CITIZENSHIP IN KOREA: FROM ETHNIC PURITY TO MULTICULTURAL IDENTITY?

ABSTRACT

This article introduces recent trends in immigration and discourse on immigration, integration and citizenship in Korea. Historically, these concepts and their institutional manifestations have been strongly influenced by nationalism and the ideology of ethnic purity. However, Korea's ethnic composition is becoming increasingly diverse and Koreans are now actively debating a paradigm shift to a multicultural society.

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For centuries, Korea was a homogenous country with no experience in large-scale immigration. Only ethnic Koreans could be Korean nationals or citizens. It was a racially intolerant society. Foreigners in Korea remained foreigners no matter how long they lived there. This is all changing now. In recent decades, for the first time in its history, a large number of foreigners have been coming to Korea to work, live and become Koreans. The trend started with an influx of foreign workers in the 1990s as a result of the income gap between Korea and developing countries in the region. A labour shortage in Korea is another pull factor. Korea is one of the world's fastest ageing countries, and its birthrate, at 1.16 in 2004, is one of the lowest. Another category of foreigners recently entering the country includes foreign spouses of Koreans. Forty percent of men in rural Korea are expected to marry foreign nationals in the coming decades.

This is a new and unfamiliar state of affairs for Korea. When the number of foreign residents was relatively small and their stay was believed to be temporary, most Koreans were indifferent. Many of the foreigners faced discrimination; they had difficulty adapting to life in Korea. However, as more and more foreigners came and settled, it was recognized that they would have a potentially profound impact on Korean society. Meanwhile, Koreans' view of foreigners gradually changed, becoming more receptive and sympathetic. As a result, debates began in Korea about how to live with foreigners; about the need to reform immigration and citizenship policies; about alternative concepts of Korean identity. And Koreans started looking to multiculturalism for answers.

This article explores Korea's constitutional and legal framework for citizenship, requirements for acquiring citizenship and the effects of immigration and citizenship policies. It introduces some aspects of the immigration regime, integration policy and debates on multiculturalism in Korea. It should be noted that Korea is not an immigrant nation like Canada: Korea started receiving immigrants only recently and in a very limited way. Therefore, this article mainly uses the term "foreign residents" rather than "immigrants," as is the practice in Korea in most instances.

Foreign residents in Korea

The Korea Immigration Service statistics recorded, in December 1007, 1,066,273 foreigners in Korea. This number includes both short-term visitors and long-term (90 days or longer) residents as well as those with both legal and illegal (over 200,000) status. The country's 502,082 foreign workers account for just over 47% of the total number of foreigners, and over 90% of them are unskilled workers. The number of foreigners in Korea has been rapidly increasing in recent years (Table 1).

Table 1
Foreigners in Korea (as of December 2007)

Year	1997	1999	2001	2003	2005	2006	2007
Number	386,972	381,116	566,835	678,687	747,467	910,149	1,066,291

Source: Korea Immigration Service.

Registered foreigners, i.e. residents, numbered 765,746 in 2007. This is about 1.6% of the total Korean population of roughly 47 million. The largest group, totaling 421,493 people, is Chinese. A total of 310,485 of this group are ethnic Korean Chinese who have entered Korea mainly since the 1990s (Table 2).

Table 2
Registered foreigners in Korea by nationality (December 2007)

China	421,493
Vietnam	67,197
Philippines	42,939
Thailand	31,745
USA	26,673
Indonesia	23,698
Taiwan	22,047
Mongolia	20,473
Japan	18,073
Sri Lanka	12,078
Uzbekistan	10,916
Pakistan	8,047
Bangladesh	7,821
Canada	7,410
Russia	4,682
Nepal	4,627
Cambodia	4,569
India	4,261
Other	26,997
Total	**765,746**

Source: Korea Immigration Service.

Until recently, Korea had no immigration program through which foreigners could settle permanently. The exception was a program for the foreign spouses, called "marriage immigrants," who make up the only category of foreign residents that the government officially calls "immigrants." Initially given resident visas (F-2), they can apply for permanent resident status (F-5 visa) or naturalize if they maintain their marriage for two years or longer. Marriage immigrants are quickly increasing in number, and reached over 110,000 (97,236 women) in 2007 (Table 3). Their country of origin is also diversifying. Korean Chinese (36,632) and Chinese (26,571) make up the majority, followed by Vietnamese (21,614) and others.

In 2007, there were 16,460 permanent residents in Korea. However, about 80% of these were overseas Chinese with Taiwanese nationality who had been living in Korea since the turn of the last century. Most newcomers who have settled in Korea in recent years are foreign spouses of Koreans. About 15% of permanent residents are Japanese, followed by Chinese, Russians, Americans, Thais and others. Recently, the number of permanent residency applications has been growing quickly from 668 in 2005 to over 3,000 in 2007, due to these foreign spouses. The minimum residency requirement for an F-5 visa application is five years, with the exception of marriage immigrants.

Nationality and citizenship

Korea was surrounded by powerful neighbours, and Koreans' survival instinct resulted in the emergence of nationalism and xenophobia. Furthermore, the Korean brand of Confucianism placed a high value on the purity of family lineage and ethnic/national purity. Nationalism is deeply entrenched in Korea's citizenship regime. Chapter 1, article 1, of the Korean Constitution proclaims that Korea is a democratic republic and its sovereignty resides in the people. The very next article (article 2) states that "nationality in Korea is prescribed by law." This clearly shows the importance of being a Korean national in order to be part of this constitutional entity. In subsequent chapters, the Constitution uses the Korean term for "nationals" (*kukmin*) rather than "citizens," although the two are used interchangeably in English translations. It declares that all Korean nationals are equal before the law and that there shall be no discrimination "on account of sex, religion or social status." No mention is made about equality among people of different ethnic backgrounds or races. The underlying assumption is that Korean nationals are, historically, culturally and ethnically speaking, Koreans.

The requirements for becoming a Korean national are prescribed in the *Nationality Act*. In contrast to the territorial principle (*jus soli*), the nationality principle (*jus sanguinis*) determines who the Koreans are: a person is a Korean national if, at the time of their birth, one of their parents is a Korean national. Nationality can also be acquired through naturalization. Historically, a Korean of another ethnic background, such as a Canadian Korean, had always been an alien concept. Overseas Chinese, for example, who have been living in Korea for generations, are still considered Chinese. To become Korean, they had to "naturalize" and assimilate rather than simply "acquire citizenship." Naturalization meant the loss of Chinese identity.

Requirements for naturalization are not easy to meet. A foreigner may acquire Korean nationality through the permission of the Minister of Justice. The citizenship of a naturalized Korean cannot be revoked except when it is found *ex post facto* that the application for naturalization was submitted on false grounds. Children of naturalized Koreans are also granted Korean nationality. Dual nationality is not permitted.

Naturalization, in general, requires a foreigner to have sustained domicile in Korea for five or more consecutive years, be of good conduct, be able to sustain livelihood and have a basic knowledge of Korean language and custom. A simplified naturalization process is applied to applicants who have lived in Korea for three or more years if, for instance, they were born in Korea. Marriage immigrants can apply for naturalization if they have maintained marriage status and resided in Korea for two or more consecutive years.

Table 3
Marriage immigrants

Year	2002	2003	2004	2005	2006	2007
Number	25,182	44,416	57,069	75,011	93,786	110,362
Increase (%)	37.8	76.4	28.5	31.4	25.0	17.7

Source: Korea Immigration Service.

Table 4
Naturalization trend (by nationality)

	2004	2005	2006	2007
China	7,443	14,881	7,156	8,878
Philippines	1,074	786	317	335
Vietnam	147	362	243	461
Mongolia	36	109	32	82
Pakistan	58	66	18	34
Thailand	53	69	39	57
Uzbekistan	34	79	38	60
Other	417	622	282	412
Total	**9,262**	**16,974**	**8,125**	**10,319**

Source: Korea Immigration Service.

Applicants in principle need to pass a written test and undergo an interview.

In recent years, the number of naturalizations has grown. Nevertheless, talking about the rate of citizenship uptake may not be useful since Korea does not have a systematic immigration program through which immigrants are received. This is based on the assumption that they will, in due time, become full citizens.

Among the groups who naturalized, the Chinese were by far the largest group; however, they were mostly Korean Chinese, whom Koreans call "compatriots" (Table 4). This suggests that becoming a Korean national is still largely determined by consanguineous ties rather than by a racially/ethnically neutral immigration process.

Immigration policy and integration programs: Recent developments

In the past, Korea had neither a systematic immigration policy nor immigrant integration programs. The country only brought in foreign workers and "arranged" brides, who had a hard time adapting to life in Korea and faced discrimination and exclusion. Given the rapid increase in the number of foreign residents and the potential ethnic conflict (so dramatically demonstrated in Europe), however, the status quo was no longer desirable, and pressures for change started to be felt. Motivated to help foreign residents and frustrated by the lack of government response, civic groups started demanding government action. Then the issue became a policy agenda in the early 2000s, when then President Roh Moo-Hyun took interest in it. He had a background as a human rights lawyer and was sympathetic to socially disadvantaged groups. Government agencies, responding to demands and sensing opportunities for jurisdictional aggrandizement, started vying for the President's attention. Eventually, the Ministry of Justice (MOJ), which was responsible for exit-entry control and matters relating to foreign visitors status, got the President's blessing to take action.

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Various policy changes and adjustments have been made ever since. For instance, "marriage immigrants" have been exempt from the written naturalization test since 2003. They are encouraged to naturalize because they are the future parents, mostly mothers, of Koreans. However, the language barrier and cultural differences frequently lead to marital problems and abuse. There is no comprehensive program for the integration of marriage immigrants. Moreover, their children experience serious long-term problems. Because of the mothers' lack of Korean language ability, these children's language learning is slow, they tend to fall behind at school and they may face discrimination. Recognizing these problems, the MOJ announced a plan in April 2008 to introduce integration courses as a requirement of the naturalization application. But this measure has been greeted by vocal opposition from certain civic groups because they perceive it as a heavy burden on immigrants. It remains to be seen how this matter will eventually be resolved.

The Employment Permit System introduced in 2004 is also worth mentioning. Through this system, foreign workers are recruited as such and not under the false pretence of "industrial trainees." The MOJ subsequently decided that these foreign workers would be allowed to apply for a resident visa (F-2) under certain conditions. This is a significant shift from the previous policy, which allowed foreign workers to enter Korea on a strictly rotational basis. The new policy has opened the door for skilled foreign workers to settle permanently in the country and eventually to acquire Korean citizenship.

Of symbolic as well as practical importance, the government enacted the *Basic Law Concerning Foreign Residents in Korea* in 2006. This is a broad legal framework designed to protect the rights of foreign residents and their children and provide them with social safety nets, facilitate integration between foreign residents and native-born Koreans and attract foreign professionals and skilled labour. The law also sanctioned the MOJ's leading role. In 2007, the Ministry established the Korea Immigration Service (KIS), expanding and reorganizing its Immigration Bureau (Exit/Entry Control Bureau in Korean). One of the notable features of the KIS is its new Nationality and Integration Policy Bureau and the Social Integration Team within the bureau. Matters related to nationality (citizenship) are to be dealt with in conjunction with immigration and integration policies. The introduction of the integration courses mentioned above is the Social Integration Team's first major project. The goal of the KIS is to become a full-fledged immigration agency charged with a

comprehensive immigration policy and integration programs similar to those in major immigrant-receiving countries.

There have been some significant developments in the political engagement of foreign residents. Since 2006, permanent residents have been given the right to vote in local elections, and extending this right to national elections is currently being debated. In the 2007 parliamentary election, a minor political party fielded a Filipino-Korean candidate in the party list for proportional representation. Although her chances of getting elected were very slim, this was the first time in Korean history that a naturalized Korean of ethnic minority origin ran for a parliamentary seat.

Along with these recent developments, the public discourse in Korea regarding citizenship, nationality and national identity has undergone a paradigm shift: from the myth of ethnic purity to the reality of a multicultural society. Today, the rhetoric of multiculturalism is widely circulated and supported by most sectors of Korean society. Indeed, there are relatively fewer barriers and less discrimination against foreign residents, and pressure on them to assimilate is declining. Registered foreign residents may now receive basic social benefits, and their rights are better protected. This seems to be having an unintended effect.

Since 2006, the number of long-time foreign residents applying for permanent residency (F-5 visa) instead of naturalization has been fast increasing. More foreign residents who were vacillating between naturalization and permanent residency are choosing the latter. The ratio of permanent residency applications to naturalization applications went from 7.1% in 2004 to 5.4% in 2005, 36.4% in 2006 and 30.1% in 2007 (News Hankuk 2007). Although permanent residents lose their status if they leave the country for too long and even though they do not have political rights in national politics, they can live in Korea with virtually no restrictions or formal discrimination. They can maintain their original nationality. Compared with naturalization, acquiring permanent residency is easier and takes less time. This suggests that permanent residency offers an interesting alternative to naturalization.

Prospects

Ethnic diversity is certainly becoming a fact of life in Korea and will affect society in a way never before experienced. The old paradigm of national identity or nationality no longer offers a positive guide regarding who the Koreans are. Koreans are now engaged in debates on how to redefine these concepts to reflect the reality and what kinds of institutions are needed to support them. Comprehensive immigration and integration policies and programs are considered necessary elements. Furthermore, Koreans have been enthusiastically embracing multiculturalism. It is a positive direction for Korea: the country is finally readying itself to accept foreign residents and immigrants as equal members of the community, to respect their culture and identity and to let them realize their full potential in their newly adopted home.

It is not clear, however, where all these discussions and debates will eventually lead. It is fashionable in Korea these days to claim support for a multicultural society; however, Koreans have yet to fully understand exactly what it means, what the different models of multiculturalism are, and what the range of policy implications might be. Whether the core values of a multicultural society are instilled and internalized in Koreans is open to question. The concept of immigration is still not sufficiently incorporated into Korea's legal, political and social systems. Nationalism is no longer politically correct in the citizenship and integration discourse, yet nationalistic tendencies are still deeply rooted in the Korean mind. Backlash against multiculturalism like the events that have been seen in Europe is possible in a society already laden with bitter conflicts among different regions, generations and social groups. Multiculturalism in Korea could end up as a thinly veiled scheme of assimilation or segregation. The Korean version of a multicultural society may constantly change its form. The outcome will depend on whether this society is adequately designed and managed, thereby contributing to the interest of every Korean involved, irrespective of birthplace or descent.

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