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Ethnic return migration and hierarchical nationhood

Korean Chinese foreign workers in South Korea

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ABSTRACT Though nationhood is typically understood to be an equalizing or horizontal concept, the phenomenon of ethnic return migration has shown that states as well as societies can draw hierarchical distinctions between persons of the same ancestry. We demonstrate two dimensions – legal and social – of this ‘hierarchical nationhood’ by analysing the South Korean policy and citizen attitudes regarding Joseonjok, or ethnic Korean Chinese citizens moving to South Korea. On the legal dimension, the Korean state defines Joseonjok as foreigners, allowing them entry mainly for low-wage jobs and excluding them from social benefits, while preferring them over other foreigners. The legal dimension of hierarchy is also institutionalized in a more favourable visa for Korean Americans that excludes Joseonjok. The social dimension of hierarchical nationhood is shown by public opinion data of Korean citizens towards Joseonjok foreign workers and data on reported experiences of discrimination. Finally, the authors show how Korea’s hierarchical nationhood is shaped by economic and geopolitical goals, and describe analogous cases in Asia and Europe.

KEYWORDS China ● citizenship ● immigration policy ● Korea ● migrant workers ● nationalism

INTRODUCTION

Scholars of nations and nationalism frequently debate the importance of ethnicity in the constitution of nationhood. Ethnicity varies in importance, playing a greater role in those that tend towards an ethnic rather than civic nationhood, or those that tend towards *Kulturnation* rather than *Staatsnation* (Brubaker et al., 2006). While immigration always presents at least some challenge to both types of nations, immigration obviously presents greater challenges to nations that tend towards the ethnic model because ancestry plays a key role in membership, such as in *jus sanguinis* citizenship rules.

The extent of the challenge of immigration to the more ethnically defined nations, however, may be greater than usually understood. States in these nations appear to struggle with incorporating immigrants into the nation even if newcomers are ethnically identical. In this article, we show how South Korea, a strong ethnic nation (Shin, 2006), has managed an influx of ethnic Korean immigrants. Korea has recognized these immigrants as members of the Korean nation but has assigned them a subaltern position. In Korea, as in other states with ethnic return migrants, the co-ethnic newcomers are lesser members, part of a growing elaboration of what we call here 'hierarchical nationhood'.

NATIONHOOD AND CITIZENSHIP AS 'HORIZONTAL' CONCEPTS

Research on the meaning and practice of nationhood typically shows an understanding of the concept as one that is 'horizontal' rather than vertical or hierarchical with respect to individuals. Each member of the nation is equally a member with other members. Though there are nearly as many understandings of what it means to be a nation as there are scholars studying the topic, this simple idea is widespread and prominent. For example, all members of Anderson's (1991) 'imagined community' are, in theory, equal to one another, and despite actual inequality that may exist in a society, 'the nation is always conceived as a deep, horizontal comradeship' (Anderson, 1991: 7). Lie's (2004: 101–2) conception is historical but ends with the same point: though originally understood hierarchically – nationhood referred only to nobility – the American and French revolutions put in place the modern, inclusionary and equalizing conception. Similarly, Gellner (1983) understood nation-building to be part of a homogenizing or standardizing process. Other scholars, emphasizing characteristics shared among members, such as ethnicity, language

or religion, implicitly invoke equality (Hechter, 2000; Kohn, 1944; Smith, 1986, 1991). Another common way of understanding nation membership is dichotomously and relative to other groups. There is a 'we' and a 'they' (Cohen, 1978); there are nationals and there are 'Others' (Herzfeld, 1997; Triandafyllidou, 1998, 2001; Tzanelli, 2006). These understandings typically do not include conceptualization of difference *within* national groupings.

Citizenship, linking members of a nation to a state, is similarly horizontal and equalizing. Theories of citizenship typically emphasize the equality of rights in a political membership (see, generally, Shafir, 1998). The complaint of the oppressed in rights movements across the US in the 20th century that they experienced a denial of rights that amounted to a 'second-class citizenship' reflects the widespread expectation that all citizens share in equal rights (Skrentny, 2002). 'Second-class citizenship' is an oxymoron. The premise of Marshall's (1964) celebrated work on citizenship and social class was that class was incongruous with citizenship because it brought inequality to the fundamental equality of citizenship.¹

Of course, state elites frequently draw inequalities, often formally, in national membership even when otherwise claiming to be liberal (Smith, 1996). But most theories of the nation assume legal equality between persons of the same ethnicity and sex. In 'ethnic' nations, though there may be differences between ethnic groups, membership in the dominant ethnic group 'determines access to the rights and services the modern state is supposed to guarantee' (Wimmer, 2004: 42).

ETHNIC RETURN MIGRATION AND HIERARCHICAL NATIONHOOD

State responses to the phenomenon of ethnic return migration, or the movement of people to their ancestral homeland, can present challenges to the horizontal understanding of nationhood. Recent research on this issue of increasing public debate in many states suggests that nations can in fact be hierarchical and graded in ways not previously understood. While it is true that return migrants who never relinquished their citizenship are typically full members of the nation, ethnic return migrants, who may be generations removed from the kin state, are usually not full members of the nation – even if they are preferred over other foreigners. In other words, co-nationality can be recognized but full equality denied.

There is, of course, variation here. In what is probably the most well-known case, the German state bestowed citizenship on ethnic German 'expellees' (or *Aussiedler*) returning from Russia or Eastern Europe to Germany. They were part of the same nation, even given resettlement aid

to encourage quick integration (Joppke, 2005; Münz and Ohliger, 1997; Rock and Wolff, 2002; von Koppenfels, 2004).

The Greek case is more complex and presents distinct inequalities. Triandafyllidou and Veikou (2002) argue that Greek national identity is characterized by a 'hierarchy of Greekness'. They maintain that though Greece has long been identified as a transcendental nation, state policy at the turn of the new millennium makes distinctions between Greek citizens, ethnic Greek immigrants from other states and non-Greek immigrants. Greek immigration law is restrictive towards non-Greek immigrants but offers special preferences for ethnic Greeks. Most favoured are the 'Pontic Greeks', coming from the former USSR. They receive full citizenship and the Greek state has established a special institute that provides assistance in accommodation, food, education and language and vocational training. But there are also Greek Albanians who receive Greek nationality without Greek citizenship. This means that they remain foreigners, but the state prefers them over other foreigners and they are able to register for temporary residence. After considering the views of policy-makers, Triandafyllidou and Veikou do not distinguish between the Pontic Greeks and the Greek Albanians, only stating that they are both below 'real Greeks' but above non-Greek legal aliens (Triandafyllidou and Veikou, 2002: 201). They conclude that the hierarchy of Greekness is in the interests of the Greek state, which wants to both protect ethnic Greeks and also maintain a Greek minority in Albania (see also Triandafyllidou, 2001).

We stress that there are important implications here not limited to the Greek or German cases but instead reach to a broader understanding of nationhood. Rather than only a 'hierarchy of Greekness' found in that specific case, there is a 'hierarchical nationhood' found in several cases. Hierarchical nationhood expands on Triandafyllidou and Veikou's notion, as well as H.O. Park's (1996) concept of 'hierarchical diaspora', with a generalizable ideal type. It identifies inequalities within nations rather than inequalities between nations, as in Castles' (2005) notion of 'hierarchical citizenship'.

Hierarchical nationhood may present a significant challenge to theories of the nation and nation-building because it indicates that the nation-defining practices are both more and less inclusive than previously considered. On the one hand, special openness to co-ethnic foreigners suggests that nations appear to extend beyond particular territories. This state recognition of co-nationality arguably encroaches on the sovereignty of host states, where the co-nationals are citizens, because it invites loyalty to the kin state. On the other hand, these far-flung co-nationals, though privileged over other foreigners, may not be equal to native-born citizens. They are close to and part of the nation, but are not the same as core or 'top-tier' members. There is still an 'imagined community,' but it is not always the equal, horizontal conception envisioned by Anderson (1991). When denied citizenship, these co-nationals do not share in the rights and opportunities

of full members of the nation. Similar but still identifiable, they may face discrimination at work and in daily life.

Though it is true that horizontal nationhood is typically a model or aspiration and not reality, we wish to distinguish and highlight the sociological significance of the hierarchical nationhood phenomenon from the discriminations and rights denials that are common in many if not all states. These rights denials usually come about based on beliefs in some ethnicity-, race- or gender-based inferiority, inadequacy or stigma. What makes hierarchical nationhood distinct is a simultaneous recognition, on either the part of the state or the public or both, of sameness and difference on a key trait. There is common ancestry and *foreignness*. It involves discriminations between persons of the *same* ethnicity based at least in part on their adopted homeland.

Hierarchical nationhood is also different from transnationalism, which typically describes migrants who never severed ties with their homeland and actively maintained ties of various kinds during their stay in another state (Waldinger and Fitzgerald, 2004). In contrast, ethnic return migration usually involves individuals who did not maintain ties and in fact may be generations removed from the original sending state – and have never set foot in their ethnic or ancestral homeland.

Hierarchical nationhood can be characterized on two dimensions of subaltern status. First is a *legal* dimension, where the state draws lines between the core, top-tier members and other co-nationals by offering the latter varying opportunities for citizenship, residence visas and work permits. Second is a *social* dimension, where top-tier members draw lines informally, practising various types of discrimination against co-nationals even while recognizing their kinship. Together, these two dimensions may result in a distinctively difficult experience of integration for individuals who have expectations of full acceptance.

Thus, we contribute to the growing discussion on ethnic return migration, most comprehensively analysed by Joppke (2005), by showing the complex, layered ways hierarchical nationhood is practised in South Korea. The article is organized as follows. We first explain our selection of the Korean case and provide some background, especially on the primary ethnic return migrants, the Korean Chinese, or *Joseonjok*. Second, we look at the legal dimension of Korean hierarchical nationhood regarding Joseonjok as well as other ethnic Koreans. Though space limitations preclude a full analysis of the origins of Korea's hierarchical nationhood, in this section we show how policy maps onto the Korean state's economic and geopolitical interests. Next, we examine the social dimension, showing Korean citizens' attitudes towards Joseonjok as well as Joseonjok attitudes, and show that the hierarchical nationhood identified in policy and law also is manifested in these attitudes. We conclude with an assessment of Korean nationhood, a comparison with other cases and suggestions for future research.

NATIONS, ETHNIC RETURN MIGRATION AND SOUTH KOREA

The case of Korean ethnic return migration can be especially interesting to scholars of nationhood, race and ethnicity because the Korean case is so complex.² It is a divided ethnic nation, with two ideologically opposed and hostile states claiming authentic representation and sovereignty over the Korean people. In addition, it has emigrants in states of greatly varying levels of economic development and therefore with very different incentives to return. Also, though it has a tradition of a strong state leading its economic development (Amsden, 1989), while at times using oppression to maintain domestic order (Cumings, 1997), since the 1990s it has an increasingly vibrant if still developing democracy (Kim, S.S., 2003; Pempel, 1999a), as well as independent courts (Ginsburg, 2003). Finally, its population of 48 million is among the wealthiest in Asia, and Korea has been an immigrant-receiving state since the late 1980s (Seol and Skrentny, 2004).

Drawing on a pool of about 2 million in China, Joseonjok are the largest group of ethnic return migrants to Korea – and in fact the largest group of foreigners in Korea. There were 237,000 Joseonjok in Korea in 2006, significantly more than the second largest group of migrants, the Han Chinese (145,000). Joseonjok have also been the subject of most policy-making regarding ethnic return migration. Joseonjok residents can be grouped into three categories: (1) migrant workers and job seekers; (2) wives or husbands of Korean citizens and (3) others, which includes mostly students and short-term visitors. The largest group are the workers and job seekers. Korean Americans, who number about 2.3 million in the US, are the next largest group of ethnic Korean migrants in Korea, at over 21,000. Of the 23 million North Koreans, there are about 10,000 who have managed to come to South Korea. Finally, there are several hundred *Goryeoin*, or Koreans from the former Soviet Union, drawing on a pool of about half a million (Choi, I., 2003; Chung, 2007; Korea Immigration Service, 2007; Lankov, 2006; Lee, C.-W., 2003; Lee, J.Y., 2002a; Park and Chang, 2005).³

KOREAN HIERARCHICAL NATIONHOOD: THE LEGAL DIMENSION

The history of Koreans in Manchuria, what is now part of China, is a very long one, though most Joseonjok came to China during the period of Japanese colonial rule of Korea (1910–45; Kwon, 1996; Lee, C.-J., 1986; Lee, J.Y., 2002a; Piao, 1990; Seol, 1998). Some fled 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. The Japanese forcibly moved others (Park, H.O., 2005). Since 1952, they have lived in the Yanbian Korean Autonomous Prefecture where they have maintained Korean culture and language (Min, 1992; Piao, 1990).

Koreans first moved to the US at the beginning of the 20th century, first settling in Hawaii and then moving to the mainland. Though the numbers were small (only about 5000), Korean newspapers sometimes valorized this group for creating a new Korea in the more advanced West, especially when Japan colonized the Korean peninsula (Schmid, 2002). Their numbers grew rapidly only in the 1970s, after the US ended ethnic discrimination in immigration (Skrentny, 2002).

There were many possibilities for how Joseonjok might be ranked, if at all, in Korean conceptions of nationhood. According to the Preamble of the *Constitution* of the Republic of Korea, the national origin of South Koreans derives not from the divided regime of 1948 but from the independence movement (in which Joseonjok played a key role) and the Provisional Government of the Republic of Korea of 1919.

When Joseonjok first began to come to Korea in large numbers in the 1980s, the Korean state welcomed them and offered permanent residence and possibilities for citizenship for those descended from anti-Japanese activists. But Chinese leaders opposed what they saw as an affront to Chinese sovereignty. In 1990, the policy was revised, offering instead only three-month tourist visas (Kim, S.J., 2003: 112–22; Lee, J.Y., 2002a, 2002b: 133–62; Park, H.O., 1996; Seol, 1999: 142–146; 2004).

Since 1991, the legal dimension of Korean hierarchical nationhood has developed mostly based on Korean economic interests, though geopolitical pressure from China has continued to play a role. It can be seen in two main state actions: creation of various short-term work visas with either special consideration of Joseonjok within larger ‘trainee’ programmes or special work visas targeted at Joseonjok; and the Overseas Koreans Act, in effect targeted at Korean Americans.

Short-term, low-skill work visas for Joseonjok

As described by H.-K. Lee (1997), Seol (1999), C.-W. Lee (2003), J.-H. Lee (2004) and Seol and Skrentny (2004), the first government foreign worker programme was called the Industrial Technical Training Programme (ITTP), which brought low-skilled workers for ‘3-D’ (dirty, difficult and dangerous) jobs, and which prominently included Joseonjok (see later). The ITTP was ostensibly for teaching and transferring skills to less developed countries. It was originally limited to Korean companies with investments or partnerships with overseas firms. From 1991, the government continually expanded the programme (with a brief break in 1997–8,

during the financial crisis) to address worker shortages in low-skilled jobs. The programme never kept up with demand, and consequently there have been large numbers of undocumented workers in Korea. In fact, the majority of foreign workers in Korea are undocumented (Seol and Skrentny, 2004). Many come to Korea on tourist visas and simply find jobs and overstay. Many trainees also have run away from the firms that sponsored them, and work illegally for other firms for higher wages.

Though legally classified as foreigners, the Joseonjok always had a privileged place in the ITTP. According to Lim (2002: 19), South Korea's first preference for foreign workers was for these fellow Koreans because they would 'pose less of a threat to South Korea's tight-knit, homogenous society'. Policy-makers gave to Joseonjok a separate (and large) quota in the ITTP and paid them higher wages in the early years of the programme. They remained the largest group of foreigners in the programme and among undocumented workers (see Tables 1 and 2).

The classification of Joseonjok as foreign and their inclusion in the ITTP, or their status as undocumented workers, actually speaks more to the exclusion and lower ranking of Joseonjok than it first appears. The ITTP was notorious among NGOs and the news media as an embarrassing source of human rights violations (Lee, H.-K., 1997; Lee, J.-H., 2004; Seol, 2005), and protests by NGOs and migrant workers led to the decision to replace the programme in 2007 with the 'Employment Permit Programme', which gives short-term visas but worker rights similar to those enjoyed by Korean citizens (Lim, 2002; Seol and Han, 2004; Seol and Skrentny, 2004). That Joseonjok were relegated to such a humiliating status says much about how narrowly the Korean government was willing to define or draw lines, thus creating a hierarchy of ethnically Korean people. It also shows the close links between economic interests and hierarchical nationhood in the Korean case.

Another part of the legal dimension to Joseonjok subaltern status is a programme created at the end of 2002 to provide short-term service work visas for Joseonjok. Overseas Koreans over the age of 40 and with family (cousins or closer relatives) in Korea would receive special two-year visas to work in the labour-starved service industry – supplying cheap labour to restaurants, cleaning companies and nursing facilities (as 'caregivers' and not nurses) but excluding bars and sex-based 'room salons' and karaoke hostess bars (Seol and Rhee, 2005). In 2007, the Korean state expanded the programme beyond service work and named it the 'Visit and Employment Programme (*Bangmun chuieop jedo*) for Ethnic Koreans with Foreign Citizenship'. It allows ethnic Koreans over the age of 25 to receive a 'Visit and Employment' (H-2) visa. This permits free entry and departure from Korea for five years and employment by any company in Korea for three years. It remains targeted at economic sectors that need low-skilled labour, such as construction, manufacturing and services (Yoo, 2007). Though technically

Table 1 Numbers of Joseonjok migrant workers in Korea, 1991–2006

Year	Total	Registered migrant workers					Undocumented workers
		Subtotal ^a	Professionals	Non-professional workers	Post-training workers	Industrial trainees	
1991	18,436	7	7	0	0	12	18,417
1992	27,240	7	7	0	0	284	22,128
1993	23,286	14	14	0	0	1,428	21,387
1994	20,411	31	31	0	0	3,287	17,093
1995	29,504	47	47	0	0	3,751	25,706
1996	35,711	101	101	0	0	3,537	32,073
1997	34,926	131	131	0	0	4,937	29,858
1998	30,019	166	166	0	0	3,665	26,188
1999	48,184	178	178	0	0	5,837	42,169
2000	67,091	463	268	0	195	9,280	57,348
2001	79,620	1,756	322	0	1,434	5,532	72,332
2002	84,793	2,268	343	0	1,925	2,788	79,737
2003	92,869	56,916	361	54,440	2,115	2,407	33,546
2004	108,941	59,531	476	52,297	6,757	1,269	48,141
2005	59,101	21,540	570	18,756	2,214	862	36,699
2006	88,092	57,402	648	55,174	1,580	1,218	29,472

Source: Calculated data from the *Statistical Yearbook of Departures and Arrivals Control*, released by the Justice Ministry, each year.

^a The subtotal of registered migrant workers comprises professionals, non-professional workers, post-training workers and coastal seamen. The category coastal seamen does not appear in the table because the number is very small.

Table 2 Percentages of Joseonjok among migrant workers in Korea, 1991–2006

Year	Total	Registered migrant workers					Undocumented workers
		Subtotal ^a	Professionals	Non-professional workers	Post-training workers	Industrial trainees	
1991	40.6	0.2	0.2	-	-	2.0	44.0
1992	62.4	0.2	0.2	-	-	3.0	71.6
1993	34.0	0.4	0.4	-	-	14.0	39.2
1994	24.9	0.6	0.6	-	-	11.6	35.4
1995	22.9	0.6	0.6	-	-	9.7	31.4
1996	17.0	0.8	0.8	-	-	5.2	24.9
1997	14.2	0.8	0.8	-	-	6.1	20.2
1998	19.0	1.5	1.5	-	-	7.8	26.3
1999	22.2	1.4	1.4	-	-	8.4	31.2
2000	23.5	2.4	1.6	-	9.5	12.0	30.3
2001	24.2	6.4	1.6	-	17.8	11.8	28.3
2002	23.4	6.7	1.6	-	15.8	7.0	27.6
2003	23.9	28.5	1.8	34.1	10.4	4.7	24.3
2004	25.9	30.4	2.3	41.4	13.8	3.5	25.5
2005	17.1	17.0	2.4	35.9	4.4	2.3	20.3
2006	20.8	29.8	2.4	48.6	3.1	2.8	15.8

Source: See Table 1.

open to the more highly skilled Korean Americans, in reality only Joseonjok use this visa.

A final manifestation of the legal dimension of Korean hierarchical nationhood regards a policy designed to mitigate the problem of undocumented workers in Korea. In 2005, the Ministry of Justice created a programme, the 'Voluntary Departure Programme' (*Jajin guiguk program*), to regularize only Joseonjok undocumented workers. It guaranteed that Joseonjok staying in Korea without proper visas would be allowed to return to Korea and work for up to three years if they voluntarily departed the country and remained abroad for one year. This option was not available to foreign workers without Korean ethnicity. The programme reduced the number of illegally residing Joseonjok from about 48,000 in 2004 to 29,000 in 2006.

Korean Americans above Joseonjok: The Overseas Koreans Act

While the Korean state has regulated the Joseonjok presence with a variety of short-term work visas, the legal openings for Korean Americans have been greater and more privileged. This difference reveals a higher tier of Korean hierarchical nationhood over Joseonjok as well as economic and geopolitical interests driving the policy.

In 1998, the Korean National Assembly passed a law, the 'Act on the Immigration and Legal Status of Overseas Koreans' (or the 'Overseas Koreans Act') that targeted persons of Korean ancestry in the West for special benefits to encourage them to come to Korea to work in skilled or professional jobs. 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. While not conferring citizenship on those within the law's reach, it came close, as it allowed a special visa status that, with the exception of voting and holding office, granted almost all of the same rights enjoyed by Korean citizens, including economic rights and social benefits, such as health care (Lee, J.Y., 2002a: 131; Park and Chang, 2005).

In effect, the law created a new intermediary category, the overseas Koreans in the West, placing them just below Korean citizens but above Joseonjok, who languished just above other foreigners in the reach of the Korean nation. Though many in the National Assembly originally sought to include ethnic Koreans in Asia in the idea that they were *dongpo* (blood-related compatriots), this effort faded under pressures from representatives from the administration. The Korean Ministry of Foreign Affairs and Trade opposed the free movement of Joseonjok because China revealed its opposition, arguing that it did not want its citizens to lose loyalty to China

(Lee, J.Y., 2002b; Park, H.O., 2007; Seo, 2005). Thus, geopolitical interests led to the exclusion of Joseonjok from the special new visa programme.

With the help of Korean NGOs, Joseonjok leaders pressured for change (Choi, W.-G., 2006). Their cause was greatly aided by a November 2002 opinion of the Constitutional Court that declared the 1998 law unconstitutional. Specifically, the Court ruled that the law failed to give automatic citizenship to Koreans displaced by Japanese colonial rule – a position that assumed that the South Korean state is, at least symbolically, tied to a larger Korean nation that conceptually never ceased to exist. Rather than simply striking down the law, the Court used its power to send the law back to the National Assembly for revision (Seol, 2002: 200–2).

However, the revisions to the law did not in reality change the Joseonjok status. In November 2003, the Justice Ministry redefined the ‘F-4’ visa category of ‘Overseas Ethnic Koreans’ to exclude people who are to be employed as manual workers in Korea, effectively excluding Joseonjok because the vast majority lacked skills. Thus, though the National Assembly’s March 2004 revision equated all overseas Koreans (adding to the law a sentence in parentheses that said “‘Ethnic Koreans’ includes those who having emigrated from the country before establishment of the Government of Republic of Korea’), the skills requirement in the visa regulations essentially nullified the revision.

THE SOCIAL DIMENSION OF HIERARCHICAL NATIONHOOD: KOREAN PEOPLE’S ATTITUDES TOWARDS JOSEONJOK MIGRANT WORKERS

Full legal equality of Joseonjok with Korean citizens would not eliminate hierarchical nationhood because the question of who is or is not a full or true Korean is not simply a matter of law and legal classification. Also important are the attitudes of Koreans themselves. Though opinion data over time and on Korean Americans are not available, existing poll data show the Korean people do not embrace Joseonjok as full members. Data show little public recognition of a heroic Joseonjok past fighting Japanese occupation. Korean citizens do indicate a preference for Joseonjok to other foreigners, but it seems clear that they usually treat them as just that – foreigners – and employers sometimes have negative attitudes towards them that may go beyond what they harbour towards other foreigners.

A Gallup Korea poll in July and August 2006 indicated a reluctant public acceptance of Joseonjok. Korean citizens prefer Joseonjok slightly more than non-ethnic foreign workers. This poll, directed by one of the authors in cooperation with Gallup, included 1202 respondents who were

interviewed face-to-face using a structured questionnaire. When asked if non-ethnic Korean migrant workers should be allowed to bring their families to Korea (family reunification is currently prohibited), 51 percent of Korean citizens agreed, and 19 percent disagreed. When asked the same question of ethnic Korean migrant workers, 54 percent agreed and 16 percent disagreed. When asked if non-Koreans should be allowed to settle permanently, the results were similar. A plurality of 39 percent was not sure and the second most frequent response was 35 percent accepting settlement, and remaining 26 percent rejecting settlement. When asked about ethnic Korean foreigners settling permanently, 43 percent agreed, and the second most frequent response was not sure (37 percent), while 20 percent disagreed (see Tables 3 and 4).⁴

Table 3 Should foreign workers be allowed to bring their families to live with them while they work in Korea?

	<i>Non-ethnic Koreans (%)</i>	<i>Ethnic Koreans (%)</i>
Strongly agree	6.2	6.1
Agree	44.3	48.3
Not sure	30.7	29.3
Disagree	14.7	13.6
Strongly disagree	4.1	2.7
Total	100.0	100.0

N = 1202.

Source: Han and Seol (2006: 153–4).

Table 4 Should foreigners working in Korea be allowed to live in Korea permanently?

	<i>Non-ethnic Koreans (%)</i>	<i>Ethnic Koreans (%)</i>
Strongly agree	2.6	5.5
Agree	32.4	37.9
Not sure	38.9	36.8
Disagree	22.5	17.3
Strongly disagree	3.5	2.5
Total	100.0	100.0

N = 1202.

Source: Han and Seol (2006: 154).

Other poll data gathered by Dong-Hoon Seol and his colleagues show more clearly the intermediate position of Joseonjok in the Korean nation. A 1995 survey of Korean female clerical workers (not in competition with Joseonjok for jobs) showed that while 34 percent favour and 40 percent oppose Joseonjok entering Korea to work, the comparable numbers for other foreigners coming to Korea are 13 percent in favour and 64 percent opposed. Though preferred over other foreigners, we see from these results that a greater percentage of Korean women opposes the entry of Joseonjok than supports it (Seol and Skrentny, 2004: 501).

A 1994 survey of autoworkers asked a Korean citizen sample what they thought was the appropriate average wage level for industrial technical trainees and undocumented workers. In both cases, Koreans gave Joseonjok a slight advantage over non-Korean foreigners but still well below Korean citizens. The average preferred wage level was 69 percent of citizens' wages for ethnic Korean industrial trainees and 65 percent for non-Korean trainees. The average preferred wage for ethnic Korean undocumented workers was 63 percent of the Korean citizen wage, and 60 percent for non-Korean undocumented workers (Seol, 1999).

There are no good data on Korean public attitudes towards Korean Americans. Park and Chang (2005) report the results of a survey administered by a pro-migrant worker NGO that found evidence that Koreans view Korean Americans to be closer to Koreans than Joseonjok, though these results should be taken with caution. A 2003 random sample of 1000 Koreans, conducted by the Committee on Overseas Korean Network, asked whether respondents considered particular groups to be Korean *dongpo*. When asked about Korean Americans, 92 percent agreed they were *dongpo*, the highest percentage of any group in the survey. Only 77 percent agreed that Joseonjok were *dongpo*. However, as Park and Chang (2005: 12) point out, the words used to describe the groups may have biased results. The survey referred to Korean Americans as *jaemigyopo* while it referred to Joseonjok as *jungguk joseonjok*. *Gyopo*, according to Park and Chang, is a more South-Korean-centred way to describe overseas Koreans, but the term used to describe Joseonjok, which means 'Chinese Joseonjok', would seem to emphasize their foreignness. Therefore these results are only suggestive.

Among employers, there is some evidence that employers see some connection or closeness with 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 run away from a trainee position. It is therefore not surprising that surveys of employers show that, despite common ancestry, Joseonjok are not the most desired workers. A 1994 Korean Federation of Small and Medium Businesses survey showed that 31 percent of Korean business owners who wanted to employ foreign workers preferred Han Chinese, who were the top-ranked group. They were followed by Filipinos

(21 percent) with Joseonjok ranked a distant third (12 percent), barely ahead of Vietnamese (9 percent) (Seol, 1999: 146). A 1995 Korea Labour Institute survey (Kang, 1996; Sun, 1996) revealed some differences, but workers from China (most of whom are Joseonjok; the survey did not distinguish between Joseonjok and Han Chinese) were again ranked third in preference (21 percent of employers preferred them), behind Indonesians (27 percent) and Filipinos (22 percent). When asked which national origin was most avoided, China was in the lead (58 percent).

The attitudes of employers become clearer when we examine the views and experiences of Joseonjok and other foreign workers. The discrimination experienced by foreign workers, including Joseonjok, is not only subtle but can be very severe. In the trainee programme, they were paid low wages and lacked the protection of Korean labour laws, including easy access to benefits, even when injured or disfigured on the job. Running away and working illegally actually brought higher wages, but led to new vulnerabilities, as exploitative employers could threaten to expose the undocumented workers' status. Both trainees and undocumented workers have suffered unauthorized withholding of pay or their passports, verbal abuse and beatings on the job. Women foreign workers have reported sexual abuse (Kim, W.-S., 2004; Lee, J.-H., 2004; Seol et al., 2002).

To some Joseonjok workers, this abuse is intolerable even if the jobs are desirable. There have been a few occasions when they have struck back. Lim (2002) describes a mutiny that occurred on a South Korean fishing ship, led by Joseonjok, that resulted in the deaths of the Korean captain, seven Korean sailors and three Indonesian sailors. The murderous rampage was incited by what the Joseonjok regarded as excessively harsh working conditions.

A survey of Joseonjok and non-Korean foreign workers, reported by Seol et al. (2002: 93–4), suggests treatment of Joseonjok in these low-level jobs that is in line with a hierarchical nationhood interpretation. Questions on treatment at work show that Joseonjok less often suffer the worst rights violations. Non-Koreans were more likely, in either the trainee or undocumented worker category, to suffer sexual harassment, physical assault and seizing of passports. However, in less severe categories, Joseonjok report worse treatment. 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 and 'mockery or insults' (42 percent vs 24 percent).⁵

Joseonjok report discrimination outside of work, also suggesting hierarchical nationhood on the social dimension. Though they speak Korean fluently and share in Korean culture, they are still identifiable to most Korean citizens. Even when they are residentially segregated, as many are in the cheap housing districts in the former industrial regions 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: 214), working as domestic helpers or in restaurants. But Joseonjok are not easily accepted by Korean people (Choi, W.-G., 2006). They are at least as likely to report discrimination in daily life as other foreigners. 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 Joseonjok undocumented workers said they had. Only 13 percent of non-Korean trainees and 21 percent of non-Korean undocumented workers (who are more likely to be racially different) said yes (Seol et al., 2002: 182). 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 respectively (Seol et al., 2002: 182–3).

DISCUSSION AND CONCLUSION

Ethnic return migration challenges prevailing conceptions of nationhood. Cases like South Korea show that states and citizens can draw lines between persons of the same ethnicity and ancestral ties to the same land, denoting the varying proximity to the 'true', authentic nation. Unlike other inequalities in a nation, states and publics may simultaneously recognize both co-nationality and foreignness. These lines create a *hierarchical* nationhood because rights, benefits and opportunities are distributed based on position in the hierarchy. Similar to the ways that non-nationals can be graded or ranked (between 'Others' and 'Significant Others'; Triandafyllidou, 1998), membership in the nation is also graded. *Legally*, states may reserve citizenship for top-tier members, the 'real' nationals, while offering privileges to some foreigners the state recognizes as co-nationals. *Socially*, the top-tier members of the nation may reject co-nationals, denying them full membership even if the state grants them citizenship.

The South Korean case may show the hierarchical phenomenon more clearly than any other. South Korean citizens are at the top, with Korean Americans and other Koreans in the West, who can claim almost the same rights and benefits as Koreans, next in the ranking. The crucial distinction between these groups is voting rights, which remains one of the key markers of the citizen/non-citizen distinction (Soysal, 1994). Joseonjok rank third (see Table 5). There are various legal distinctions separating Joseonjok from Koreans and from Korean Americans as well as from non-Korean foreigners. But Joseonjok share with non-Korean foreigners the disadvantage of working in the exploitive trainee programme, being channelled into

Table 5 Opportunities and rights available to national and ethnic groups in South Korea

	Voting rights to national elections of the president and the national assembly members	Voting rights to local elections for permanent residence visa (F-5) holders	Access to health/welfare benefits	Eligible for Overseas Koreans Act visa (F-4)	Eligible for 'Visit and Employment Programme for Ethnic Koreans' visa (H-2)	Eligible for 'Employment Permit Programme' visa (E-9)	Reports of discrimination
Korean citizens	Yes	Yes	Yes	-	-	-	-
Korean Americans	No	Yes	Yes (Overseas Koreans Act)	Yes	No in practice, yes in law	-	No (but likely discrimination against mixed-race persons)
Joseonjok	No	Yes	Limited according to visa status	No in practice, yes in law	Yes	Yes	Yes
Non-Korean foreigners	No	Yes	Limited according to visa status	No	No	Yes	Yes

other short-term, low-status work visas, as well as facing disadvantage on the social dimension. Though two laws on the face of it appear to group Joseonjok with Korean Americans, in practice the better opportunities are closed to Joseonjok, and Korean Americans do not use the more limited visas.

Though there are over 10,000 North Korean refugees or migrants in the South, given the unique and challenging circumstances that they have experienced in the North and the consequent difficulty they have had in adjusting to South Korean society (Chung, 2007; Lee, J.Y., 2002a; Sun et al., 2005), it is likely that even though the constitution grants them full citizenship they will not be equal members of the Korean nation. Though data are scarce, a 2004 survey conducted by the Korea Institute of Labour found that 41 percent of defectors report discrimination and prejudice (Sun et al., 2005: 49). Another study describes negative stereotypes common in South Korea regarding North Koreans, including perceptions that they are selfish, rude and dishonest (Lankov, 2006). These perceptions combined with shrinking government aid are likely to keep this growing population at the bottom of the Korean hierarchical nationhood (Chung, 2007).

We believe states and their societies will exhibit some degree of hierarchical nationhood whenever there is ethnic return migration. Though preferences for ethnic return migrants are common in both Europe and Asia (Skrentny et al., 2007), hierarchy may be more salient in states that practise a nationhood that tends towards an ethnic model, or *Kulturnation*, because these states typically do more to recognize and prefer foreign co-nationals. At the same time, even these states or their citizens will assign a lower position to the co-nationals within the nation. Even if a state, such as that in Germany, bestows full legal equality on ethnic return migrants, it is likely the top-tier nationals will discriminate to some degree against the return migrants (Joppke, 2005), assigning them a subaltern position on the social dimension. States will likely vary on how they structure their hierarchical nationhood, rather than whether or not they practise it.

We thus see hierarchical nationhood in states such as Greece and Germany, as described earlier, but also in Eastern Europe and other Asian states. For example, Fox (2003) and Fowler (2004) analysed practices that amount to legal and social dimensions of hierarchical nationhood regarding Hungarian Romanians in Hungary, and Tsuda (2003) finds similar dynamics in Japan.

Though it is beyond the scope of this article to use a detailed comparative case analysis to explain Korea's complex practice of hierarchical nationhood, we offer a start here. In its conscious and targeted use of co-national foreigners for low-skilled jobs, Korea resembles Japan (see later). Immigration policies in both states are characteristic of 'developmental states', where national governments take active roles in encouraging and planning economic growth (Johnson, 1982; Pempel, 1999b).

What may be distinctive about the Korean case is that it is Korean economic interests in combination with the geopolitical goals of another (more powerful) state that appear to shape the textured legal dimension of hierarchical nationhood. South Korea starts with a blood-based conception of national belonging, but an examination of immigration law shows that economic and geopolitical goals attenuate blood bonds. A full, non-hierarchical inclusion of foreign Koreans may get in the way of national goals of economic growth and development, firm profit margins and regional diplomacy. Concerns about national economic well-being, and in particular the domestic labour market, led to the slotting of Joseonjok into 3-D jobs on temporary visas.

But Korea also sacrificed Joseonjok equality to geopolitical interests in preventing anger from China regarding the Overseas Koreans Act. The strong, blood-based nationhood and these interests in economic growth and geopolitical stability help us understand the placement of different foreign Koreans within the conception of hierarchical nationhood, with Korean Americans, the most skilled and useful of all foreign Koreans to the Korean state, ranked above the less valuable Joseonjok.

Japan's practice of offering renewable work visas for Nikkeijin – but not citizenship⁶ – and the instrumental use of this population for jobs that native Japanese disdain represents a comparable construction of legal hierarchical nationhood that also appears to be driven by economic interests (Brody, 2001; de Carvalho, 2003; Roth, 2002; Tsuda, 2002, 2003; Yamanaka, 1996, 2003) and characteristic of a developmental state. In this case, however, where Nikkeijin have more freedom of movement than enjoyed by Joseonjok, there is no military power exerting influence. Japanese hierarchical nationhood also shows a lower tier for Nikkeijin on the social dimension. Nikkeijin, who are ethnically similar or identical to top-tier Japanese but culturally different, tend to live isolated from Japanese, often in company towns (Kajita, 1998: 128–9), and when in regular apartments they are shunned by Japanese citizens (Tsuda, 2003; Tsuzuki, 2000). Japan has not made moves to entice Japanese Americans to return, however.

Over in Europe, the situation looks different. Part of the explanation, at least of the variation between Korea and Greece, is that the geopolitical dynamics are very different. Specifically, the strength of the states where the co-ethnics reside and those states' own interests are different. Whereas Korea does not want to anger China by luring Joseonjok away from China and thus challenging Chinese sovereignty, Greece appears to willingly challenge the obviously much weaker Albania by attempting to maintain a Greek minority there. Similarly, Pontic Greeks largely come from politically weak states of the former Soviet Union, such as Ukraine and Georgia. Lacking Asian-style developmental states, which utilized administrative capacity and planning to engineer economic growth, European states do not actively or explicitly use ethnic return migrants and ethnic return

migration policy for economic goals and instead tend towards an expressive nationalism or protection rationale in their policy towards co-ethnic foreigners (Skrentny et al., 2007). Though ethnic Greek immigrants do work in Greece, they are not fit into specific jobs and in fact the Greek state expends resources on settling the Pontic Greeks, whom they consider to be refugees in need of protection. Germany's embrace of the *Aussiedler* appears more similar to the Greek case than the Korean, as this group, like the Pontic Greeks, received full citizenship.

Future research may helpfully discern and explain possible regional similarities and differences between Asian and European states. Other comparisons may also shed light on the practice of nationhood and citizenship. For example, Fitzgerald (2005) finds a 'hierarchy of citizenships' in Mexican law that grants fewer rights to naturalized citizens than to those born in the state. Former colonies may also be prone to legal hierarchies. Algeria's 1963 nationality law distinguished Muslim Algerians who had two parents born in Algeria (*nationalité d'origine*) from others considered *nationaux par acquisition* (Boushaba, 1992).

What does the future hold for the Korean nation as it continues its economic development? Given the growing wealth of the population and its declining birth rate, a reliance on foreign workers, at least in service jobs, will almost certainly increase. It is also likely that these workers will not be Joseonjok because the supply of this population is limited and its desire to move to Korea is also limited. The Joseonjok population will likely grow in the future but only slightly.

The main challenge for Korean hierarchical nationhood will be the growing influx of North Korean refugees. This group will severely test the South Korean state because unlike Joseonjok and Korean Americans, it will be of little value economically. The Korean state has put great emphasis on two features in creating its immigration policy: co-nationality and economic utility. But with the North Koreans, South Korea will be confronted with a population of full-blooded Korean people, members of the Korean nation, with constitutionally granted full equality – but who have very limited skills or even capacity to function well in South Korea's highly competitive capitalist economy. Thus far, the South Korean state has moved from a policy of lavish welcoming to discouragement of North Koreans (Lankov, 2006). A successful policy of integration could help ease South Korea's labour needs while maintaining what would almost certainly be – on the social dimension at least – a continuation of hierarchical nationhood. The wild card in this process would be pressure and threats from the North Korean state, which would almost certainly object to movements of large numbers of its population to the South.

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Notes

- 1 Recent research on the rise of dual citizenship does not challenge the understanding of citizenship as equal. Dual citizenship allows an individual to be a full – and equal – member of two polities. It has been controversial and many states discourage it because of expectations of exclusivity and loyalty of membership (Bloemraad, 2004).
- 2 Literature on Korea or Korean immigration has not yet linked ethnic return migration to conceptions of nationhood. Works on Korean emigrants typically analyse their situation in host states, whether it be China (Kim, H.H., 2003), or Koreans in the US (Abelmann and Lie, 1995; Lee, J., 2002; Min, 1996), ethnic Koreans in Japan (Gurowitz, 1999; Lie, 2001), the former Soviet Union (Yoon, 1999) and the occasional comparative study (Min, 1992). Jo H. Kim's (2004) article, perhaps the most germane to this study, shows that co-ethnicity can bond Korean and Korean American workers, though, at the same time, Koreans at the head of Korean transnational corporations in the US use degrees of cultural Koreanness to distinguish co-ethnics in the everyday activities in the workplace. Kim's interests, rooted in ethnic identity in the US, do not explore state policy or the implications of co-ethnic divisions for nationhood. Finally, there are growing numbers of studies of immigration to Korea and Korean citizenship law, cited later, but few examine the links to nationhood.
- 3 The Korean government has not yet released the comprehensive statistics of ethnic Korean foreign residents in Korea by visa status.
- 4 It is possible but unlikely that respondents interpreted 'non-ethnic Korean foreigners' to refer to Caucasians from the West. The image of foreigners in the media is typically that of dark-skinned Asian migrant workers. Westerners make up only a small percentage of foreigners in Korea. The number of foreign residents from five major western countries – the US, Canada, Germany, France and the UK was 131,989 at the end of 2006, 14.5 percent of total foreign residents. In addition, results from another question in the Gallup survey suggest different attitudes towards western migrants. When asked whether college-educated, skilled foreigners as well as low-skilled foreigners should be allowed to settle in Korea, 57 percent of respondents said yes. The desire for high-skilled migrants appeared to overshadow the aversion to low-skilled migrants in this first option. The second option, which asked about high-skilled foreigner settlement but continued exclusion of low-skilled, was the third most selected option (17 percent), trailing rejection of both high- and low-skilled (18 percent). Because western foreigners are typically skilled and these results are so different from the results of questions about non-ethnic Korean foreigners, again it is not likely that

- respondents interpreted 'non-ethnic Korean foreigners' to refer to persons from western countries.
- 5 The results are strangely reversed among trainees, with only 10 percent of Joseonjok 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 undocumented Joseonjok saying yes, and 53 percent of non-Koreans agreeing.
 - 6 Joseonjok and Nikkeijin generally do not show the same interest in settling in ancestral homelands as do ethnic return migrants to Europe. Like the Nikkeijin, of whom only about 30–40 percent intend to stay in Japan (Kajita, 1998: 127; Kuwahara, 1998: 371), most Joseonjok prefer to simply work in Korea and use those earnings for superior buying power in China (Choi, W.-G., 2001; Seol and Rhee, 2005).

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