologies (Muramatsu, 2005, quoted by Haig, 2009: 12). In short, a combination of the assertive Korean activists and the progressive local politicians in the 1970s succeeded in expansion of rights for immigrants in social welfare, education and employment.¹¹

Twenty years later, in the 1990s new groups of immigrant workers arrived in Japan. Their demographics, cultures and relationships with Japan differed from those of the oldcomers. Beginning with Bangladeshis and Pakistanis in the late 1980s and Iranians in the early 1990s, the new wave of newcomers had few historical ties with Japan. They entered the country with tourist visas, found a job illegally, and overstayed their visa to continue their employment. Few spoke Japanese or were familiar with Japanese ways of life. In response to this influx, as was discussed above, Japan legislated the 1990 Revised Immigration Law, which introduced criminal penalties for employers of illegal workers while introducing a long-term residence visa category for *Nikkeijin*. The Revised Law did not, however, address the rights of newcomers as residents in Japan. In the absence of legal protections, the immigrants, including *Nikkeijin* most of whom did not

11. During the 1970s and 1980s Japan, as a member of highly advanced countries, was under pressure to ratify additional UN Conventions on human rights. Beginning with both the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights in 1979, Japan ratified a series of UN Conventions over the next twenty years. Among them, the most influential in improving the rights of ethnic minorities in Japan was the UN Convention on Refugees in 1982 (Gurowitz, 1999).

speak Japanese, frequently encountered problems beyond their control. Immigrants in need sought assistance of Japanese citizens, usually civil groups known for philanthropy such as the Catholic Church, community labor unions, and professionals in health and law (Roberts, 2003; Shipper, 2008; Haig, 2009).

Socially conscientious Japanese citizens became aware of the urgency and gravity of problems facing immigrants. In order to effectively help immigrants, these citizen activists formed informal organizations. Previously, many of them had volunteered in grassroots activities, bringing in their experience, knowledge and networks useful to help immigrants (Nakano, 2005; Shipper, 2008). However, although highly dedicated to their causes, these groups faced their own problems. Often very few in membership (less than fifty), and locally based, their ability to help immigrants was limited by shortage of funding, manpower and other resources. Consequently, they usually concentrated their efforts on providing services such as language classes, cultural programs, legal consultation, and solution of relatively simple individual problems (Yamanaka, 2005, 2006). Some of them developed collaboration with local government as they expanded their activities (Shipper, 2008; Haig, 2009).

Towards the end of the 1990s, recognizing the importance of collective actions beyond their locality, loosely connected citizens' groups began coordinating their efforts and resources for systematic strategies and lobbying (Milly, 2006: 134-135). In 1997, they established the National Network in Support of Migrant Workers (known as *Ijuren*) to project their agenda directly into national politics by networking policy-specific expertise and exchanging knowledge of local implementation practices (Okamoto, 2004). Over the years, as advocates became familiar with administrative procedures in relevant ministries and grew sophisticated in employing policy expertise, they were able to make inroads in negotiating with, and mediating among, various public agencies. However, despite some desired outcomes, on the whole, the advocates' efforts have not been successful in bringing about major changes in governmental policies on immigrants' rights (Milly, 2006: 148).

Meanwhile, by the early 2000s, other important actors emerged. They were mayors and bureaucrats of municipal governments in the industrial cities, where large numbers of newcomers, mostly *Nikkeijin*, settled with their families. Unlike the governments of Kawasaki and Osaka, that had hosted oldcomers for decades, the governments of the cities that received newcomers, such as Hamamatsu and Toyota, had never managed large and distinct immigrant populations within their jurisdictions. A sudden arrival of newcomers, therefore, imposed serious administrative and financial difficulties on these local governments. Although these cities responded to the problems with their own creative programs to assist the newcomers, many of them failed or were discontinued before they had a chance to succeed.¹² This was because local administrations lacked not only authority to make decisions about immigrants, but also lacked the financial backup to continue the programs designed to assist them. Local governments relied on temporary funding and volunteer participation to implement special programs for immigrants (Yamanaka, 2006).

Recognizing the limitations of individual efforts, in 2001 thirteen mayors of cities with large newcomer populations formed a council to make a collective appeal to the national government for administrative reform (Haig, 2009).¹³ Since its inauguration, the “Council of Cities with High Concentrations of Foreign Residents” (CCHFRC: *Gaikokujin Shuju Toshi Kaigi*) has helped its member cities exchange information among themselves and develop alternative policy proposals with which to press the national government for change. Because these mayors were well connected with officials of relevant ministries, they were able to deliver their demands to national policymakers, thus “making the *de facto* voice on immigrant integration in central policy-making circles” (Haig, 2009: 26).

12. One such example is Hamamatsu’s bilingual educational program, a class for Brazilian children (*Canárinnyo*) that gave school instructions in both Portuguese and Japanese. It was closed when funding ended (Yamanaka, 2006).

13. As of 2007, twenty seven cities have joined the CCHFRC (Haig, 2009).

B. Korea

If Japan presents a pattern of civil society in which state regulations severely constrain the political potential of civil society (Pekkanen, 2006), Korea demonstrates a pattern in which a confrontational tradition enables civil society to challenge the state as a powerful political force (S. Kim, 2004). To understand the dynamic interactions between the state and civil society in Korea, it is important to remember that the democratic transition in Korea occurred only in 1987, and it was only a few years later that an influx of foreign workers arrived. In response, in 1991 the Korean government installed its ITTP that resulted in a swelling of undocumented workers. For a few years, however, their plight was unrecognized to the Korean media and public. This changed in January 1995 when a group of thirteen Nepalese trainees staged a sit-in at the Myongdong Cathedral in central Seoul, a well-known site of nonviolent protest.¹⁴ "The Nepalis, braving chilly winter weather, tied themselves up in chains and walked around outside the church with protest placards around their necks," proclaiming, "We get no salary in our hands. We have no passports. We get beaten up by the broker and the owner" (*Reuters*, January 10, 1995). In a joint statement the thirteen Nepalese said, "We may be from a poor country and that's why we are working here in Seoul like slaves. But we have our basic human rights too" (*Ibid.*).¹⁵

The impact of the Nepalese demonstration on Korea's religious and political centers was immediate. Cardinal Stephen Kim apologized to the Nepalese protesters: "I am very sorry, as a Korean" (*Ibid.*). Meanwhile, prosecutors began investigation in the matter after Prime Minister Hong-Koo Lee ordered a thorough study of the case and the

14. Korea's largest Non-Governmental Organization (NGO), the Citizens' Coalition for Economic Justice (CCEJ), staged from behind this Nepalese sit-in protest (Lim, 1999).

15. In 1994, a year prior to the thirteen Nepalese protest, a group of fourteen workers from Bangladesh, Nepal, the Philippines and Ethiopia staged a similar sit-in at the headquarters of CCEJ in Seoul. However, this did not lead to significant improvements in immigrant workers' working conditions (Lim, 1999: 348).

working conditions of foreign workers (*Ibid.*). While prosecutors' investigation ensured the arrest of law-breaking brokers and employers, it was the establishment of a special court that brought about "far-reaching, legal-institutional change" with regard to immigrant rights in Korea (Lim, 1999: 349; *Asahi Shimbun*, February 6, 1995). It was in recognition of the serious abuses to which immigrant workers were subjected that the government created the special court to deal exclusively with any problems immigrants encountered. Often supported by Korean citizens' groups, the immigrant workers brought their cases to the special court (Yamanaka and Kim, 2008). By so doing, they were able to challenge the governmental policy that permitted many abuses to occur.

As a result, over the years, the court has ruled a number of decisions in favor of immigrant plaintiffs. It was these court decisions that led the government to revise a series of labor related practices from 1995 to 2000. These changes included: financial coverage for unauthorized workers in compensation for work-related injuries (1994), provision of severance pay to unauthorized workers (1997), application of the Labor Standards Law for unauthorized workers (1998), and application of the Occupational Accident Law to unauthorized workers (2000). These legal improvements on behalf of immigrants have marked a major victory to the citizens' groups that had relentlessly challenged the state for immigrant rights (Lim, 1999, 2006; W. Kim, 2005, 2007).

The question arises: who comprised the citizens' groups and why were they so effective? Korea's civil society acting on behalf of immigrant workers began in 1992 — one year after ITTP was launched — when the Archdiocese of Seoul established the Foreign Workers Labor Counseling Office, and a group of labor activists created the Labor Human Rights Center (W. Kim, 2005). Both organizations provided immigrant workers with counseling on labor-related problems. Soon, many others created their organizations to assist immigrants in need (Lim, 1999: 352). Among religious leaders, human rights workers, labor unionists and other professionals who rushed to help immigrant workers, it was Christian, especially Protestant, churches that

overwhelmingly dominated civil society organizations for immigrant rights. According to statistics available in 2003, of 159 civil organizations providing assistance to immigrants, 111 (70 percent) were Christian churches, and of them 99 (89 percent) were Protestant (W. Kim, 2005). This domination of Protestant churches requires explanation.

Beginning with the resistance movement against Japanese colonialism before 1945, Protestant Churches, as moral and spiritual leaders, played crucial roles in popular movements against their oppressors (Clark, 2007). In more recent years during the *Minjung* Movement, the churches, including the Catholic Church, became a channel through which citizens expressed their discontent under authoritarian rule. "They [the churches] thus acted as mid-wife for the engendering of civil society" (W. Kim, 2007: 74). Historically, Korea has been a religiously pluralistic society in which 27 percent of the Korean population is either Catholic or Protestant (*Ibid.*: 6). This means that churches are capable of mobilizing collective resources readily available for public campaigns, including leadership, organization, networks and members. Moreover, Christian churches are committed to spiritual independence and freedom, and as such constituting a social space independent of the state. During the *Minjung* Movement, churches provided a site of refuge for activists. In this context it was natural for the churches to extend assistance to vulnerable immigrant workers symbolizing the new *minjung* — victims of globalization (W. Kim, 2007).

In short, the heavy representation of Christian churches in the social movement to help immigrant workers indicates organizational and cultural continuity from the democracy movement in carrying out campaigns for immigrants. As in the case of activists in democracy movement, pro-immigrant activists established national networks to pool resources and coordinate actions among member groups. Among many such coalitions of pro-immigrant groups, the Joint Committee of Migrant Workers in Korea (JCMK), established in 1995 following the Nepalese protest, opened the new direction for the immigrant rights movement (*Ibid.*, 2005). JCMK was a coalition of advocacy groups, and one of the largest organizations specifically

devoted to assisting immigrant workers. By addressing the urgent need for reforming the immigration system, JCMK targeted its campaign at achieving two main goals: abolishing the trainee system and creating a work-permit system that recognizes immigrant workers as workers (Lim, 1999).

After the 1995 Nepalese protest, public opinion became critical of the trainee program. Seizing this opportunity for change, JCMK and other groups intensified their campaigns. Using public rallies, sit-ins and even hunger strikes, these advocates, many of whom were Christians, pressed the government to end the trainee programs and adopt instead a work-permit system. Their relentless campaigns threatened KFSB — the association of small business owners — that was the main advocates and beneficiaries of the trainee program. In turn, KFSB began a vehement campaign against immigrant rights advocates (*Ibid.*, 2006: 263-264). Caught between the two opposing demands, the Korean government delayed its decision. However, by the early 2000s, with economic recovery and Presidents Kim Dae-jung (1998-2003) and Roh Moo-hyun (2003-2008) — former human rights activist and human rights lawyer, respectively — in power, immigrant rights advocates gained their stronghold. In 2004 the Korean government established the Employment Permit System, and by the end of December 2006 abolished the trainee program entirely.

V. Conclusion

By tracing the history of civil society and social movements in Japan and Korea, in this article I have analyzed relationships between civil society and the state in the context of democratic transition. Results indicate that differing histories of industrialization, democracy and civil society have created varying state-civic relationships in Japan and Korea. This has led to contrasting culture, organization and strategy for civil society in the two societies.

In Japan, despite its long history of industrialization since the late 1800s, social reform movements at the grassroots began only in the

1960s when rapid economic development caused economic inequality, environmental degradation, and other major social problems. Waves of popular protests by ordinary folks, supported by progressive intellectuals and politicians, expanded the roles of civil society from attending local community matters to advocating national legal and institutional changes. Passage of the 1998 Special Non-profit Act energized Japan's burgeoning civil society, but retained state control over civil groups' governance and finance. The Japan's "regulatory framework" (Pekkanen, 2006) has had a direct impact on the organization, culture and activities of civil groups fighting for immigrant rights. The majority of pro-immigrant groups in Japan are informal, small, local and severely constrained by low budgets. While a few nationwide networks of activists demand policy and legal change to enhance the rights of immigrants, their influence on the national policymaking process is yet to be seen. Meanwhile, growing contradictions in immigration policies have given rise to a revolt by political insiders. Mayors of the cities with a high concentration of newcomers now demand sweeping legal and administrative changes through bureaucratic channels for better management of the immigrants in their jurisdictions.

In Korea, pre-WWII imposition of Japanese colonialism and post-war developmental state oppression left a political legacy of deep anger among citizens which motivated them to directly challenge the state for social and political change. Successful democratization in the late 1980s gave birth to a new type of social movements to address the major inequalities and injustices within a democratic framework. As a result, civil society was no longer anti-state, but nonetheless employed highly confrontational methods to challenge the state. In their campaigns, civil groups formed national coalitions to maximize collective resources for raising public awareness while demanding alternative policies from the state. The fortuitous influx of immigrant workers in the late 1980s provided Christian and human rights activists with an opportunity to consolidate their resources to intervene state policymaking. Endowed with moral, material and instrumental resources, these groups formed a powerful agency with which to demand policy

change for immigrant rights. The road for legal and institutional reforms was long and rugged, but Korea's 2004 adoption of a labor contract system and the 2007 abolition of the trainee program finally demonstrated the power of civil society to directly influence the state.

References

- Alagappa, Muthiah, "Introduction," in Muthiah Alagappa, (ed.), *Civil Society and Political Change in Asia: Expanding and Contracting Democratic Space* (Stanford: Stanford University Press, 2004).
- Asahi Shimbun*, "Kankoku de Gaikokujin Rodousha wo Mamoru Ugoki" [Social Movements to Protect Foreign Workers in South Korea], February 6, 1995.
- Bestor, Victoria Lyon, "Toward a Cultural Biography of Civil Society in Japan," in Roger Goodman (ed.), *Family and Social Policy in Japan: Anthropological Approaches* (Cambridge: Cambridge University Press, 2002).
- Callahan, William A., "Challenging the Political Order: Social Movements," in Richard Maidment, David Goldblatt, and Jeremy Mitchell (eds.), *Governance in the Asia-Pacific* (London: Routledge, 1998).
- Clark, Donald N., "Protestant Christianity and the State," in Charles K. Armstrong (ed.), *Korean Society: Civil Society, Democracy and the State*, 2nd Edition (London: Routledge, 2007).
- Cornelius, Wayne A., Takeyuki Tsuda, Philip L. Martin, and James F. Hollifield (eds.), *Controlling Immigration: A Global Perspective*, 2nd Edition (Stanford: Stanford University Press, 2004).
- _____, "Japan: The Illusion of Immigration Control," in Wayne A. Cornelius, Philip L. Martin, and James F. Hollifield (eds.), *Controlling Immigration: A Global Perspective* (Stanford: Stanford University Press, 1994).
- Cornelius, Wayne A. and Takeyuki Tsuda, "Controlling Immigration: The Limits of Government Intervention," in Wayne A. Cornelius, Takeyuki Tsuda, Philip L. Martin, and James F. Holli-

- field (eds.), *Controlling Immigration: A Global Perspective*, 2nd Edition (Stanford: Stanford University Press, 2004).
- Cornelius, Wayne A., Philip L. Martin, and James F. Hollifield (eds.), *Controlling Immigration: A Global Perspective* (Stanford: Stanford University Press, 1994).
- Fukuoka, Yasunori, *Zainichi Kankoku, Chosenjin: Wakai Sedai no Aidentiti* [South and North Korean Residents: Young Generation's Identity], Chuko Shinsho 1164 (Tokyo: Chuo Koronsha, 1993).
- Gaikokujin Kenshusei Mondai Network, *Mayakashino Gaikokujin Kenshu Seido* [Foreign Trainee System in Disguise] (Tokyo: Gendai Jinbunsha, 2000).
- Gurowtiz, Amy, "Mobilizing International Norms: Domestic Actors, Immigrants, and the Japanese State," *World Politics*, Vol. 51, No. 3 (1999).
- Haig, Ken, "National Aliens, Local Citizens: The Politics of Immigrant Integration in Japan in a Comparative Perspective," The Ph.D. Dissertation (Berkeley: University of California, 2009).
- Harajiri, Hideki, "*Zainichi" toshiteno Korian* [Koreans as Residents in Japan], Kodansha Gendai Shinsho 1410 (Tokyo: Kodansha, 1998).
- Japanese Ministry of Justice, March 1, 2008 ([<http://www.moj.go.jp/PRESS/>]).
- Kawakami, Sonoko, "Seido Sousetsu kara 15 nen, Genkyo to Mondaiten" [Fifteen Years Since the Inauguration of the System], *Gaikokujin Kenshusei: Jikyu 300 yen no Rodosha 2* [Foreign Trainees: Workers Paid 300 yen per Hour 2] (Tokyo: Akashi Shoten, 2009).
- Kim, Sunhyuk, "Civil Society and Democratization in South Korea," in Charles K. Armstrong (ed.), *Korean Society: Civil Society, Democracy and the State*, 2nd Edition (London: Routledge, 2007).
- _____, "South Korea: Confrontational Legacy and Democratic Contributions," in Muthiah Alagappa (ed.), *Civil Society and Political Change in Asia: Expanding and Contracting Democratic Space* (Stanford: Stanford University Press, 2004).
- Kim, Woo-Seon, "Church and Civil Society in Korea after Democratization: The NGO's Activism for Migrant Workers," The Ph.D.

- Dissertation (San Diego: University of California, 2007).
- _____, "Human Rights Discourse and Culture in the Social Movement for Immigrant Workers in South Korea," November 1, 2005 ([http://www.calstatela.edu/centers/ckaks/kmc_papers.htm]).
- Kingston, Jeff, *Japan's Quiet Transformation: Social Change and Civil Society in the Twenty-First Century* (London: Routledge Curzon, 2004).
- Lee, Heyjin, "Kankoku ni okeru Hiseiki Tairyusha to 'Gohoka' wo Meguru Genjyo" [The Present Status Surrounding Unauthorized Stayers and "Normarization" in South Korea], in Kondo Atsushi, Shiobara Yoshikazu, and Suzuki Eriko (eds.), *Hiseiki Taizaisha to Zairyu Tokubetsu Kyoka: Ijushatachino Kako, Genzai, Mirai* [Irregular Stayers and Special Residence Permit: The Past, Present and Future of the Immigrants] (Tokyo: Nihon Hyoronsha, 2010).
- Lee, Hye-Kyung, "The Korean Diaspora and Its Impact on Korea's Development," *Asian and Pacific Migration Journal*, Vol. 14, Nos. 1-2 (2005).
- _____, "Gender, Migration and Civil Activism in South Korea," *Asian and Pacific Migration Journal*, Vol. 12, Nos. 1-2 (2003).
- _____, "The Employment of Foreign Workers in Korea: Issues and Policy Suggestion," *International Sociology*, Vol. 12, No. 3 (1997).
- Lee, Namhee, *The Making of Minjung: Democracy and the Politics of Representation in South Korea* (Ithaca: Cornell University Press, 2007).
- Lie, John, "Zainichi Recognitions: Japan's Korean Residents' Ideology and Its Discontents," *Japan Focus*, March 1, 2009 ([<http://www.japanfocus.org/-John-Lie/2939>]).
- Lim, Timothy C., "Will South Korea Follow the German Experience? Democracy, the Migratory Process, and the Prospects for Permanent Immigration in Korea," *Korean Studies*, Vol. 32 (2008).
- _____, "NGOs, Transnational Migrants, and the Promotion of Rights in South Korea," in Takeyuki Tsuda (ed.), *Local Citizenship in Recent Countries of Immigration: Japan in Comparative Perspective* (Lanham: Lexington Books, 2006).

- _____, "The Fight for Equal Rights: The Power of Foreign Workers in South Korea," *Alternatives*, Vol. 24, No. 3 (1999).
- Milly, Deborah J., "Policy Advocacy for Foreign Residents in Japan," in Takeyuki Tsuda (ed.), *Local Citizenship in Recent Countries of Immigration: Japan in Comparative Perspective* (Lanham: Lexington Books, 2006).
- Nakano, Lynne Y., *Community Volunteers in Japan: Everyday Stories of Social Change* (London: Routledge Curzon, 2005).
- Okamoto, Masataka, "Ijuren no Koremade to Korekara" [The Past and Future of Ijuren], *M-Netto*, Vol. 73 (2004).
- Pekkanen, Robert, *Japan's Dual Civil Society: Members without Advocates* (Stanford: Stanford University Press, 2006).
- _____, "Japan: Social Capital without Advocacy," in Muthiah Alagappa (ed.), *Civil Society and Political Change in Asia: Expanding and Contracting Democratic Space* (Stanford: Stanford University Press, 2004a).
- _____, "After the Developmental State: Civil Society in Japan," *Journal of East Asia Studies*, Vol. 4, No. 3 (2004b).
- _____, "Japan's New Politics: The Case of the NPO Law," *Journal of Japanese Studies*, Vol. 26, No. 1 (2000).
- Portes, Alejandro, "Conclusion: Towards a New World — The Origins and Effects of Transnational Activities," *Ethnic and Racial Studies*, Vol. 22, No. 2 (1999).
- Reuters, "Cardinal Kim Apologizes to Foreign Workers in Seoul," January 10, 1995.
- Roberts, Glenda S., "Immigration Policy: Frameworks and Challenges," in Florian Coulmas, Harald Conrad, Annette Schad-Seifert, and Gabrielle Vogt (eds.), *The Demographic Challenge: A Handbook about Japan* (Leiden: Brill, 2008).
- _____, "NGO Support for Migrant Labor in Japan," in Mike Douglas and Glenda S. Roberts (eds.), *Japan and Global Migration: Foreign Workers and the Advent of a Multicultural Society* (Honolulu: University of Hawaii Press, 2003).
- Sassen, Saskia, *Globalization and Its Discontents* (New York: New Press, 1998).

- Schwartz, Frank J., "Introduction: Recognizing Civil Society in Japan," in Frank J. Schwartz and Susan J. Pharr (eds.), *The State of Civil Society in Japan* (Cambridge: Cambridge University Press, 2003).
- Seol, Dong-Hoon and John D. Skrentny, "Ethnic Return Migration and Hierarchical Nationhood: Korean Chinese Foreign Workers in South Korea," *Ethnicities*, Vol. 9, No. 2 (2009).
- _____, "South Korea: Importing Undocumented Workers," in Wayne A. Cornelius, Takeyuki Tsuda, Philip L. Martin, and James F. Hollifield (eds.), *Controlling Immigration: A Global Perspective*, 2nd Edition (Stanford: Stanford University Press, 2004).
- Shipper, Apichai W., *Fighting or Foreigners: Immigration and Its Impact on Japanese Democracy* (Ithaca: Cornell University Press, 2008).
- Tai, Eika, "'Korean Japanese': A New Identity Option for Residents in Japan," *Critical Asian Studies*, Vol. 36, No. 3 (2004).
- Tegtmeyer Pak, Katherine, "Foreigners Are Local Citizens, Too: Local Governments Respond to International Migration in Japan," in Mike Douglass and Glenda S. Roberts (eds.), *Japan and Global Migration: Foreign Workers and the Advent of a Multicultural Society* (Honolulu: University of Hawaii Press, 2003).
- Tsuda, Takeyuki, "Localities and the Struggles for Immigrant Rights: the Significance of Local Citizenship in Recent Countries of Immigration," in Takeyuki Tsuda (ed.), *Local Citizenship in Recent Countries of Immigration: Japan in Comparative Perspective* (Lanham: Lexington, 2006).
- Yamanaka, Keiko, "Immigration, Population and Multiculturalism in Japan," *Asia Program Special Report*, No. 141 (2008).
- _____, "Immigrant Incorporation and Women's Community Activities in Japan: Local NGOs and Public Education for Immigrant Children," in Takeyuki Tsuda (ed.), *Local Citizenship in Recent Countries of Immigration: Japan in Comparative Perspective* (Lanham: Lexington Books, 2006).
- _____, "Migration, Differential Access to Health Services and Civil Society's Responses in Japan," in Santosh Jatrana, Mika Toyota, and Brenda S. A. Yeoh (eds.), *Migration and Health in Asia* (Lon-

don: Routledge, 2005).

Yamanaka, Keiko and Nicola Piper, "Feminized Migration in East and Southeast Asia: Policies, Actions and Empowerment," *Occasional Paper Gender Policy Series*, No. 11 (Geneva: UNRISD, 2005).

Yamanaka, Keiko and Woo-Seon Kim, "Civil Activism and Immigration Policy in Japan and South Korea," Paper presented at the International Conference on Global Migration and Multiculturalism in East Asia, Korea University, Seoul, November 7-8, 2008.