Temporary labour migration, social movements and neoliberal transformation in South Korea

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Faculty of Arts and Social Sciences
The University of Sydney
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Statement of originality and ethics approval

This is to certify that to the best of my knowledge, the content of this thesis is my own work. This thesis has not been submitted for any degree or other purposes.

I certify that the intellectual content of this thesis is the product of my own work and that all the assistance received in preparing this thesis and sources have been acknowledged.

For this thesis, I obtained the human ethics approval from the Human Research Ethics Committee of the University of Sydney (Protocol Number: 14240).

Chulhyo Kim
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whether my work is as valuable as the *Dodam Bunshik*, a snack-bar in front of his school. Now, I want to tell them I only endeavour to make something as useful as sausages and Tteok-bokki (stir-fried rice cake with chilli sauce) for the human world. They are my best teachers of life. I also have to extend my most sincere appreciation to my parents Mr Kim Seunggyu and Ms Wang Okyi and my parents-in-law Mr Hwang Jeongung and Ms Choi Jeongja for their unconditional and unfailing loves, support and patience. This thesis is indeed about the time and space they have lived.
Abstract of Thesis

Temporary labour migration, social movements and neoliberal transformation in South Korea

This project began with three questions that arose in the course of my field research in 2012, South Korea: ‘what had brought the migrant workers to South Korea?’; ‘why does the South Korean government restrict the migrant worker’s free choice of job?’ and ‘why do the migrant workers and pro-migrant local activists protest against the South Korean labour migration policy?’ A review of political economy, policy studies and social movement studies literature informs us that these questions involves three research areas: international migration in the context of global and national labour systems; the temporary labour migration scheme as a part of employer-oriented state policy; and social movements including both migrant’s self-organised and non-migrant’s pro-immigrant movements. The primary purpose of this thesis is to answer the three grounded questions in theoretical terms and analyse the inter-relations among the three areas in the context of neoliberal transformations of South Korean society.

Like many other contemporary critical social scientists, I make use of Karl Polanyi’s (2001 [1944]) three critical concepts: fictitious commodification that entails disembeddedness; market society as a political project; and the protective counter-movement as a theoretical framework to analyse contemporary social transformations involved in international migration, temporary labour migration policy and migrant’s social movements. Contemporary reinterpretations of the Polanyian concepts suggests three theoretical principles. First, the political economic background of international labour migration to South Korea has to be analysed in the context of the transformation of the mode of production management on a global scale, which derives from the fictitious commodification of labour and entails disembeddedness of labour migration. Second, the rationales of the South Korean government’s introduction of temporary labour migration scheme have to be understood as a part of an employer-oriented political project and also in the context of a neoliberal social transformation into market society. Third, the motivations of migrant workers and their supporters to protest against South Korean government’s labour migration
policy has to be understood as the expression of a *countermovement to protect society* from the perils of neoliberal social transformation on a global scale.

Immigration data and labour market indexes indicate that an influx of migrant workers in the 1990s coincided with the restructuring process of the South Korean labour market. The 1997 Asian financial crisis accelerated the restructuring of financial, industrial and labour systems in South Korea. An hierarchical subcontract system between transnational corporations and small and medium enterprises intensified the pressures on wage and working conditions of non-unionised workers. The South Korean government institutionalised the neoliberal 'flexibilisation' of the labour market which accompanied precarisation of jobs and deterioration of worker's living conditions.

The South Korean government's introduction of temporary labour migration policy through first the Industrial Trainee System (ITS) and then the Employment Permit System (EPS) was an essential element of the neoliberal labour market restructuring project. These schemes were driven by employers' demand for non-regular and low-waged workforces. The newer policy was enforced on the basis of such governing mechanisms as restricted choice of job, deportations, limited entitlement to social security, a paternalistic 'assistance' discourse, and exclusionary nationalist politics. Their consequences were extremely poor working and living conditions of migrant workers.

The countermovement of migrant workers and pro-migrant activists grew from individual expressions of grievance to collective protests against the governing mechanisms of temporary labour migration policy including deportation. The social movements of migrants, however, saw a downturn after the temporary labour migration policy was institutionalised in 2004. The protests of migrants in 2012 suggest a potential resurrection of migrants' resistances against temporary labour migration policy and the neoliberal commodification of labour and migration.
### List of Abbreviations

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<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>CCEJ</td>
<td>Citizens' Coalition for Economic Justice (경제정의실천시민연합)</td>
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<tr>
<td>EPS</td>
<td>Employment Permit System (고용허가제)</td>
</tr>
<tr>
<td>ETU-MB</td>
<td>Equality Trade Union-Migrant's Branch (서울경기인천평등노조 이주노동자지부)</td>
</tr>
<tr>
<td>FKTU</td>
<td>Federation of Korean Trade Unions (한국노동조합총연맹)</td>
</tr>
<tr>
<td>FTA</td>
<td>Free Trade Agreement</td>
</tr>
<tr>
<td>GATT</td>
<td>General Agreement on Tariffs and Trade</td>
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<td>GDP</td>
<td>Gross Domestic Product</td>
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<tr>
<td>GNP</td>
<td>Gross National Product</td>
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<tr>
<td>IMF</td>
<td>International Monetary Fund</td>
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<tr>
<td>ITS</td>
<td>Industrial Trainee System (외국인산업연수제)</td>
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<tr>
<td>JCMK</td>
<td>Joint Committee of Migrant Workers in Korea (외국인노동자대책협의회)</td>
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<td></td>
<td>Joint Committee for Migrant Workers in Korea (외국인여주노동자대책협의회)</td>
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<td></td>
<td>Joint Committee with Migrants in Korea (외국인여주노동운동협의회)</td>
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<tr>
<td>KASAMMAKO</td>
<td>Unity of Filipino Migrant Workers in Korea</td>
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<tr>
<td>KFSB</td>
<td>Korea Federation of Small and Medium Businesses (중소기업협동조합중앙회)</td>
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<tr>
<td>KTCU</td>
<td>Korea Confederation of Trade Unions (전국민주노동조합총연맹)</td>
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<tr>
<td>MRN</td>
<td>Migrant Rights Network (이주인권연대)</td>
</tr>
<tr>
<td>MTU</td>
<td>Seoul-Gyeonggi-Incheon Migrants’ Trade Union (서울경기인천 이주노동자 노동조합)</td>
</tr>
<tr>
<td>NCC</td>
<td>Nepalese Consulting Committee</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-governmental organisation</td>
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<tr>
<td>NHRCK</td>
<td>National Human Rights Commission of Korea (국가인권위원회)</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>OECD</td>
<td>Organisation of Economic Co-operation and Development</td>
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<td>PO</td>
<td>Participatory observation</td>
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<tr>
<td>RP</td>
<td>Research participant</td>
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<tr>
<td>SME</td>
<td>Small and Medium Enterprises</td>
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<tr>
<td>VWS</td>
<td>Visit and Work System (방문취업제)</td>
</tr>
<tr>
<td>WPS</td>
<td>Work Permit System (노동허가제)</td>
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<tr>
<td>WTO</td>
<td>World Trade Organization</td>
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Chapter 1  Introduction

Migrant workers and pro-migrant activists in protests, Seoul 2012

On 19 August 2012, almost a thousand people gathered at Boshingak\(^1\) Square in central Seoul (PO\(_{31}\))\(^2\). They were Southeast-Asian-looking men and women in their 20s or 30s, wearing probably their most colourful and fashionable clothes. They looked pleased and excited with this rare chance of an outing to the city centre. Some were giggling nervously; others were busy with taking 'selfies'. Soon after, their faces suddenly grew serious, furious and anxious. They fiercely yelled out 'Stop EPS!' all together. Some participants put up signs printed 'Abolish the EPS!', 'Guarantee the Right to change workplaces freely!' and 'Win Fundamental Labor Rights!' in English on one side and in Korean on the other. Others held hand-made signs in unevenly hand-written Korean or in Cambodian, Nepalese, Myanmar or Vietnamese. A few scores of Korean-looking people also had the flags of various organisations, from an internationally known human rights NGO like Amnesty International to an underground revolutionary-socialist group like Worker's Solidarity. On the movable stage in front of the rally, the representatives of trade unions, migrant communities, migrant service centres, student organisations, and other social movement organisations spoke about the perils of South Korea’s temporary labour migration scheme, Employment Permit System (EPS).

In a few moments, one of the organisers (RP\(_{11}\)), who had been busy preparing a march following the rally, saw me and excitedly acclaimed: ‘Chulhyo, did you see this great gathering? This is the biggest one that I have ever seen at migrant workers’ rallies for the last ten years! About a thousand people gathered!’

Two months before the rally, on 4 June 2012, the South Korean Ministry of Employment and Labor announced it would introduce a new rule that imposes restrictions on migrant workers’

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\(^1\) This thesis follows the Revised Romanisation of Korean system of The National Institute of Korean Language for Korean words, unless any word is broadly used in another way.

\(^2\) Throughout this thesis, PO\(_{XX}\) represents Participatory Observation case number XX and RP\(_{XX}\) represents Research Participant case number XX. For details of the case, see Appendix I.
free choice of a job. This rule prohibits migrant workers from searching a new job before they quit the current one. It also prohibits them from contacting potential employers for a new job, even after leaving their current one. Job searches are permitted only through local labour offices, which have the exclusive authority to withhold job advertisement information and to arrange recruitment. The labour offices may arrange a maximum of five job interviews within three month time for a migrant worker. The worker has to be employed by one of the five employers; otherwise, he or she will find his or her visa cancelled and will soon face deportation.

As a background of introducing this new rule, the Ministry claimed ‘the increasing tendency of migrant workers’ excessively frequent changes of job exacerbated the low productivity and workforce shortage for small companies’ and even ‘lowered the work morale of colleague workers’, according to a news report (Woo, 2012). The Ministry also alleged the ‘unnecessarily frequent turnover’ was induced by illegal brokers who manipulate the recruitment process. However, no evidence was provided for any of these claims.

This new rule triggered serious discontent among migrant workers throughout the country. Migrant workers claimed the new rule would block their efforts to escape from poor working conditions. According to a quote in the flyer distributed by the rally organisers:

There are reasons why we want to change the companies. Dangerous work, violence at work, or overdue wages. If we cannot change the companies, what can we do? Should we just endure all? Why don’t you think about anything good for migrant workers? If you raise our wages and ensure safe and un-dangerous working conditions, no worker would want to change his company (A Myanmar worker in Yangsan).

They also expressed their claims, using the language of rights:

I don’t think this is right. I have the freedom to choose a company, depending on whether it treats migrant workers well or poorly. I am not a slave. I have rights as a worker and a human being. [...] If you don’t want us to change the company, you should give us a better job, fair treatment as labour law says, and better wages. And, they have to respect us as human beings! (A Filipino worker)

________________________

3 All translations from Korean materials in this thesis are mine, unless otherwise noted.
As soon as the migrant workers’ discontent was perceived, both migrants and pro-migrant organisations launched a series of actions against the South Korean government. About two weeks after the Ministry of Employment and Labor announced the introduction of the new rule, the major associations of the migrant and pro-migrant organisations publicised an open letter on 19 June to the Ministry that expressed their opposition to the new rule. They include the Alliance for Migrants’ Equality and Human Rights (Alliance for Migrants), Joint Committee with Migrants in Korea (JCMK), and Migrant Rights Network. On 12 July, representatives of Korea Confederation of Trade Unions (KCTU) and the Migrant Rights Network had a meeting with the officials of the Ministry and complained about the new rule. On 17 July, Gyeonggi Province Alliance for Migrant Rights held a press conference to condemn the Ministry’s new rule. A protest rally in front of the Ministry’s building followed it on the next day, with the participation of the KCTU and migrant and pro-migrant organisations from all over the country (PO_25). On the same day, a nationwide temporary consultative network of the organisations was organised under a long name, Emergency Countermeasure Committee for the Withdrawal of the Ministry of Employment and Labour Rule Imposing Slave Labour of Migrant Workers (PO_24). On 12 August, these organisations held the conference of migrant communities to decide what follow-up actions should be taken (PO_27). The rally of 19 August (PO_31) was an outcome of the series of efforts made by the migrant and pro-migrant organisations, and trade unions.

After the participation in and observation of above-illustrated series of protests and meetings, three questions came to me: ‘what had brought the migrant workers to South Korea?’; ‘why does the South Korean government restrict the migrant workers’ free choice of jobs?’ and ‘why do the migrant workers and pro-migrant local activists protest against the South Korean labour migration policy?’ Answering these three questions is the primary purpose of this thesis.

**Complex and intertwined research areas: labour migration, migration policy and social movements**

The above-raised three questions are grounded in fieldwork, rather than driven by theoretical reasoning. They still lack analytical salience to become research problems for academic inquiry. A social-scientific study needs to develop the questions further to locate them in the context of literature. Thus, this thesis begins with shaping and crafting the research problems both grounded in the fieldwork and contextualised in the literature review.
As a process of formulating the research questions, first, I clarify three research areas, the theoretical and empirical implications of which I explore throughout this thesis. I also consider the complex and ambivalent nature of the problems that emerged in realities of my field research. Then, in the next section, I will review the literature in each area in an attempt to locate my research problems in the context of earlier studies.

The series of events as illustrated in the previous section help identifying the research areas of this thesis. I identify three areas: labour migration, migration policy and migrant movements. These three issues cannot be studied separately from broader political, economic and social contexts because they are all embedded in the society (Castles, 2004b, 2010). Thus, labour migration should be studied in the context of global and national labour systems; temporary labour migration policy as a part of the employer-driven state policy; and the self-organised or pro-migrant movements in the context of social movements in the society.

The first research area is international labour migration in the context of global and national labour systems. Both the government’s rules and the migrants’ protests, as illustrated earlier, occurred in relation to the global trends of labour migration, particularly of temporary labour migration to industrialised countries including East Asian countries. As a form of workforce supply, labour migration is highly interrelated with the labour market conditions both in origin and destination countries. The transformations of labour system in a country often have significant influences in labour migration. Thus, as many migration scholars suggested (e.g. Schierup et al., 2006), labour migration has to be understood in the context of the labour market. It is particularly relevant for understanding the recent increase of temporary labour migration, which may not be explained separately from the changes of the South Korean labour system. Accordingly, the question that emerged from the field: ‘why did the workers migrate to South Korea?’ needs to be extended to include the aspects of both temporary labour migration and the labour system.

The second area is temporary labour migration schemes as a part of employer-driven state policy. As described above, the South Korean government consistently sought to control the work and residence of migrant workers. The state’s attempt to control the movement and work of migrants is a global phenomenon. In the name of ‘managing labour mobility’ (International Organization for Migration, 2008), governments and inter-governmental organisations introduced and promoted a model of temporary labour migration. The newly added rule on migrant workers’ job.choices, as illustrated above, reveals the foundation of the South Korean government’s policies on labour migration: the prevention of settlement. A policy-making process is, as political scientists
often suggest (e.g. Hay et al., 2006), significantly related with the nature of the state, in spite of the controversy over whether and how the nature of state has changed in the era of globalisation (Held et al., 1999, O’Hara, 2006, Weiss, 2012). The question of ‘why does the South Korean government restrict the migrant workers’ free choice of job?’ therefore, need to be explored in the realm of public policy.

The third research area is the social movements of migrant workers and their supporters. As illustrated earlier, the South Korean government’s attempts to control migrant workers’ free job choice eventually triggered the resistance of both migrant workers and pro-migrant activists. Migrant workers’ protests against exploitative working conditions, poor living conditions and low wages are growing all over the world (Castles et al., 2014). Their movements often expand to challenging the policies of destination or origin governments that tacitly or explicitly condone or even induce the poor conditions. Social movements have played crucial roles not only in European and American history (Tilly and Wood, 2009) but also in the contemporary history of South Korea (Katsiaficas, 2012). Considering the interrelations between the social movements and the state policy, the earlier question of ‘why do the migrant workers and pro-migrant local activists protest against the South Korean government’s labour migration policy?’ will need to be expanded to include the impacts of the state policy on the social movement and vice versa.

The series of events illustrated above also suggest that the three research areas are not separable from each other, but intertwined and interrelated. Migrant workers developed strategies of their own to cope with adverse working conditions under South Korea’s temporary labour migration scheme. The workers’ strategies triggered the government to change its policy to a more restrictive one. The policy change, in turn, provoked the discontent and resistance of migrant workers; and it, eventually, generated a momentum for migrant workers to rebuild solidarities with different groups of social movements.

The intertwined and interactive character of the research areas is related to the complex and ambivalent nature of the problems in the real world. In South Korea, proactive social movements have made crucial contributions to the democratisation of the political community and the human rights of individuals. For most South Korean people, a rally of workers in central Seoul would not be an unusual scene; they would easily bypass it. However, if they have a closer look at the rally of migrant workers, they would most probably find it unusual due to the different languages and skin colours of the participants. Despite the vibrant civil society, the contention and participation of non-citizens are not visible in South Korea.
The claims of the protesting migrant workers might also sound contradictory to the public and even to legal or labour experts. The 'right to freely change workplaces' had never been an issue in South Korea's labour-related discourse. The 'fundamental labour rights' might sound old-fashioned to the public, because the claim had been mostly made by the early South Korean labour movements in the 1970s and 1980s under the authoritarian developmental regimes. The claims of South Korean workers in the past has become those of migrant workers in the present. This situation may be considered as a part of 'the simultaneity of the non-simultaneous' of South Korean society, as a South Korean political scientist Im (2014, pp. 629-645) noted by adopting the concept of 'non-simultaneity' suggested by Ernst Bloch (1977 [1932]).

The South Korean government claims, in principle, its immigration policy is driven by economic rationality or, in other words, 'the demand of nation and businesses' (Immigration Policy Commission, 2012, pp. 35-39). At a glance, the labour migration policy seems to conflict with the government's overall goals of the neoliberal economic project. The South Korean version of a temporary labour migration scheme intends to accommodate the labour demand of small and medium-sized enterprises (SMEs) in manufacturing sectors. However, these businesses are considered to be uncompetitive in the global market, thus, are expected to fade out rather than to be subsidised.

The statement of a labour-law-specialised lawyer, CES, whom I interviewed, explicitly exemplifies the complex and ambivalent nature of the problems; and as a consequence, the difficulties in the advocacy of migrant workers' rights in reality:

The problems that the migrant workers face are indeed puzzling even to labour lawyers or trade unionists. In the past, the government allowed employers to hire migrant workers [...] for a period of one year or less but renewable a maximum of two times. It recently changed the rule to permit the period of the employment contract to be as long as three years. Well, this sounds favourable for migrant workers in theory; but it is not in reality. Employers welcome the new rule, but migrant workers oppose it. How come workers prefer shorter-period labour contract in the time of precarisation? In fact, the real purpose of this rule is to prevent the migrant workers from seeking a better-paid job. When the workers are tied up by the longer-term contract, they have fewer chances to change their jobs. In effect, the long-term contracts only deteriorates the wages and working conditions of migrant workers. This is a real irony! The labour migration issue is this complicated. So many issues cannot be understood with common knowledge (RP_36).
The state of affairs of labour migration, migration policy and social movements in contemporary South Korea exemplifies the complex and ambivalent nature of the issues. However, as will be discussed in the next section, the existing studies on labour migration, migration policy and social movements in South Korea tend to oversimplify the problems. Taking into consideration the complex and ambivalent nature of the research areas and the oversimplification of the problems in research, this study seeks to understand the nexus of labour migration, migration policy and migrant movement in South Korea by contextualising the realities in the broader political economic contexts and social relations.

**Gaps in the literature: sedentary bias, fragmentation, political agenda-oriented, receiving country bias, and theoretical isolation**

Reviewing how scholars have studied the three research areas (i.e. labour migration, migration policy and migrant movement) is the second process of formulating my research problems. Literature review in this section focuses on identifying gaps between the literature and the reality in South Korean context. The international literature, although still rather limited to Western literature, is reviewed in Chapter 2, where I will seek to build a theoretical framework of this research.

For the last two decades, there have been significant expansions of studies in these research areas, particularly in the South Korean context. However, it is questionable whether those studies have successfully accommodated the complex and ambivalent nature of problems in the real world. In this regard, Castles' (2010, pp. 1567-1572) critical observations on the global trends of migration studies provide useful guidance. First, citing Bakewell (2007), he pointed out ‘sedentary bias’, prevalent in migration studies. He criticised that migration is predominantly considered as a problem, which needs to be fixed, and of which the root cause must be addressed. His second critical observation is ‘the fragmentation on the basis of functional criteria’ that divides research areas depending on the types of migration or for the policy purpose. The third is ‘the closeness to political and bureaucratic agendas’ that occurs because migration studies are often confined to contributing to governments’ formulations of migration policies or evaluating the policies. Fourth, many migration studies tend to have ‘the receiving country bias’ and often to be oriented to the interest of receiving country. As a result, they tend to ignore the context of the origin country. Finally, many studies tend to share the problem of the ‘isolation of migration studies from broader
trends in contemporary social theory’. These critiques are used as reference points for evaluating the studies on labour migration, migration policy and social movements in South Korea throughout this section.

The first area of the literature review is the process, cause and effect of international migration, particularly of labour migration. Understanding why and how the migratory process happens is a key research area of migration studies in an international context (e.g. Castles et al., 2014, Massey et al., 1998). However, there have been only handful of studies that seek to explain the cause of labour migration to South Korea. Some of them directly apply migration theories that are based on the experiences of the Western countries, although some others seek to set up a modified version of the theories reflecting the South Korean context.

Describing a shift of migratory patterns from outward to inward migration in Northeast Asian countries, Fields (1994) claimed a ‘migration transition’ was witnessed in these newly industrialised economies. Corresponding to this view, Park (1994b) suggested that the increased inflows of migrant workers and the decreasing outflows of South Korean workers indicated a ‘turning point’ of South Korean economic development. This argument was broadly accepted and repeatedly referred to by academics, policy-makers and the media (e.g. Choi, 2001, DeWind et al., 2012). However, a close examination of recent out-migration data, contrary to the claim of a ‘turning point’, leads to questioning the validity of this argument, because the existing outgoing migration fails to capture the increasing trends of various forms of temporary migration like working holidays. The trend of outgoing migration seems to be related to the transformation of the South Korean labour market system (i.e. precarisation of jobs) rather than to economic growth only.

Labour market segmentation theory was often applied to explain the increased arrivals of labour migrants in South Korea. Lee (1997, pp. 356-357) argued labour migration was generated by the segmented labour market between SMEs and large firms, referring to the classic analysis of the relationship between labour migration and labour market (Doeringer and Piore, 1971, cited in Lee, 1997). Since the late 1980s, the South Korean labour market has been rapidly divided into two segments: the market of higher-waged jobs at large companies and that of lower-waged jobs at small companies. The lower wages were often accompanied by poor working conditions, which eventually deterred South Korean local workers from seeking such jobs. International labour migration was introduced to supply low-cost labour forces to the SMEs. Also, as Seol (1999) argued, discrepancy in the level of unionisation between large companies and the SMEs
intensified the wage gap; thus, the latter experienced labour shortage that was filled only by the migrant workforce.

After these early initiatives to understand the cause of migration, studies on this topic are hardly found. The causality of migration has not been a popular topic for migration studies in South Korea. Instead, the migration researchers have tended to be oriented in policy-formulation or exposition of migrant’s experiences, as will be discussed later in this section. They have also been more concerned about the outcomes of the migration and the perspective of destination society than about the whole migratory process including the experiences in origin societies. This trend exemplifies ‘the receiving country bias’, policy-oriented confinement, and divorce from broad social theories.

The labour market segmentation approach in the South Korean context may be advanced by incorporating the aspects of neoliberal restructuring into the discussion. Many scholars have discussed the political-economic process of neoliberal transformation (Ji, 2011, Lim and Jang, 2006a), neoliberal transformation of economic foundations (Chung, 2007, Lee, 2011c, Saesayon, 2009), neoliberalism’s impacts on the labour market and employment system (Jung, 2008, Lee, 2002b) and labour relations (Lee, 2012a, Park, 2002a), and their social perils (Kim, 2004a, Lim and Jang, 2006b). However, only a few of them seriously discussed labour migration in the context of neoliberal transformations. This thesis seeks to set a bridge between the theories of labour migration and those of neoliberal transformations (see Chapter 5).

The second topic for the literature review is migration policy. The studies on international migration to South Korea first appeared in the early 1990s when the issues of increased labour shortages in the SMEs and increased undocumented migrants became known to the academics. These early studies were mostly policy-oriented. They discussed such topics as the speculation of the economic benefit of labour migration (e.g. Kim, 1990, Lee, 1991b) and the control of ‘illegal’ migrant workers (e.g. Lee, 1991a). The papers of labour unionist approaches discussed the strategies to prevent the ‘illegal practice’ of employing unauthorised migrant workers (e.g. Choi, 1992b, Kim, 1992b). Later, researchers began to analyse the impacts of labour migration on the South Korean labour market by empirical data (e.g. Park, 1993, Seol, 1992). The academic debates during this period tended to focus on a rising policy question: whether the government should officialise the temporary labour migration scheme. While the business-affiliated researchers urged the introduction of labour migration, social scientists and labour movement-related researchers showed a restrictionist approach from the view of protecting local workers (Lee, 2011a).
Later, South Korean scholars have more directly engaged with the government’s migration policy process by offering theoretical or empirical grounds to support or oppose temporary labour migration. Many researchers criticised the failure of the then private-run quasi-temporary labour migration scheme, the Industrial Trainee System (ITS). They claimed the ITS had to be replaced by a government-managed scheme (Choi, 1996, 2002, Kang, 1996, Seol, 2000a). Other scholars introduced the experiences of temporary labour migration in other countries like Germany, Taiwan and Singapore to provide references to policy-makers (Yoo et al., 2004). The policy report of Lim and Seol (2000) was the stepping stone for the formation of South Korea’s temporary labour migration scheme, the EPS. After the employer-driven and government-operated temporary labour migration scheme had been introduced in 2004, many studies were involved in the evaluation or critique of the policy. Lawyers examined the legality of the temporary labour migration scheme from the labour-rights aspect, particularly of the right to free choice of the workplace (Ko, 2006) and the right to equal wage (Jun, 2010). They also discussed the constitutionality of the laws on the EPS (Choi, 2011b, Pyo, 2011). Social scientists, in cooperation with civil society groups, also analysed the negative effects of the migration policy by examining the experiences of migrants, as will be introduced later.

Since the mid-2000s, South Korean migration studies have rapidly shifted their attention away from labour migration to ‘the multicultural’ and ‘integration’. As a response to rapid increase of foreign spouses, often referred to as ‘marriage migration’, the South Korean government took initiatives in proposing policies for the settlement and welfare of marriage migrants. The policy proposals were accompanied by empirical research like surveys on demand or delivery of welfare services. Seol et al. (2005b) and Seol et al. (2006) surveyed migrant women’s experiences and Goh et al. (2005) investigated the process of international marriage brokerage, both of which made significant contributions to policy-formulation.

Soon after, there was a proliferation of policy studies with a narrow focus on service provision to marriage migrants. Some other studies critically engaged with debates on the legitimacy of service provision-oriented policies. They argued such policies patronised migrants and, consequently yield negative influences on their political participation and citizenship (Kim, 2011d, Kim, 2011e). A critical discourse analysis of Shim (2007, pp. 75–76) demonstrated the ‘paternalistic’ nature of the South Korea government’s migrant policy. He argued the policies emphasised the ‘service provision’ only; but they refused recognise the ‘politics of recognition’ of migrants, based on their collective identity as a minority group and represented by their collective claims of social rights.
A few studies analysed the policy process in theoretical terms. Analysing the process of South Korean government’s introduction of the temporary labour migration scheme, Lee (2008b) employed both political economic theory of ‘client politics’ (Freeman, 1995, Green, 2005, cited in Lee, 2008) and neo-institutional theories on the dynamics within a government (Boswell, 2007, Hollifield, 2004, Rosenhek, 2000, cited in Lee, 2008): the former explains why the introduction of the EPS was delayed and the latter explains how the EPS has developed. Chapter 2 of this thesis explores the theoretical aspects of labour migration policy in detail. Then, I will seek to extend the existing analysis of South Korean labour migration policy by employing a policy-process analysis and a critical policy analysis approach (see Chapter 6 and 7).

The third area is migrant’s experiences and resistance. The rapid increase of undocumented migrants in the early 1990s was an unprecedented phenomenon in South Korean society. The media was the first to pay attention to their extremely exploitive working and living conditions (e.g. Kim, 1992a, Lee, 1992). Researchers also participated in the efforts to expose the experiences of migrant workers mostly by the survey (e.g. Lee, 1994, Park, 1993, Seol, 1997). From the beginning, migrant workers’ experiences have often been addressed with the language of ‘human rights’ (e.g. Cho, 1995, Park, 1995). This trend coincides with the expansion of human rights discourses in the South Korean civil society, which was often described as ‘the growth period of human rights movement’ (Lee, 2001).

Later, studies on the human rights conditions of migrants specified their research subjects: undocumented migrants (Seol et al., 2005a), migrant women (Seol et al., 2005b), migrant children (Seol et al., 2003), old-comer Chinese migrants (Huaqiao) (Park and Jang, 2003), refugees (Kim et al., 2008) and North Korean migrants (Park et al., 2005). In a unique initiative, Kim et al. (2007) explored the nexus of labour and marriage migrations as well as the trajectory of migration from origin to destination countries.

Reports of civil society groups offered particularly useful information that had not been seriously examined by scholars. A pro-migrant group published a series of reports on the exploitations that migrants had experienced throughout the migratory process under temporary labour migration scheme (Migrant Rights Network, 2006, 2008, 2010). This group also extended the scope of its investigations toward migrant workers in particularly isolated conditions, such as the fishery (Oh et al., 2012) and agricultural sectors (Kim et al., 2013b).

Many studies on migrants’ experiences are oriented towards rights of migrants rather than the national interest of either destination or origin country. They formed the basis for critical
engagement with debates on migration policies. It is significant that their research scope transcended territorial boundaries and, eventually, they sought to overcome 'methodological nationalism' (Wimmer and Glick Schiller, 2003) that was still prevalent in migration studies. They attempted to overcome the 'reductionist approaches that focus on limited aspects of migratory processes' (Castles, 2010, p. 1569). It is also meaningful that these studies sought interdisciplinary approaches, encompassing the perspectives and methods of sociology, anthropology, legal and policy studies. These studies were often the outcomes of collaboration among the academics, civil society group members, lawyers and, sometimes, international organisations. Despite the critical, independent, transcendent and comprehensive characters of these studies, however, they were not interested in locating the research findings in the context of social theories.

While the studies on migrants’ experiences often tend to describe migrants as passive victims of human rights violations under malfunctioning migration policy, the studies on migrants’ resistance emphasised active agency of migrants and their supporters. The seminal work of Seol (2003) presented a comprehensive map of migrant workers’ resistance and their supporters’ activities against the exploitative pseudo-temporary labour migration scheme (ITS). After the introduction of a formal temporary labour migration scheme (EPS), Park (2005b) analysed divisions of the movement into the race-perceptive group and class-perceptive one. The former again divided into the movement-oriented group and the service-oriented group, while the latter developed into a trade union. Nevertheless, there is a broad consensus that the South Korean civil society in collaboration with migrant workers played a key role in promoting migrant rights, in particular between the mid-1990s to the early 2000s.

Ensuing studies recognised the role of particular organisations of migrants and their supporters in shaping an ideological ground of migrants’ movement. The scholars of industrial relations noticed growing class awareness among migrant workers and paid particular attention to Migrants’ Trade Union (MTU) in relation to its potential of organising migrant workers (Gray, 2007, Lee and Yoo, 2013). A sociologist of religion analysed church’s contributions to advocacy of migrants from the view of ‘the transnational characteristics of the church and the historical experience of church-based activism for democratisation’ (Kim, 2011a, p. 1664). Other scholars debated the contribution of international human rights norms to promoting the migrant rights movement in South Korea. Kim (2009) claimed the international norms served as a framing strategy for local activists to mobilise migrant rights, while Kim (2011b) was rather sceptical about it. Both recognised the framing strategy failed in cultivating ‘inclusive nationhood’ and
overcoming cultural barriers. Also, the neglect of migrant workers' subjectivity among pro-migrant organisations was often questioned by both the academics and activists. Based on an analysis of the relationship between migrant workers and the local clergy, Kim (2011a) criticised that the clergy often objectified and patronised the migrants, rather than facilitated their independence, despite church's contribution as the 'catalysers' of the movement. The service-oriented organisations' collaboration with the 'paternalist' state policy was also questioned. Shim (2007, p. 76) critically observed 'the close partnership' between the government and pro-migrant organisations. It employed a 'tolerance' paradigm as a policy guideline and prioritised service provision, which only resulted in the exclusion of migrants from the mainstream society. These perspectives are reconfirmed by my interview data, as will be discussed in Chapter 9.

However, the literature on migrants' resistances shows two general limitations. First, the studies focused on the struggles for the abolishment of the ITS between 1993 and 2004; only a few cover changes in migrant advocacy after the introduction of the EPS. My research pays attention to the latter period through an ethnographic observation (see Chapter 8 and 9). Second, they fail to analyse migrant resistance in the context of social transformations of both the South Korean society and the globe. Efforts were made by scholars to understand the migrant advocacy movement in the context of democratisation movement in South Korea (e.g. Kim, 2011a). Koo (2001), being inspired by Thompson's (1965) seminal work, presented a ground-breaking study on the formation of the working class and the development of labour movement in the context of economic and social transformations in South Korea. Although his work does not cover migrant workers, it still provides useful guidance for studying migrant workers' movements.

The literature review informs us of three major research gaps. First, with regard to labour migration, only a few studies examined its causes, processes and effects more than a decade ago. Almost no specific attention was paid to the characteristics of temporary labour migration, particularly in the context of neoliberal transformation. Second, although many South Korean studies have contributed to the government's formulations and evaluations of migration policies, only a few of them seriously engaged with a theoretical discussion on the policy process. These studies are often isolated from general social theories such as state theories or debates on neoliberal globalisation. Third, the studies on the experience and resistance of migrants presented comprehensive information about migrants' human rights conditions and their struggles. However, they failed to situate their analysis in the context of neoliberal globalisation and social transformation or to engage with such theories.
While many studies tended to limit their research scope to a fragmented perspective or political agenda-oriented approaches, a few researchers sought to overcome the narrow research scope (e.g., Lee et al., 1998, Seok et al., 2003). Particularly, the ground-breaking study of Seol (1999) was a unique example that held a holistic approach in analysing labour migration, migration policy, migrant workers’ experiences, and the South Korean civil society’s engagement. It attempted to explain the migratory trend by adopting the migration theories of the American and European contexts. It also presented a survey outcome on migrants’ experiences at work and of living standards. The author criticised the then operating pseudo-temporary labour migration. After almost two decades after this book was published, it is still hard to find a study that holds the holistic approach and covers the broad range of issues on migration. For the last two decades, however, there has been a dramatic expansion and diversification of international migration and also significant changes in migration policy and migrant activism.

I seek to contribute to the literature by presenting a holistic and contextual approach to the nexus of international migration, migration policy and social movements through this research and by engaging with the theories of social transformation overarching the three areas.

**Research problems: temporary labour migration, state policy and migrants’ resistance in the context of neoliberal social transformation**

As described above, three questions arose from my field research: ‘what had brought the migrant workers to South Korea?’, ‘why does the South Korean government restrict the migrant workers’ free choice of job?’ and ‘why do the migrant workers and pro-migrant local activists protest against the policy?’ Based on observations in the field, I identified three research areas: international migration in the context of global and national labour systems, a temporary labour migration scheme as a part of employer-driven state policy, and social movements including both migrants’ self-organised and non-migrants’ pro-migrant movements. Then, the literature review indicated the three major research gaps: lack of attention to temporary labour migration in the South Korean migration studies, lack of global and social transformational perspectives in both the studies of migration policy and migrants’ experiences and resistances, and lack of theoretical engagement in all three areas.

Taking into account of above-identified research areas and research gaps, I specified the three questions from the field research as below:
• ‘What is the political economic background of international labour migration to South Korea?’,
• ‘What was the policy process of the South Korean temporary labour migration scheme and what are the rationales and governing mechanisms of its operation?’,
• ‘What are migrant workers’ experiences and in what way have they engaged with the policy process, especially in connection with South Korean social movements?’

Exploring the answers to these questions is the primary aim of this research. However, it does not intend to confine its analysis to addressing each topic separately. This research rather seeks to understand how the three issues interplay between each other and why they are significant in the historical, political and economic context of South Korean society. Thus, an overall question overarching these three problems can be elaborated as below:

‘In what way does the mode of international migration, the logic of state’s migration control, and the actions of the migrants and their supporters interplay in the context of neoliberal social transformation?’

An outline of theory, methodology and thesis structure

These research problems reflect the complex and ambivalent nature of reality and the intertwined and interplaying character of the research areas. As the literature suggests, a fragmentated and isolated research approach hardly helps to understand the problems. On the contrary, promising for a comprehensive understanding of social structure, agency and their interrelation seems to embrace a social transformation approach as a theoretical framework and a holistic approach as a methodological principle. There have been constant efforts of social scientists to establish theories and methodologies to analyse the social transformation of their time and space. The tradition is traced back to the classic social scientists, De Tocqueville (2008 [1838]), Marx and Engels (2012 [1867]), Weber (2012 [1905]) and Polanyi (2001 [1944]); then, it was continued by Thompson (1965), Skocpol (1979) and Tilly (2009). Other examples are Castles and Kosack (1985 [1973]), who highlighted migration and migrants in Western Europe, and Koo (2001), who focused on South Korean working class. Following this tradition, this thesis also stands its ground on the social transformation approach that embraces historical, structural,
political economic and also agency-oriented aspects of international labour migration, migration policy, and migrant's resistances.

My theoretical account of the research problems begins with a review of literature in the three areas of this research: international labour migration in the context of global and national labour systems, temporary labour migration scheme as a part of employer-driven state policy, and social movements of migrant workers and their supporters. Then, I explore the theories of social transformations in an effort to develop my theoretical framework. As a starting point, I revisit Karl Polanyi's (2001 [1944]) *The Great Transformation*, with reference to the theoretical principles of the research project that I participated in, *The Social Transformation and International Migration in the 21st Century* (see Castles et al., 2015). As a way of analysing my research problems, I particularly attend to Polanyi's three critical concepts that were proposed to analyse the social transformations in his time and space: *fictitious commodification that entails disembeddedness*, *market society as a political project* and *protective counter-movement*. These concepts were developed in the course of analysing the industrialisation in Western European society from the late 18th to the early 20th centuries. However, they still resonate with many contemporary studies on neoliberal transformations in the global, national and local contexts. Then, I seek to expand the Polanyian concepts to incorporate my three research areas. The theoretical exploration is mainly presented in Chapter 2, although it is constantly revisited throughout this thesis.

As a way of operating the holistic approach in methodological terms, this research employed a mixed method approach. Despite the debates over ontological, epistemological and methodological questions (see Biesta, 2010), the practitioners of mixed methods research maintain a 'pragmatic stance' (Green and Hall, 2010, p. 130) to overcome the dichotomy between quantitative and qualitative methods. Following this position, I used both quantitative and qualitative data that can explain each study area in the best way. I also discuss my reflection on methodological problems with particular focus on the relationship between researcher and research participants. The methods and data used in this research are discussed in Chapter 3. The diagram of Figure 1-1 illustrates the process of crafting my research questions and also the key concepts and methods.

Chapter 4 and 5 examine the political economy of international labour migration to South Korea before and after the rise of neoliberalism. This is the first area of this research that asks the question: ‘what is the political economic background of international labour migration to South Korea?’ Chapter 4 examines a historical account of migration, labour, policy, and social
movements during the pre-neoliberal period. It mainly discusses the period of ‘authoritarian developmental regime’ (Cho, 2012b) between 1960 and 1987, although it also touches on a few significant aspects of the period before. This review of historical background serves as the groundwork for a comparative analysis between the periods before and after the rise of neoliberalism, by which the social transformations of South Korea are distinctively identified. Then, Chapter 5 argues that the increase of temporary labour migration is related to the neoliberal transformation of the South Korean society, particularly the neoliberalisation of the labour system that accompanies the precarisation of work. This argument is primarily based on the examination of statistical data including immigration data and economic indices.

Chapter 6 and 7 examine the second research area, temporary labour migration policy. Chapter 6 begins with an examination of policy process of the South Korean temporary labour migration scheme, the Employment Permit System. Then, Chapter 7 analyses the rationales behind the policy and the governing mechanism employed to operate it. Examining the second research question: ‘what was the policy process of the South Korean temporary labour migration scheme and what are the rationales and governing mechanisms of its operation?’, these chapters argue that the introduction of the temporary labour migration scheme is an integral part of neoliberal social transformation projects. The South Korean government mobilised the exclusionary nationalist ideology and violent immigration control in order to implement the policy. However, the recent trend shows the sustainability of this scheme is doubtful. An analysis of policy process and policy outcome is employed to underpin this argument.

Chapter 8 and 9 discuss the third research area on social movements. Chapter 8 begins with an examination of migrant workers’ experience and resistance under the South Korean temporary labour migration policy in the course of neoliberal transformations. Then, Chapter 9 discusses the engagement of South Korean civil society with the migrants’ resistance and their development toward anti-neoliberal globalisation movement. Answering the third research question: ‘what are migrant workers’ experiences of the scheme and in what way have they engaged with the policy process, especially in connection with South Korean social movements?’, these chapters argue the social movements have developed in two directions: charity-oriented approach and social movement-oriented approach. By taking up service delivery as its role, the former has contributed to reinforcing the temporary labour migration scheme and eventually neoliberal transformation of work. The latter has maintained the opposition to neoliberal globalisation and played leading roles in organising migrant workers’ resistances against the temporary labour migration scheme. However, it has been gradually isolated from migrant labouring masses.
Qualitative data were extensively collected through my ethnographic study undertaken in 2012, and they were analysed for the argument of these chapters.

Chapter 10 discusses the theoretical and empirical implications of the research findings as a conclusion. It also presents limitations of this study and suggests the issues be considered for further research.
Figure 1-1 Process of shaping research questions and identifying key concepts
Chapter 2  Labour migration, temporary migration policy, and social movements in neoliberal transformation: a theoretical account

This chapter establishes a conceptual framework to analyse labour migration, temporary migration policy, and social movements in the context of neoliberal social transformation. The theoretical exploration begins with examining Karl Polanyi’s (2001 [1944]) three foundational concepts: fictitious commodification that entails disembeddedness, market society as a political project and protective countermovement. These concepts were presented to explain the political and economic origin of the social transformations in the 19th and the early 20th century Europe. Many social scientists have drawn on Polanyian concepts in analysing the contemporary process of neoliberal global transformation. This chapter discusses how the Polanyian concepts may be expanded to address the temporal and spatial contexts of this research, i.e. in 21st century South Korea. It also explores the theoretical salience of these concepts in analysing three aspects of this research: labour migration, temporary migration policy, and social movements.

It is a theoretical initiative of this thesis to overcome a widespread tendency in migration studies. As Castles (2010, 2015) consistently criticised, they isolate themselves from mainstream social scientific theories and to confine themselves to a descriptive and administrative field. He proposes that migration research should be re-embedded ‘in a more general understanding of contemporary society’ and also to be linked ‘to broader theories of social change across a range of social scientific disciplines’ (Castles, 2010, p. 1565). Drawing on the theoretical insights of Polanyi and also on the proposals of Castles, in this chapter I also explore the possibility to build a conceptual framework that overarches the three dimensions of this research and the context of neoliberal social transformation in contemporary South Korea.

The first section revisits Polanyi’s theory of social transformation and discusses the temporal expansibility of his key concepts to analyse the contemporary transformation driven by neoliberal globalisation. The following three sections review the existing literature on the three areas of this research and critically evaluate it from a Polanyian perspective. Then, after I examine
the relevance of Polanyian theories to the contemporary South Korean context, I present the conceptual framework of this thesis, built on the theoretical explorations of the earlier sections.

**Neoliberalism and Polanyian critiques**

*The Great Transformation of Polanyi's time*

The main concern of Polanyi’s *The Great Transformation* is the perils of ‘economic liberalism’ that emerged in the early 18th century and proliferated throughout the 19th and the early 20th centuries in Europe. The principle of *laissez-faire* was ‘born as a mere penchant for non-bureaucratic methods’; however, it evolved into ‘a veritable faith in man’s secular salvation’, ‘a militant creed’, and eventually the organising principle of society behind the creation of market economy (Polanyi, 2001 [1944], p. 141). The ‘faith’ of the free market economy is founded on three liberal tenets: a competitive labour market where labour should find its price on an unregulated market, an automatic gold standard by which the creation of money should be the subject of an unregulated mechanism, and free trade by which goods should be free to flow across the borders without any interference of preferences or customs duties.

Polanyi uncovered the unrealistic assumptions behind the tenets of market economy on the basis of a historical study. First, he challenged the assumption behind the competitive market where human beings always seek to maximise utilities for ‘gain’. He argued that, before industrialisation, the central principle of organising economic systems had never been the maximisation of ‘gain’, but ‘reciprocity or redistribution, or householding, or some combination of the three’ (Polanyi, 2001 [1944], p. 57). Second, he also highlighted the false assumption that an unregulated market can be separated from society. Instead, he argued the economy is ‘embedded in social relations’. According to him, historical evidence demonstrates markets had never been more than ‘accessories of economic life’ and ‘the economic system was absorbed in the social system’ (p. 71). Third, the market economy also unrealistically assumes that all elements of the industry, not only goods and services but also labour, land and money are produced for sale on the market and subject to the laws of demand and supply. He argues this assumption is in fact the fabrication of

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4 The discussions in this section are developed from Castles et al. (2011), the first working paper of the Social Transformation and International Migration project, which I co-authored.
‘fictitious commodities’. Labour, land and money are not commodities by empirical definition, although they are essential elements of the industry that must be organised in markets. For example, labour is ‘another name for a human activity which goes with its life, which in its turn is not produced for sale but for entirely different reasons, nor can that activity be detached from the rest of life, be stored or mobilised’ (p. 75). The *fictitious commodification* of labour, land and money repudiates the economy’s social embeddedness and attempts to ‘subordinate the substances of society itself to the laws of the market’ (p. 75).

It is significant that Polanyi discerned the role of the modern nation state in the process of marketisation. Contrary to the myth of *laissez-faire*, he argued the market economy was not an outcome of a natural evolution but was enforced and managed by states’ ‘continuous, centrally organised and controlled interventionism’ (Polanyi, 2001 [1944], p. 146). As Block (2001, p. xxvi) explains, the state continues to play ‘roles in economy’ such as by adjusting the supply of money and credit to manage inflation and deflation, shifting demand for employees by providing unemployment subsidies and job training, and influencing migration flows. The modern market economy and the modern nation state are not discrete elements but two intertwined aspects of a human invention that was regarded as of ‘market society’, as Polanyi (p. 227) named it. The *market society* is a *political project* of economic liberals, not an outcome of natural evolution.

Polanyi also argued for the unsustainability of the self-adjusting market economy. The market economy is ‘a system of crude fictions’ with effects so destructive that society cannot withstand them (Polanyi, 2001 [1944], pp. 75-76). The perils of the market society are historically proved by the extremely poor working and living conditions in Western Europe during the Industrial Revolution, as vividly illustrated in literary works like Dickens (2012 [1854]) and Zola (2004 [1885]). It is significant, as Burawoy (2015) reminds us, that Polanyi went beyond Marx’s account of exploitation as the defining experiential feature of capitalism. He articulated the destructive effects of commodification on society. Then, he argued society inevitably takes measures ‘to protect the human and natural substance, as well as its business organisation’ from ‘the ravages of this satanic mill’ (p. 77). Thus, he argued market economy’s process of social disemb embedding and society’s protective measures occur simultaneously, as seen in the 19th century in Europe. He referred to this as the ‘double movement’ of economic liberalism and social protection. The first movement sought to establish the self-regulating market with the support of the trading class and with the methods of *laissez-faire* and free trade. The other one, the *protective countermovement*, sought to conserve human, the nature and productive organisations with the support of those who were the most affected by the market and with the tools of protective or restrictive
legislation and other instruments of intervention (pp. 138-139). However, the latter may also adversely turn into another process of social destruction, especially for industrial and political democracy, as exemplified by the emergence of fascism in 1920s and 1930s Europe.

Polanyi’s theory of social transformation is encapsulated by his three concepts that explain the complicated nexus of market, the state, and society: fictitious commodification that entails disembeddedness, market society as a political project, and protective countermovement. These concepts have significant analytic salience in the world of today. The next section discusses how Polanyian approaches analyse the contemporary global transformation driven by neoliberalism.

Global transformations in the neoliberal era

In the 20th century, economic liberalism was reborn as neoclassical economics, which narrowed down classical political economy to ‘a formal analysis of individual economic behaviour and the functioning of markets’ by marginal utility formula (Stilwell, 2012, pp. 151-152). Until the 1970s, neoclassical economic theory had not been an orthodox or dominant economic principle while Keynesian or Marxist economics predominated. Neoclassical economics was associated with right-wing politics and developed into a political ideology, neoliberalism. Hayek (2001 [1944]) is the founding theorist who linked the idea of the market economy and political liberalism. He claimed the central planning and government control of economic decision-making is possible only through ‘coercion’; and it inevitably leads to ‘dictatorship’ and tyranny (pp. 73-74). In contrast with Polanyi, Hayek argued fascism had the same origins as socialism, and both of these empower the state over individuals.

Amid the end of the post-war economic boom and the emergence of long-term stagflation in the 1970s, the neoliberal ideology began to gain currency in Western industrialised countries. As soon as right-wing governments came into power in the 1980s, the ideology was adopted as the cardinal principle of economic policy in the two powerful countries: the United Kingdom in the name of Thatcherism and the United States in the name of Reaganomics. Privatisation, deregulation, fiscal austerity and withdrawal of the state from social provision were propagated and enforced by these governments, which generated profound impacts on the societies. Throughout the 1980s and the 1990s, neoliberal principles were also embraced by the authoritarian regimes in Latin America, the former Soviet countries, the newly industrialised countries of developmental states like South Korea and Singapore, and even the industrialised countries characterised by social democracy and welfare states such as New Zealand and
Australia (Harvey, 2005). Neoliberal ‘structural adjustment programmes’ were imposed on developing countries by the international financial institutions such as the International Monetary Fund and the World Bank. Free trade was also imposed all over the world either by bilateral trade agreements or through the World Trade Organization (Stiglitz, 2002). Neoliberalism has been embraced by almost all states either voluntarily or in response to coercive pressure (Harvey, 2005). Neoclassical economic theory and the neoliberal political ideology have become ‘actually existing neoliberalism’ in the real world (Cahill, 2010, p. 303).

Neoliberalism has not only become ‘the dominant political and ideological form of capitalist globalisation’ (Brenner and Theodore, 2002, p. 350), but has also assumed the status of a hegemonic discourse in almost every part of social life. Since neoliberals have occupied powerful positions in various social, cultural, economic and political institutions, they have made ‘neoliberalism seem as if it were the natural and normal condition of humankind’ through ‘the ideological and promotional work’ at the price of ‘hundreds of millions of dollars’ as George (2000, p. 29) commented, borrowing the concept of ‘cultural hegemony’ from Gramsci (1999 [1971]). The process of neoliberalism has entailed the ‘creative destruction’, not only of ‘prior institutional frameworks and power’ but also of ‘divisions of labour, social relations, welfare provisions, technological mixes, ways of life and thought, reproductive activities, attachments to the land and the habits of the heart’ (Harvey, 2005, p. 3).

The neoliberal vision that a self-regulating market will generate an optimal allocation of resources turned out to be, in practice, ‘extensive market failures’ and ‘a significant exacerbation of uneven development’ (Brenner and Theodore, 2002, p. 352). The impacts of the neoliberal transformation were massive and profound throughout the world. In high-income countries, the political power of capital overwhelmed that of organised labour; capital was freed from the restraints that had been imposed on it as an outcome of the post-war class compromise; deregulation and privatisation expanded the sphere of commodification; and the state withdrew social welfare spending (Cahill, 2010). In low-income countries, income inequality and the concentration of wealth increased; the class of micro-entrepreneurs rapidly expanded; the informal proletariat increased; violent crime rose in the cities; and migration abroad was increased and diversified (Portes and Hoffman, 2003).

Neoliberalism has also led to fundamental transformations in labour relations. As Jackson (2016, p. 269) notes, it ‘reshaped the fabric of industrial relations’. He identifies five major processes of neoliberal transformation of labour. First, the neoliberals reframed labour market ideas in the way of ‘fostering greater hostility towards collective bargaining and labour regulation’ among
political and economic elites. Second, they disseminated the discourse of ‘sectional producer interests threatening the consumer’. Third, these processes have weakened ‘countervailing powers to protect employees from exploitation’ in the labour market, which ‘systematically favours the interests of employers’. Fourth, the neoliberals introduced legislation that hampers union’s organisation and reducing social protections. Fifth, they have grown a more self-confident and uncompromising business class, less interested in corporatism with workers and the state. The outcomes of these processes have been workers’ loss of bargaining leverage, deterioration of working conditions and actual wage levels, and retreat of labour and social rights.

As the origin of neoliberalism is traced back to classical economic liberalism, the critical analyses of contemporary neoliberal transformation have been significantly informed by Polanyi’s insightful analysis of the ‘great transformation’ of the 19th century. As Stiglitz (2001, p. vii) commented, ‘the transformation of European civilisation is analogous to the transformations confronting developing countries around the world today, it often seems as if Polanyi is speaking directly to present day issues’. However, the spatial scope of the contemporary transformation is far beyond that of Polanyi’s Europe-centred analysis; it extends to almost every part of the world (Harvey, 2005). The commodification of labour, money and land has ever been intensified by the globalised labour market, global financial market and natural resource extraction at a global level. The neoliberalism of today has also affected a much wider range of social relations than economic liberalism did in Polanyi’s time, transforming education and knowledge production, trade unionism, and even personal relations (Springer et al., 2016). Thus, it is required to ‘scale up’ (Munck, 2006, p. 180) Polanyi’s theory in terms of time, spatial scope, and the range of social relations affected.

**Fictitious commodification and disembeddedness in the neoliberal context**

An extensive range of studies draw on Polanyi’s theory to analyse contemporary neoliberal globalisation. His three analytic concepts, *fictitious commodification that entails disembeddedness, market society as a political project* and *protective countermovement* have received particular attention from critical social scientists.

First, the *fictitious commodification that entails disembeddedness* has been employed to characterise the process of neoliberal globalisation. Munck (2004, p. 252) reminds us, employing Ruggie’s (1982) term, that ‘embedded liberalism’ was the dominant political economic order of the post-war period, that was embodied by the combination of ‘a transnational liberal order and
state intervention’. After ‘the concerted bid by the transnational capitalist class’ throughout the 1970s and the 1980s, he argues, it had to concede to ‘disembedded liberalism’ that was promoted by the discourse and practice of globalisation. Block (2003, p. 276) argues that the notion of ‘the always embedded market economy’ underlies Polanyi’s theory, highlighting the historical facts of the market economy being embedded in law, politics, and morality of the time.

Burawoy (2015, p. 19) elaborates how fictitious commodification destroys the ‘true’ or ‘essential’ character of the three factors of production, labour, land and money:

When labour power is exchanged without protection against injury or sickness, unemployment or over-employment, or below-subsistence wages, the labour that can be extracted rapidly declines, and it veers towards uselessness. Equally, when land, or more broadly nature, is subject to commodification then it can no longer support the basic necessities for human life. Finally, when money is used to make money, for example through currency speculation, then its value becomes so uncertain that it can no longer be used as a means of exchange, putting business out of business and generating economic crises.

The fictitious commodification of money has been the driving force of the neoliberal transformation, or as Polanyi Levitt (2013) terms it, ‘financialisation’. She argues the economic power has shifted from manufacturing products to controlling finance and capturing profits in global value chains. The increased power of the financial sector, as Harvey (2005) examined in the cases of industrialised countries, has reinforced capital’s commanding power over labour, which, in turn, has secured downward pressure on real wage and labour market restructuring. It has also sourced capital’s political power to threaten democratic governance at work and in society. The process of ‘financialisation’ in ‘financialised countries’ has been realised by the implicit or explicit collaborations between political parties and financial business, while the commodification of money in developing countries has been imposed by the complex of international financial agencies, financialised powerful states and transnational financial capital, in the name of the ‘Washington consensus’ (Stiglitz, 2002).

The ‘recommodification of labour’ is another aspect of neoliberalisation. The welfare-state capitalism of the mid-20th century is, correspondingly to the idea of ‘embedded liberalism’, characterised by ‘decommodification of labour’ and the ‘system of entitlement based on the norm of industrial labour’ (Standing, 2007, p. 69). However, Standing critically argues the ‘decommodification’ was ‘fictitious’ because the ‘labour-based welfare state’ made workers ‘more
dependent on the performance of labour for their welfare and social status’ (2007, pp. 70-71, emphasis in original). According to his analysis, ‘fictitious decommodification’ allowed the state and capital to weaken ‘the link between the performance of labour and the monetary wage’, which meant the wage no longer reflected ‘the service provided or the cost to the employer’. Its consequences were a weakened incentive to labour and inefficient resource allocation. Financial capital has gained hegemonic power and rolled back the ‘fictitious decommodification’; then, it rearranged and dismantled the distribution of social income by shifting its source from state and enterprise benefits to ‘money wages’ (Standing, 2007, pp. 69-71). Standing argues the process of disentitlement has taken three forms: changing legislation to weaken or remove benefits, assigning more people to statuses not entitled to the benefits (i.e. precarious jobs), and privatising social services and imposing the costs on workers.

Despite Polanyi’s insightful analysis of the process and regulation of commodification and its relationship with de-commodification, Burawoy (2015) shows that he overlooked ‘excommodification’ that characterises the precarity of the neoliberal labour market. Adopting the idea of the food justice movement, freeganism, about ‘the expanded production of waste’ (Barnard, 2011, 2016), Burawoy argues that many useful things, including labour, are expelled from the market and, eventually, damaged and wasted. Referring to the statement ‘if there is a condition worse than exploitation it is not being exploited’, he argues ‘increasingly all over the world, expanding reservoirs of surplus make it a privilege to be exploited’ (2015, p. 21). For those who are in the condition of excommodification, commodification can be a very attractive prospect, he says. This observation corresponds with Bauman’s (2013) notion of ‘wasted lives’, the ‘superfluous’ populations of migrants, refugees and other outcasts that were produced as a side-effect of economic progress and the quest for order in the modern world.

**Political project for a market society in the time of neoliberalism**

Second, Polanyi’s concept of *market society as a political project* have also given insights to many critical social scientists, along with the argument that ‘laissez-faire was planned’ (2001 [1944], p. 147). Munck (2004, p. 253) rejects the neoliberal’s claims about smooth, gradual and organic evolution of the market according to natural principles and argues, quoting Polanyi’s statement (2001 [1944], p. 258), that ‘the market has been the outcome of a conscious and often violent intervention on the part of a government which imposed the market organisation on society for non-economic ends’. Block (2003) argues that market societies, by means of elaborate rules and institutional structures, have sought to limit the individual pursuit of gain and to channel
economic activities into a narrow range of legitimate pursuits, both historically and today. Similarly, Cahill (2010, p. 301) argues the economy has not been ‘freed’ from the state; instead, the state has continued to play an active role in the ‘introduction, implementation and reproduction’ of neoliberalism. Gray (1998, p. 17) also points out that free market is not, ‘as New Right thinkers have imagined or claimed, a gift of social evolution’, but ‘an end-product of social engineering and unyielding political will’ that was feasible when functioning democratic institutions are lacking.

It is the state apparatus, as Harvey (2005, pp. 7, 66) puts it the ‘neoliberal state’, that embodies the neoliberal assumption of ‘individual freedoms [...] guaranteed by freedom of the market and of trade’; and the freedoms are implemented in the way that ‘reflect the interests of private property owners, business, multinational corporations, and financial capital’ at the cost of democratic governance. Furthermore, referring to Polanyi’s fear that the liberal utopian project could be sustained only by resort to authoritarianism, Harvey argues that the neoliberal state disciplines the opposition to the neoliberal agenda by mobilising ideological rhetoric such as ‘international competition and globalisation’ or suppresses it by resorting to ‘persuasion, propaganda’ or even to ‘raw force and police power’ (2005, pp. 69-70).

Jessop (2001, pp. 203-205) theorises the process of the market society whereby market forces and the logic of capitalist accumulation become established as the ideologically and politically dominant principle. He argues that the process of ‘capitalist societalisation’ involves four features. First, commodification extends into the spheres not currently subject to logic of exchange and accumulation, which began with labour, land and money in Polanyi’s time and has continued to political, educational, health and other spheres in neoliberal era. Second, ‘a secondary economic coding’ is imposed on the domains and activities that remain non-commercial in their orientation, making all decision-making systems of these sectors ‘subordinated to the imperatives of international competitiveness of the economy’. Third, ‘the superior dynamism and reach of a globalising capitalist economy’ force other systems to adjust to the logic of capitalist accumulation more than other systems oblige the capitalism to adjust to them. Fourth, through the ‘asymmetric interactions between capitalism and other orders’, the neoliberal hegemonic project establishes the capitalist accumulation as the dominant principle of societalisation, making the competitiveness ideology the most imperative social value and, in turn, subordinating all other spheres of social life into the capitalist strategy of accumulation.
**Countermovement and questions on its agent**

Third, *the protective countermovement*, that derives from the concept of ‘double movement’, has also been widely discussed with regard to the growing global discontents with neoliberalism. While economic liberalism seeks to establish the market society and to disembed the free market from society, as Polanyi (2001 [1944]) argued, society inevitably protects itself against the perils of the free market by re-embedding the market into society. Munck (2004, p. 253) highlights the contemporary relevance of Polanyi’s idea of the ‘double movement’ as below:

The attempt [...] to set up ‘one big self-regulating market’ (Polanyi, 2001 [1944], pp. 70, 138), was bound to create resistance in those social sectors ‘most immediately affected by the deleterious action of the market.’ While economic liberalism forged ahead to create a self-regulated market, [...] the principles of social protection come into play to protect people and the environment. Markets could spread globally and the circulation of commodities could accelerate to an unprecedented degree, but the capital, currency and commodity markets would need to be organised and ultimately regulated. If this was the case when Polanyi wrote, it is doubly so today as a successor strategy to the Washington Consensus is debated in the corridors of power to prevent the global system being destabilized further by a utopian project to create a global self-regulating market.

Munck (2004, p. 251) also draws attention to the ‘Polanyian problem’ applicable for addressing contemporary globalisation: ‘how the tendency towards the creation of a global free market economy can be reconciled with a degree of stability and cohesion in society?’ This question resonates with Gray’s (1998, p. 17) observation that the free market and democracy cannot coexist, since the social costs of the free market are such that it ‘cannot for long be legitimate in any democracy’.

In addition, it is notable that Schierup et al. (2014) suggest the ‘precarity’ to be understood in the context of the ‘double movement’. They argue the precarity marks the contemporary world of work by representing ‘an institutionally embedded hegemonic norm embodying market driven imperatives of “flexibility”, “availability”, “multilocality” and compressed “mobility” across time and space, with “the migrant” as its quintessential incarnation’; this concept is equally adopted as ‘a self-ascribed emblem by contemporary social movements questioning the premises of this very norm’ (Schierup et al., 2014, pp. 1-2). The precarity implies a ‘condition’ driven by structural forces for the precarisation of labour, which epitomises the downside of the utopian free market as well as a watchword for ‘resistances’ of social movements for justice and identity. Accordingly,
they argue the ‘duality of precarity’ harnesses Polanyi’s theory of the ‘double movement’. This notion is also relevant to the condition and resistance of migrant workers, who make up a disproportionate part of a globally growing social category named the ‘precariat’.

Critical social scientists, however, have questioned Polanyi’s theorisation of protective countermovement, especially in three ways: whether countermovement is an inevitable reaction to the disembeddedness; how countermovement occurs; and who the agents of countermovement are.

First, with regard to the ‘inevitability’ of countermovement, Munck (2004, p. 253) notes Polanyi conceptualised the double movement ‘as arising spontaneously in reaction to the depredations of the free market’. Then, he argues this shows that Polanyi’s view on countermovement still had ‘a whiff of functionalism’ and even ‘necessitarianism’ employing the term of Unger (1987, cited in Munck (2004)). In fact, although Polanyi consistently sought to overcome Marxism’s deterministic approaches throughout The Great Transformations, his work still did not go far beyond the then predominant paradigm.

Second, Munck (2004, p. 253) also points out that, due to the presumption of inevitability, Polanyi’s theory had ‘a distinct lack of mediations to explain how the “double movement” might operate’. Schierup et al. (2014, p. 5), referring to Webster et al. (2008), also argues that Polanyi was short of analysing ‘the organization of countermovements and the social basis of countermovements’ actual agents’. Burawoy (2015, p. 19) puts it as Polanyi’s ambiguity about ‘how and why’ double movement happens and how fictitious commodification ‘contributes to social movement’. Also, Burawoy (2010) argues, Polanyi was short of analysis of capitalist accumulation, relations of power, class conflict and exploitation, which are all related to the countermovement as Marxists have concerned about.

Burawoy (2015, pp. 19-21) highlights three sources of the countermovement: ‘accumulation through dispossession’, ‘growing inequality’, and ‘articulation of the (ex)commodification’. While Polanyi attributed the countermovement to the ‘act of exchange itself’ of commodification, Burawoy pays attention to ‘the process through which entities are turned into commodities’ and the ‘processes of disembedding the commodity from its social integument’. He refers to this processes as ‘accumulation through dispossession’, borrowing Harvey’s (2005) term. For example, the ‘deskilling’ (Braverman, 1998 [1974]) process, exemplified by Fordism, has expropriated knowledge from the craft worker; consequently, it generated labour protests, as historical evidence shows. Likewise, the privatisation and corporatisation of tertiary education
has commodified and expropriated the knowledge from a public good to a sellable asset. Just as
deskill has historically generated labour protest, the dispossession of knowledge has also
become a source of students’ and education workers’ protests. The ‘growing inequality’ is a result
of commodification as well as another source of countermovement. Making labour powersellable,
i.e. the commodification of labour power, generated ‘precarity’ or insecurity as a dominant
experience of working people. The commodification of money, i.e. financialisation, deepened the
stratification by making the ‘precariat’, who has replaced proletariat as Standing (2014a) noted,
more reliant on debt and credit. The discontents of the unemployed and debtors have become
major driving forces of social movements. Burawoy identifies social movements as not ‘a reaction
to the (ex)commodification of a single fictitious commodity’, but ‘responses to the articulation of
the (ex)commodification of labour, money, nature and knowledge’. For example, the Arab Spring
of 2010 and 2011 represents a democratisation movement situated in ‘the intersection of the
precarity of labour and indebtedness due to micro-finance’; student movements are driven by the
intersection of ‘precarity of labour and privatisation of knowledge production’; and
environmental movements are motivated by ‘the intersection of the destruction or
commodification of nature and the precarity of labour’.

The third question is who the actors of the protective countermovement are. Polanyi’s answer
was ‘all groups in society’ (Block, 2001, p. xxviii). For Polanyi, since society is threatened by the
expansion of the market, it ‘reacts by (re)constituting itself as an active society, thereby
harbouring the embryo of democratic socialism’ (Burawoy, 2003, p. 193). He also saw both ‘the
subaltern classes’ and ‘powerful capitalist interests’ were threatened by the hazardous outcomes
of market economy, i.e. the ‘dislocation’ of society and the ‘destruction’ of the market itself. Thus,
both would be the parts of ‘a social reaction to the market that would spur counter-hegemonic
movement’ (Munck, 2006, p. 181). However, Polanyi was not always clear about ‘what populates
active society’: it could be ‘trade unions, cooperatives, the organisation of the factory movement
to curtail the length of the working day, the Chartist movement to expend political rights, and
rudimentary development of political parties’ (Burawoy, 2003, p. 198).

Polanyi’s notion that ‘the “challenge” is to society as a whole and the “response” comes through
groups, sections and classes’ (2001 [1944], p. 160) is still unspecified about ‘which “groups” or
“sections” of society are likely to respond to the encroaching marketization and commodification
of life’ and ‘[w]hat is the role of social movements in this process’, as Munck (2006, pp. 184-185)
argues. Thus, he suggests the countermovement of society has ‘to go beyond dispersed and
possibly contradictory struggles’ and, referring to Jessop (2003, p. 7), it will be possible by taking
into account 'the role of specific economic, political and social projects, of hegemonic visions, and of associated contradictory struggles' (Munck, 2006, p. 185).

Polanyi’s focus on the organisation of ‘counter-hegemony’ is often compared with Antonio Gramsci’s (1999 [1971]) analysis of ‘capitalist hegemony’. Gramsci argued the civil society ‘acts, with the state, to stabilise class relations and provide a terrain for challenging capitalism’. However, since the ‘capitalist hegemony’ is organised in the realm of production and as the basis of capital accumulation, he argues ‘the agent of counter-hegemony’ would be ‘the proletarian party’ (Burawoy, 2003, pp. 193, 231); experiments which turned out to be failures in the real world of the 20th century. Gramsci’s vision of counter-hegemony is ‘based on the illusory and productivist vision of an alternative moral and intellectual order’, whereas Polanyi’s notion of hegemony arose from ‘illusions about weakness of capitalism’ which led his counter-hegemonic notion to be grounded on a ‘universal interest in restriction of market’ (Burawoy, 2003, p. 231).

As Munck (2004, p. 253) argued, we may consider Polanyi’s ‘incipient theorising of a concept of counter-hegemony in a way that complements rather than contradicts Gramsci’s’. Nevertheless, we still need to articulate the idea of the protective countermovement by employing contemporary social movement theories.

Finally, anti-globalisation activism has drawn particular attention from scholars who have envisioned contemporary forms of countermovement. This global resistance has emerged in the form of mass-protests against international economic and political decision-making systems, which have been condemned for operating undemocratic processes and also generating global inequality. Beginning with the protests against the World Trade Organization (WTO)’s ministerial meeting in Seattle 1999, the anti-globalisation movement has continued to the Group of Eight summit in Genoa 2001, the World Economic Forum in Davos 2003, the Asia-Pacific Economic Cooperation summit in Busan 2005, and the Group of Twenty summit in Toronto 2010. The protests have extended toward targeting the transnational financial corporations, responsible for corrupt connections with politics, fraudulent financial trades, and illegitimate profits that they have made. Massive vigils and the slogan of Occupy Wall Street turned up in New York in 2011 and spread to banking districts in metropolitan cities throughout the world, including London, Istanbul, Sydney, Seoul and Mexico City.

Jessop (2002, p. 470) argues these new forms of global resistance represent people’s aspirations for ‘alternative paths of economic, social and political restructuring’ and challenges to neoliberal globalisation. Stiglitz (2001) argues that the issues raised by the anti-globalisation movement are actually consonant with Polanyi’s concerns about economic liberalism. Udayagiri and Walton
suggest that while globalisation has created a growing detachment between traditional forms of state and civil society, it has also highlighted the importance of people’s movement in achieving global justice.

As reviewed in this section, Polanyi’s three concepts, which he introduced to explain the social impacts of economic liberalism in the 19th century Europe, hold analytic salience for the contemporary social problems generated by neoliberal globalisation. The concept of fictitious commodification that entails disembeddedness helps explain financialisation and its accompanying processes of recommodification and excommodification of labour during neoliberal transformations. Their social consequence is the increased precarity in people’s social relations. The concept of market society as a political project provides an analytical basis for understanding the neoliberal state. It also reveals the neoliberal fabrication of the free market as a smooth, gradual and organic evolution according to natural principles. The idea of a protective countermovement provides an analytical basis for understanding the dynamics of social movements in the context of neoliberal globalisation, although there still remain some aspects to articulate such as the actors of the movements.

Polanyian theories are, however, still limited in addressing the specifics of my research: international labour migration, temporary migration policy, and migrants’ social movements in the neoliberal era. The following three sections explore how the Polanyian perspectives may be expanded to address my research questions.

**International migration in the process of global commodification of labour**

Migration scholars often identify that the literature on international migration falls into two distinct sets of theories depending on the authors’ priority concerns: ‘the causes of migration processes’ and ‘the impacts of migration for sending and receiving communities and societies’ (Castles et al., 2014, p. 26). This section focuses on the first set of theories in an attempt to answer the first research question in theoretical terms. There have been extensive studies on this topic from the micro-, meso- and macro-perspectives like neoclassical microeconomics, migration network theory and historical-structuralist approach (Castles et al., 2014, Massey et al., 1998). The theoretical account of the causes of migration will contribute to understanding the contexts of both the South Korean labour migration policy and the migrant workers’ claims, the two other
topics of this research. The theoretical exploration begins with a brief review of a broad range of migration theories. Then, I seek to extend the existing theories, especially the theories on the segmented labour market and global division of labour, taking into account the process of neoliberal transformations that have influenced the trends of international labour migration for the last three decades. I also look at how the process has been accelerated by the fictitious commodification that entails disembeddedness.

Migration theories of micro- and meso-perspectives

The early migration scholars employed physical science terms to explain the causes of migration. The *gravity model* suggested the volume of migration could be predicted by physical and economic factors such as the distances between origin and destination places and the differences of population sizes or economic opportunities (Zipf, 1946, cited in Bodvarsson and Van den Berg, 2013). This theory developed into the *push-pull model* with the assumption that the push factors, including population pressure, economic underdevelopment and political repression, would push people out of origin places and the pull factors including labour shortage, economic prosperity and political freedom would pull them into destination places (Passaris, 1989). This model has served as an influential analytical framework of economic studies on labour migration and very often as a theoretical basis for migration policy-making.

The ideology of the free market is, as in contemporary mainstream economics (see Stilwell, 2012), an influential creed among those in labour economics oriented toward migration studies as well. The *labour market of immigration* (Borjas, 1990) is considered as a basic framework for understanding the causes and consequences of international labour migration. This theory highlights the ‘wage differentials’ between origin and destination economies, which are the major factor driving human migration (Hicks, 1932, cited in Bodavarsson & Van den Berg, 2013). It assumes migrants are individual rational actors in the competitive labour market of migration, who have full access to market information and make decisions by a cost-benefit calculation to maximise their income. Migration cost is considered as ‘a selective investment’ for both the increased productivity of ‘human capital’ and the maximum returns in the value of lifetime earnings (Sjaastad, 1962, cited in Castles, de Haas, & Miller, 2014). On the basis of the ‘pull-push’ and the immigration labour market models, neoclassical economists formulate a ‘general theory’ of demand and supply in labour migration. Bodvarsson and Van den Berg (2013, pp. 24-25) argue the consequences of migration are likely a loss for employers in the origin country and local workers in the destination country, a gain for remaining workers in the origin area and employers
and migrant workers in the destination; thus, in sum, net loss in real income for the origin country but net gain for the destination and the world.

Despite its dominant influence in mainstream economics, neoclassical migration theory has been broadly criticised for its unrealistic foundational assumptions (Castles et al., 2014). First, migrants do not always make rational choices in order to maximise their interests. A migrant’s decision on whether, when or where to migrate depends on various social, political, historical and cultural factors, not only economic interests. Second, it is almost impossible for a migrant to have full or even a reasonable amount of information about the labour market in a destination country. Very often, they have never been to the country nor are they able to speak the language. Third, they do not usually have full access to the free and competitive labour market in a destination country. There are various economic, social or legal obstacles like high travel cost, including brokerage fee, racial discrimination at work, restrictive immigration or emigration control, or language and cultural barriers.

The fallacy of neoclassical migration theory becomes even more discernible when we take into account Polanyi’s concept of fictitious commodification that entails disembeddedness. As discussed in the previous section, economic liberalism’s assumption that labour can be commodified is fictitious. Likewise, I argue, neoclassical migration theory also fictitiously commodifies labour migration. As Polanyi stated, although labour is an essential element of production, it ‘is not produced for sale [...] nor can be detached from the rest of life’ but is ‘another name for a human activity’ (Polanyi, 2001 [1944], p. 75). Likewise, the labour of migrants cannot be simply reduced to a unit of workforce sellable or purchasable at an overseas labour market according to the laws of supply and demand. It is an aspect of human activity that entails significant transformations in the conditions and social relations of a person including living and working conditions, family relations, community relations and social and political lives. The migrant’s labour cannot be detached from the rest of his or her life both in origin and destination societies or from the other aspects of his or her life. As much as the economy is embedded in a society, migration is also embedded in the societies of both origin and destination. The neoclassical migration theory that fictitiously commodifies labour migration and neglects the social embeddedness of migration exemplifies ‘a disembedded understanding of migration’ (Castles, 2010, p. 1578).

The new economics of labour migration (NELM) approach seeks to overcome the individualistic assumptions of the neoclassic model. It argues labour migration is a joint decision of both migrants and non-migrants, not an isolated choice of an individual migrant. This approach, however, has been criticised for obscuring ‘intra-household inequalities and conflicts of interest...
along the lines of gender, generation, and age’ (de Haas and Fokkema, 2010, cited in Castles et al. (2014), p.29), because migrants do not always move to help their families but sometimes to escape from abusive or oppressive conditions in the family. I also argue it still remains within the frame of neoclassical economics in the sense that it emphasises the rational choice of migrants and their communities. Just like neoclassical migration theory, NELM replicates the ‘economistic fallacy’ (Block and Somers, 1985) of neoclassical economics.

While both neoclassical migration theory and the NELM approach look at how migration is initiated from micro-level perspectives, migration network theory and migration system theory explain how migration continues from the view of meso-level social structures. For reasons of space, meso-level theories are not discussed in detail here.

_Migration network theory_ argues migrants create and maintain social networks with other migrants in the destination country and non-migrants in the home country, which facilitates further migration. Once pioneer migrants have developed a migration path and settled down in a destination place, their family, friends and community members follow the ‘beaten path’ of migration.

_Migration system theory_ looks at the links and networks between origin and destination societies, including the exchanges of goods, ideas, and money. It argues these connections alter the social context within which subsequent migration decisions are made; thus ‘cumulative causation’ (Massey et al., 1998, pp. 45-46) makes migration a self-sufficient process. Both theories, however, explain neither why pioneer migrations do not always lead to the formation of migration networks and systems nor under what conditions the networks are weakened or break down (de Haas, 2010).

_Macroscopic migration theories_

While both micro- and meso-level studies sought to investigate the cause of migration within the contexts of migratory process, dynamics and mechanisms, they tend to lose sight of structural aspects by which migration is conditioned. Migration studies from macroscopic perspectives analyse the historical, political economic, developmental and labour market structures in which migrants and non-migrants are situated.
Migration transition theory looks at transitions in migration patterns and developmental processes, and also the relationship between the two. This theory argues that both internal and international migration increase during the early stages of economic development but as industrialisation proceeds, labour supply declines and wage rises; thus, emigration decreases and immigration increases. When the economic development of a country reaches a ‘turning point’ (Fields, 1994, Park, 1994b), the size of immigration surpasses that of emigration, which leads to transformation into a ‘net immigration country’ (Castles et al., 2014, p. 47). Skeldon (1997) suggests that countries show different migration patterns depending on five hierarchical ‘development tiers’: the ‘old core’ and ‘new core’ countries characterised by immigration, the ‘expanding core’ showing growth in both immigration and emigration, the ‘labour frontier’ experiencing high emigration and the ‘resource niche’ with low international migration. South Korea is often presented as an extreme example of ‘migration transition’, which has gone through the three bottom tiers to become a ‘new core’ (DeWind et al., 2012, Fields, 1994, Park, 1994b).

Although transition theory has been popularly referred to, particularly in the South Korean context, it has significant problems in explaining the nexus of development and migration. Firstly, as noted by Castles et al. (2014), this theory shows a deterministic approach based on the belief that development would automatically lead to a migration transition and it would be inevitable and irreversible. The transformation from an emigration to immigration country depends on various political and social factors that affect the process of economic development (Castles and Delgado Wise, 2008) or geopolitical and global economic factors. Secondly, I argue the transition theory is descriptive rather than analytic. Although it aptly described the parallel patterns of economic development and migration, the theory fails to analyse what specific social factors create such patterns. It neglects an important factor affecting migration patterns: the transformation of the labour system that consists of labour market, labour-related legislations and policies. Thirdly, I also point out that the empirical studies based on this theory, especially in the South Korean context (e.g. DeWind et al., 2012, Park, 1994b), tend to falsely reduce the working definition of ‘development’ into economic growth by presenting such economic index as gross domestic product (GDP) only. As broadly accepted by development studies, development should include such social and political aspects as redistribution of income and wealth, racial- and gender-based inequalities and human rights, and welfare (Desai and Potter, 2014). As Sen (1999) famously noted, development should entail freedoms including political freedom and transparency, freedom for the opportunity to enhance and apply capabilities, and economic protection from abject poverty. In this regard, Human Development Index (United Nations Development Programme, 2009) may be considered as an alternative index.
Historical-structural approaches are useful for locating labour migration and the labour market in a global picture. It argues that international migration is an outcome of unequal economic and political power in the world economy as a way of extracting cheap labour for capitalist accumulation (Massey et al., 1998, pp. 34-41, Wood, 1982). However, this approach is often criticised for being too determinist. Although the structural conditions have important impacts on individuals’ lives, they do not always determine all aspects of their lives. The human agency of migrants should not be ignored.

Labour market and international migration

Dual or segmented labour market theory argues that international migration is driven by the dual structure of labour demand in developed countries (Piore, 1979, cited in Massey et al. (1998)). While the labour demand in the advanced economies has shifted toward highly-skilled work as high technology industries have grown, there is still continuing demand for low-skilled manual work that cannot be automated or offshored but instead continues to rely on low wages, like assembly line work, garment production, catering, cleaning and construction. Local workers with higher education or living standard refuse such jobs; thus, migrant workers from low-income countries take them up. The labour market is divided into the primary and secondary markets, of which segmentation becomes further complicated and reinforced by such factors as ethnicity, race and gender. The economic polarisation in global metropolitan cities exemplifies the extreme segmentation between the highly paid professionals in finance and management and the poorly paid workers who service their needs (Sassen, 2001). As Castles et al. (2014, p. 35) pointed out, the segmented labour market theory shows how the demand for labour migration is ‘structurally embedded in modern capitalist economies’.

Labour market segmentation is often institutionalised and reinforced by the destination government’s labour migration policy. It restricts the jobs that migrant workers may take up and the industrial sectors where they may work. Such institutionalised discrimination is justified in the name of the protection of local workers’ jobs and wages. The next section on temporary labour migration policy discusses the rationales and consequences of the employer-driven and government-operating labour migration segmentation.

Labour market segmentation theory has been plausibly applied for explaining the increased arrivals of labour migrants in South Korea. Lee (1997, pp. 356-357) argues that labour migration was induced by the segmentation between SMEs and large firms. Also, I argue a close
investigation of industrial structure and labour systems informs us that the labour market segmentation was created or reinforced under the neoliberal restructuring process. For example, the South Korean case shows the restructuring process has created a hierarchical outsourcing system linking transnational corporations or chaebols (South Korean conglomerates) and the SMEs. This process is not an isolated and inevitable stage of economic development. It has to be understood as a part of the neoliberal restructuring process of industrial organisation, employment system and the state’s role, which has been driven by global capital in association with major political actors in South Korea. Chapter 5 examines this issue on the basis of empirical data.

On the basis of the historical-structural approach and segmented labour market theory, critical social scientists have built up global political economy of migration to analyse the migratory process of labour in the context of neoliberal globalisation (Phillips, 2011, Talani and McMahon, 2015). They argue two foundational concepts mark the globalisation process: the global value chain and a new international division of labour. The global value chain describes ‘the full range of activities that firms and workers perform to bring a product from its conception to end use and beyond’, especially ‘carried out in inter-firm networks on a global scale’ (Gereffi and Fernandez-Stark, 2016, p. 7). Due to the advancement of transportation and communication technology, the manufacture of components of a single product can be carried out in several countries where it can be done most cheaply. This has led to the spatial shift of manufacturing industries from industrialised countries to developing countries, a process known as the new international division of labour. It is new because the less developed countries, which used to be the suppliers of natural resources under an old international division of labour, now participate in the production process (Charnock and Starosta, 2016). However, control of the process remains with transnational corporations and most of the value is realised in core countries.

The new international division of labour entails the polarisation of the global labour market. Simple tasks are relocated and outsourced to lower-skilled workers in low-wage economies, while highly skilled and highly valued jobs are concentrated in rich countries. Lower-skilled workers are expected to remain in the low-wage origin countries, while highly qualified professionals are encouraged to migrate to industrialised countries. The polarisation of workers’ mobility is institutionalised by destination countries’ immigration policies like preferential treatment to highly qualified workers and restrictive and temporary entitlement to lower-skilled workers. The labour market has been stratified not only according to ‘human capital’ (i.e. possession of education, training and work skills), but also according to the non-productivity-
related factors like gender, race, ethnicity, origins and legal status. The process has been particularly intensified by the ‘interplay between market forces demanding freedom of movement and political forces demanding control’ (Castles et al., 2014, p. 254).

The neoliberal transformations in employment practices also have significant impacts on labour migration. The conventional form of employment in industrialised society was based on wage-work, labour standards protected by law and collective bargaining. However, it has radically shifted toward what the employers call ‘flexible’ forms of employment, which is marked by more profit for employers, and lower wages and bargaining power, and poorer working conditions for employees. Subcontracting, temporary work and casualisation have become typical employment practices in neoliberal economies. Schierup et al. (2014, p. 2) succinctly illustrated how the ‘changing modes of labour force management’ take place and lead to the precarisation of migrant labour:

The financialization of global capitalism, operating in tandem with corporate stratagems of offshoring, outsourcing, sub-contracting, renewed sweatshop production and homeworking, has resulted in shrinking labour rights and increasing informalization of labour (e.g. Harvey, 2010). In the wider context, precarization of work and citizenship has generated a globally mobile reserve army of labour forged by austerity programmes which rolled back the social compacts of welfare and developmental states [...] A precarious workforce is segmented and discriminated against on the grounds of race, ethnicity, gender, and suitability for specific niches of local and national labour markets [...] Broadly speaking, we may thus call precarity a mode of keeping the ‘reserve army of labour in labour’ [...] thereby both maximizing productive activity and placing downward pressure on wages. It functions as a vehicle for labour market regulation (Bauder, 2006) and the instigation of morality (Harvey, 2005).

And, Castles et al. (2014, p. 262) emphasised the consequences of the neoliberal employment practices on migrants:

Temporary and casual employment, chains of subcontracting, informalization and new forms of labour market segmentation affect both native and migrant workers. However, it is the disadvantaged and vulnerable groups of workers – migrant women, irregular workers, ethnic and racial minorities – who end up in the most precarious positions. Deprivation of human and worker rights for groups that lack legal status and market
power seems to be an integral aspect of all advanced and emerging industrial economies today.

The polarisation of global labour market and the precarisation of work are crucial factors that affect not only the conditions of migrant workers but also the flows and patterns of migration. They are also the expressions of the fictitious commodification of labour extending throughout the world. An extreme example of the commodified forms of labour migration is temporary labour migration (Rosewarne, 2010). The next section discusses the temporary labour migration and the state's role in its implementation.

**Temporary labour migration policy as a political project for market economy**

The second research question of this thesis is ‘what was the policy process of temporary labour migration scheme and what are its rationales and governance mechanism?’ Political scientists suggest there are several approaches for how to understand the state’s public policy process like pluralist, structuralist, institutionalist or neoclassic perspectives (Adolino and Blake, 2011, Hill, 2009). The theories of public policy are closely related to the debates on the nature of the state such as developmental state, the welfare state and neoliberal state (Chang et al., 2012, Hay et al., 2006, Pressman, 2006, Woo-Cumings, 1999b). Migration scholars have taken a step further to specify the factors that shape migration policies and that cause their failure (Boswell, 2007, Castles, 2004a, Hugo, 2010). This section examines the historical development of temporary labour migration policy and critically analyses the policy from the perspective of the transformation of neoliberal labour system that has been propelled by political project of the state.

**No settlement, workforce only**

Temporary labour migration is often defined as a migration phenomenon ‘in which migrants come to a receiving area for a few months or years and then return to their homelands’ (Castles et al., 2014). Temporary labour migration can be discussed in two dimensions: first, temporary labour migration as a migratory pattern that describes migrant workers’ intentions and behaviour of sojourn for a fixed timeframe; second, temporary labour migration as a state policy that involves states’ planning and implementation of policies on recruitment, sojourn and return
of migrant workers. Considering the research question that this thesis addresses, I focus on the second dimension, temporary labour migration as a state policy.

Industrialised countries have devised temporary labour migration programmes to address labour shortages during periods of economic expansions. They designed the programmes to prevent potential social issues that might accompany permanent immigration of migrant workers. Thus, the analysis of a temporary labour migration policy requires the consideration of both aspects of labour market and immigration control.

The temporary labour migration as a state policy typically operates as below. The governments and employers of the destination country have invited a set-number of ‘guest workers’ from neighbouring less developed economies. Their assumption is that a migrant worker is ‘a unit of temporary workforce’ (Castles, 1986) rather than an immigrant who may settle down in the society. Accordingly, they require the guest workers to hold work permits valid only for a restricted period of time, a specific job, and sometimes a specific residential area. Accompanying family are either prohibited or discouraged. Governments argue they are measures to minimise the negative consequences of the programme in the national labour market. The programmes also allow governments or employers to easily deprive the work permit from the workers with various reasons. Once the fixed-term contract terminates, the migrant workers are expected to return to their home country; otherwise, they would face deportation.

After the Second World War, almost all highly industrialised countries in Europe introduced temporary labour migration schemes as a way of meeting the increased labour demand during the post-war economic boom. The United Kingdom was the first to introduce the European Voluntary Worker scheme through which it employed workers from Italy and refugee camps in Europe. The workers were tied to designated jobs and prohibited from bringing family. If they failed to maintain discipline, they could face deportation. Belgium, France and Switzerland also adopted similar programmes. Some of the programmes operated for short periods and on a small scale, others continued to run until the mid-1970s. The ‘guestworker (Gastarbeiter) system’ of the Federal Republic of Germany (West Germany) is widely known as one of the most highly organised programmes. The government set up recruitment offices in Mediterranean countries, which recruited workers and operated skill and medical tests on behalf of German employers. The number of temporary migrant workers began with 95,000 in 1956 but increased up to 2.6 million in 1973 (Castles et al., 2014).
The United States operated the Mexican Farm Labor Program, also known as Bracero Program, between 1942 and 1964 under diplomatic agreements with Mexico. The programme was to fill the labour shortages particularly in agricultural sectors and other manual-work sectors. It required ten percent of Mexican workers’ wages to be paid when they returned to their home country. This wage deposit system was introduced to ensure the Mexican worker’s return after their fixed-term contracts terminated. It was largely considered as a complementary measure to the harsh deportation of undocumented immigrants. However, the workers often failed at receiving the deposit back in their home country.

The temporary labour migration schemes were devised with the belief in ‘temporary sojourn’, ‘the restriction of labour market and civil rights’, and ‘the recruitment of single workers’. However, they entailed such contradictions as ‘the inability to prevent family reunion’, ‘the gradual move towards longer stay’, and ‘the inexorable pressures for settlement and community formation’ (Castles et al., 2014, pp. 104-108), which fuelled growing resistance to the system. First, employers opposed the repatriation of their migrant employees because they feared labour shortages and upward pressure on wages. Second, civil society actively engaged with the movement against the schemes. Finally, constitutional law, especially of West Germany, recognised the migrants’ right to family reunion and ruled the prevention of family accompany is unconstitutional.

By the mid-1970s, temporary labour migration schemes in most European countries had failed. The social consequences of the failed guest-worker system were significantly negative. The labour market had been segmented; thus, jobs left by migrant workers, were not replaced by local workers. The governments, especially German, had denied the settlement of the former temporary migrant workers until 1998; consequently, informal settlement and migration increased. These consequences also entailed the formation of ethnic minority and the racialization of occupations (Castles et al., 2014).

**Temporary labour migration policy in neoliberal era**

In the mid-1980s, Castles (1986) announced the ‘obituary’ of the guest-worker system. Twenty years after, however, he observed ‘a resurrection’ of the temporary labour migration system in Europe (Castles, 2006) and other parts of the world. The new version of programmed temporary labour migration tends to ostensibly emphasise the migration of the highly skilled; but in practice, it still operates as a major source of various forms of lower-skilled migration. Due to official denial
of labour shortage in lower-skilled sectors, the labour migration often occurs through undocumented processes. To justify the revival of guest-worker system, the states and international organisations often mobilise deceptive concepts such as ‘circular migration’ and ‘triple-win’ by exaggerating the development implication of the temporary migration, especially from remittances (Castles & Ozkul, 2014).

Temporary labour migration programmes have resurrected in the context of the transformation of work driven by neoliberal globalisation of production. New forms of employment have been devised under the neoliberal production system as discussed earlier. Migrant workers are often the first affected by the transformations. As Castles et al. (2014, pp. 256-257) argue, the employment of migrants on a temporary basis is a ‘way of enhancing employer control and reducing demands for better wages and conditions’. The recent employment data of European immigration countries substantiate their argument: ‘migrants were more likely to be employed in temporary jobs than natives’ and more likely to be affected by economic crisis.

The discourse of ‘migration management’ also contributes to the proliferation of temporary labour migration programmes throughout the world. Recently, international organisations and industrialised countries have advocated that ‘managing labour mobility’ would contribute to ‘the evolving global economy’ (International Organization for Migration, 2008). Many migration scholars are, however, sceptical about the state project for ‘managed migration’. They suggest it is a process of neoliberal transformation of global labour market and a migration control system. Schierup et al. (2014, pp. 2-4) identify four characteristics of ‘so-called “managed migration”‘. First, temporary labour migration schemes, as a major programme of a managed migration policy, ‘propel competition within precaritized and ethnically niched labour markets’ by criminalising irregular migration. Second, the criminalised irregular migrations are ‘functioning as spearheads for “flexibilisation”’ that is ‘a de facto informal labour market regulatory mode’. Third managed migration is ‘the manifestation of formalized rules and regulations’ that belongs to a hegemonic neoliberal state. Forth, it is a more effective form of disciplining the transnational mobility of people than the previous guest worker schemes.

The temporary labour migration policy is particularly popular among Asian governments including the South Korean government. According to Castles et al. (2014, p. 156), this happens because four key actors’ initial intentions were matched:

- The governments ‘seek to control migration strictly and migrants’ rights are often very limited’ and also see labour migration ‘as a temporary necessity,'
which should not lead to permanent settlement or to changes in the culture and identity of destination countries’;

- ‘Employers want low-skilled workers to meet immediate labour needs’;
- ‘Migrant workers wish to work abroad for a limited period to improve the situation of their families at home’; and,
- ‘Sending-country governments do not want to lose nationals permanently’.

The Asian governments’ intention to control labour migration on a temporary basis is highly probable to turn out to be failure. As already experienced in Europe in the 1970s, labour migration does not operate only for economic interest but also involves social aspects like migrant’s social networks, cultural influences and political participation in the destination society. The governments are no longer able to control immigration by economic methods, but rely on physical and violent measures like arrest and deportation. As policing is a typical strategy of the states to enforce neoliberal restructuring (Harvey, 2005), immigration policing including deportation is intrinsic in temporary labour migration schemes.

I argue the current rise of temporary labour migration policies have to be understood in the context of the neoliberal transformation of global and national labour markets; and the Asian cases are not exceptional. I also argue the temporary labour migration system of today is the neoliberal state’s political project to extend market society throughout the labour market. As will be discussed in Chapter 6 and 7, South Korea is a typical example. The South Korean case shows how the neoliberal state drives the formation of the neoliberal labour market in practice and why temporary labour migration policy is an intrinsic part of the project of the state-capital nexus.

Social movements of migrants and pro-migrant activists as a part of protective countermovement

This section deals with theories that can be used to address my third research question: ‘what are migrant workers’ experiences of the scheme and in what way have they engaged with the policy process, especially in connection with South Korean social movements?’

Social movement studies have discussed such issues as structural conditions including the market, conflictual or consensual relationship with the state, the actors of social movements and their causes. They resonate with the experiences of the social movements of and for migrants in
South Korea. A review of social movement literature helps to conceptualise the problems in reality.

**Perspectives and scope of social movement studies**

Early social scientists had some divided views on the social movements of their time. Some considered the social movement as irrational and pathological behaviour. Émile Durkheim saw social movements as ‘symptoms of societal malaise’, whereas Max Weber thought they were ‘irrational sentiments’ mobilised by charismatic leaders (Burawoy, 2015, p. 17). These views prevailed in the social sciences until the early 1960s, especially in the United States (Goodwin and Jasper, 2014a, Martin, 2015). By contrast, Marx and Engels traced the labour movement to the exploitation of the proletariat. They saw the proletariat was ‘the subject and object of history’ (Burawoy, 2015, p. 17); therefore, they could theorise the proletarian revolution (Marx and Engels, 2004 [1872]). However, Marxism after Marx, such as Leninism, Maoism and Gramscian approaches, was reduced to the theories and actions of political parties, which defined themselves either as a vanguard or as leaders of ‘the mass line’ (Cox and Nilsen, 2014, McLellan, 2007). No room for social movements was in their party-dominant politics.

Since the late 1960s, researchers radically departed either from the negative and pathological perspectives or the class struggle-oriented ‘old movement’ approaches (see Della Porta and Diani, 2006, Goodwin and Jasper, 2014b, Martin, 2015). Amid the rise of the civil rights movement in the United States, American social scientists began to see social movements as a rational political process and an extra-parliamentary form of politics. In Europe, scholars drew attention to the rise of new social movements that were powered by a new middle class of various post-industrial interests. The US-based researchers have focused on such issues as resource mobilisation and social movement organisations (McCarthy and Zald, 1977), political opportunity (McAdam, 1982), cycle of protests (Tarrow, 1995), repertoire of contention (Tilly and Wood, 2009) and framing process (Benford and Snow, 2000). On the other hand, the Europe-based scholars have been interested in culture patterns and historicity (Touraine, 1985), collective identity and the democratisation of everyday life (Melucci, 1996).

These two trends have often been considered as two distinct schools of social movement studies: the North American school and the European school (e.g. Burawoy, 2015). The former sees the ultimate goal of social movements as ‘the integration of previously excluded issues and groups into the “normal” political process’, while the latter argues social movements ‘strive to be
autonomous of the political system’ (Martin, 2015, p. 5). On the other hand, Cohen (1985) distinguished the two trends into *strategy* paradigm and *identity* paradigm. Unlike the conventional juxtaposition, Della Porta and Diani (2015) and Klaus (2015) suggest that the field of social movement studies is mapped into three theoretical perspectives: a macro-theoretical approach that looks at the role of social movements within structural and social transformations; a micro-theoretical tradition that analyses micro-dynamics of collective actions; and a meso-level approach that looks at movements’ cultures, organisation models, and repertoires of action.

There have been attempts to produce a synthetic approach to the social movement studies. Fraser (1995, pp. 74-79) suggests ‘bivalent collectivities’ be considered for understanding contemporary social movements, which combine both aspects of material redistribution and cultural recognition. She argues this is because the real-world struggles are mobilised at the intersection of gender, ‘race’, sexuality and class. Melucci (1989, cited in Martin (2015, pp.94-95), original emphasis) argues social movement studies must examine ‘both the how and the why of collective action’.

Through their synthetic approach, Della Porta and Diani (2006, p. 20) suggest the definition of social movements from the view of how they are distinguished from other collective actions in three aspects:

- social movements are involved in conflictual relations with clearly identified opponents;
- they are linked by dense informal networks; and,
- they share a distinct collective identity.

This definition helps identifying the key theoretical issues for my research in relation to ‘protective countermovement’. As discussed earlier, Polanyi’s concept of protective countermovement seeks to re-embed the market economy into society in response to economic liberalism’s project of fictitious commodification and consequent disembeddedness. Thus, the countermovement intrinsically has transformative forces to reverse the hegemonic movement of neoliberalism. The transformative forces are involved in conflictual relations with clearly or sometimes vaguely identified opponents, often the states or employers. This is how social movements as an expression of countermovement are distinguished from ‘consensual movements’ that eventually contributes to reinforcing the current social systems (Della Porta and Diani, 2006, p. 23). This problem also resonates with the long-standing question on collective actions: whether a movement will rupture the existing social and political narratives, practices, status and order or reproduce them (e.g. Bassel and Lloyd, 2011).
As not all collective actions can be considered to be countermovement, not all forms of countermovement are social movements. As discussed earlier, Polanyi’s protective countermovement implies a broad scope of movement that includes protective or restrictive legislation and other instruments of intervention (Polanyi, 2001 [1944], pp. 138-139). On the contrary, the social movement literature highlights the collective actions ‘from below’ based on informal networks among the people of a collective identity. Therefore, social movement organisations are distinguished from professional or interest groups which engage with social issues typically ‘from above’.

**Social movements in the capitalist society**

While social movement studies have considerably advanced in the aspects of strategy and identity, critiques note that they have largely ignored the structural context in which social movements are situated as well as which the social movements target. Hetland and Goodwin (2013, p. 84) point out that ‘the dynamics of capitalism played an extremely important role’ in many social movement studies in the 1970s and 1980s, referring to such authors as Tilly (1978), Skocpol (1979) and McAdam (1982). These scholars commonly analysed ‘the processes directly linked to capital accumulation, especially the proletarianisation [...] of labour, the commodification of productive forces [...] and the concentration and centralisation of capital’ as constraining, inciting or enabling collective actions (Hetland and Goodwin, 2013, pp. 84-85). They also looked into ‘capitalist institutions’ such as factories and banks or ‘institutions that capitalists may come to control’ such as legislatures and courts as the source or target of popular grievances, which in turn contribute to shaping collective identities and solidarities, and eventually facilitate collective actions.

Noting the contributions of these Marxian approaches to the analysis of social movements in the structural context, we need to pay attention to new structural conditions that have dominated the era of neoliberal transformation as well as new trends of collective actions that have responded to them. I examine two globally emerging phenomena: the emergence of the precariat accompanied by the precarisation of work and the rise of global resistance concurrent with the globalisation.

First, the precarisation has recently risen as a foremost agenda of social movements, particularly in the industrialised societies. As discussed earlier, precarity implies, on one hand, a ‘condition’ driven by neoliberal forces precarising labour and, on the other hand, a ‘watchword for
resistance’ of social movements claiming justice and identity (Schierup et al., 2014). The precarity has become not only the predominant condition of workers but has also profoundly affected the representation and recognition of those in precarious conditions and redistribution for them (Standing, 2014b). As the precarity movement has been increasingly visible throughout the industrialised world (e.g. EuroMayDay in 2004, Occupy movement in 2011 and 2012), scholars have paid attention the collective identities of those adversely affected by precarisation (see Martin, 2015, pp. 78-86). Standing (2014a) names this emerging new mass class as the ‘precariat’, which consists of three factions: ‘those who have fallen out of manual proletarian communities’; ‘the ultimate denizens, migrants and minorities’; and ‘the highly educated’. He notes the second faction ‘who feel deprived by having no sense of the present, no sense of home’ tends to be politically detached but becomes ‘radicalised if their ability to survive is threatened by particular events or policies’, while the third faction is emerging as a ‘potentially transformative new mass class’ (Standing, 2014b, pp. 971-972).

Second, in response to the global force of neoliberal transformation, social movements increasingly recognises the imperatives of overcoming nation state-oriented approaches but holding onto a global perspective. Observing the recent rises of social movements around the world, Burawoy (2015, p. 24) points out the limits of the national-level movements:

First, although they are globally interconnected and mutually influential [...] these movements are primarily shaped by national political terrains, and have difficulty building global solidarity. Second, even if commodification is the common experience propelling subjugated populations into collective action, there is no reason to believe that forging a united front even within a nation-state can be easily accomplished. Third, although emerging as reactions to commodification, these movements can also have the unintended consequence of extending marketization.

Thus, he argues, to reverse the ‘marketisation’, a ‘countermovement will have to assume a global character, couched in terms of human rights since the survival of the human species is at stake’ (Burawoy, 2015, p. 24).

Migrant movements

Social movements of migrants have been researched from diverse perspectives. Migration scholars have looked into migrants’ resistance since the 1970s, especially in the Western
European context. A seminal work is Castles and Kosack (1974, pp. 511-513) that analysed the West German trade union’s incapability in representing migrant workers during the manufacturing workers’ strikes in 1973. They took notice of the growing roles of migrant’s ‘self-organisations’; but they were also concerned about the institutionalisation of ‘separate unions’ between migrant and local workers, ‘the split in the working class’, and the rise of racism among the unions.

The social movement studies on migrants in the 1990s and 2000s often relied on mainstream theories such as resource mobilisation and political opportunity theories (e.g. Eggert and Giugni, 2015). They argued the collective actions of migrants tend to follow logics similar to other social movements but to have different patterns depending on their national contexts.

Recent studies pay attention to the political impacts on citizenship that the social movements of migrants and pro-migrant activists generated. Tyler and Marciniak (2013) suggest there are three perspectives on the transformative quality of migrant resistance. First, many social movement scholars are limited to ‘integrationist politics’. Second, in response to the ‘exclusions, inequalities, hierarchies, securitizations’ (Nyers, 2007, p. 2) accompanied by the neoliberal reshaping of citizenship, social movements have developed an immediate strategy to challenge existing legal and political frameworks and to gain the ‘rights of citizenship’ like access to legal aid, welfare, and education (Tyler and Marciniak, 2013, p. 146). Third, radical critiques argue the humanitarian-oriented advocacy, despite its necessity, importance and effectiveness, inevitably reproduces ‘the inclusive/exclusive logic of citizenship’ which has been ‘designed to fail specific groups and populations’ (Tyler, 2010, pp. 70-72). Instead, they emphasise the ‘autonomy of migration’ approach, which sees ‘migrancy’ as a ‘creative and productive form of movement’ to ‘escape’ and ‘exceed’ the current legal and conceptual frameworks of citizenship (Papadopoulos and Tsianos, 2013, p. 178). A neo-Marxist strategy of this approach is to mobilise ‘the category of “worker” to defetishize the figure of the “immigrant” or “illegal”; therefore, to reconceptualise ‘migrancy as strategies to escape from economic abjection, and migrant resistance as the vital political solidarities and friendships of precarious workers on the move’ (Tyler and Marciniak, 2013, p. 148). On the other hand, Papadopoulos and Tsianos (2013) argue it is problematic to reduce migrant mobility to the question of labour and capital, because it excludes economically inactive migrant populations like dependent children, the elderly and the sick.

Other scholars take their argument to radical lines by arguing for ‘acts against citizenship’. Isin (2008, p. 16) suggest citizenship can be reclaimed as acts of subjects constituting themselves as ‘those to whom the right to have rights is due’ referring to Arendt (1973 [1951]), Balibar (2004)
and Rancière (2004). Tyler and Marciniak (2013) argue this notion enables ‘the populations who are disenfranchised by the states in which they reside, and are “outside of politics” in any normative sense’ to act in ways ‘that allow them to (temporarily) constitute themselves as political subjects under sometimes extreme condition of subjugation’. Therefore, they argue the ‘radical potential of immigrant protests’ arises when ‘migrants organise and act despite their lack of access to the rights and protection of citizenship’ (Tyler and Marciniak, 2013, pp. 149-150). Examples are the recent protests of refugees and their supporters on the ethical ground of ‘maternity’ (Tyler, 2013) and ‘medical aid’ (Castañeda, 2013).

International migrants, especially temporary and irregular, are ‘politically disenfranchised populations whose political marginality is compounded by various socio-economic problems’ (Castles et al., 2014, p. 296). The lack of political representation and access to citizenship is apparently the immediate source of migrant resistances. However, it is also imperative that migrants make a large proportion of the precariat as well as a significant part of the globalisation process. Here, the question is whether and how social movements of migrants and pro-migrant activists form a part of global social movements challenging the prevailing socio-economic problems, specifically precarisation and neoliberal globalisation. This may be an indirect answer to my question about whether and how the movements contribute to a protective countermovement which challenges the fictitious commodification of labour and migration and, eventually, re-embeds economy and migration into society. I suggest the case of social movements in South Korea against the state’s temporary labour migration policy may suggest a form of latent countermovement against the neoliberal commodification of labour and migration, as will be examined in Chapter 8 and 9.

Conclusion: a social transformation approach theoretical framework

This chapter has examined the contemporary and spatial relevance of Polanyi’s three key concepts: fictitious commodification that entails disembeddedness, market society as a political project and protective countermovement. The literature informs us that these concepts, which were developed to analyse the rise and consequences of economic liberalism in the 19th and the early 20th centuries, still provide significant insights to understanding the emergence and proliferation of neoliberalism in the contemporary world. The concept of fictitious commodification that entails disembeddedness helps to explain financialisation and its
accompanying processes of recommodification and excommodification of labour, a social consequence of which is the increased precarity in people's social relations. The concept of *market society as a political project* provides an analytical basis for explaining the state's roles in the neolieralisation process, questioning the neoliberal fabrication of the free market as smooth, gradual and organic evolution according to natural principles. The idea of a *protective countermovement* provides an analytical basis for understanding the dynamics of social movements in the context of neoliberal globalisation. Many scholars have also endeavoured to overcome the Eurocentric limitation of Polanyi's work and to adapt the concepts to apply to other parts of the world with localised history and culture. The Polanyian theory has been 'scale[d] up' (Munck, 2006, p. 180) to accommodate the contemporary global neoliberal transformations.

This chapter has also explored the possibility to expand the Polanyian theories to address the far-reaching influences of neoliberalism throughout a wide range of social relations including international labour migration, temporary labour migration policy and social movements. The global political economy of migration is a plausible approach to understanding the contemporary flows of international labour migration. The global division of labour has generated polarisation of the global labour market and has been accompanied by precaritisation of work. These processes have *fictitiously commodified* migrants' labour and reduced migrant workers to a 'reserve army of labour' (Schierup et al., 2014, p. 2). The influential neoclassical migration theory justifies these processes with the hypothetical law of supply and demand and the false assumption of the individual's rational choice. It is only an example of *disembedded* understanding of migration (Castles, 2010, p. 1578). Temporary labour migration is an extreme form of the fictitious commodification of labour migration, institutionalised by the state for employers' interests. It has to be understood in the context of a *political project* to create and reinforce the *market economy*. Just as the history of industrialisation showed, the contemporary neoliberal transformations, which entail fictitious commodification and disembedding, have led to the growth of *protective countermovements* of societies. The current wave of global marketisation cannot be reversed by national and fragmented reactions. But, 'a planetary response' and 'an ideological challenge to the supremacy of the market' are crucial for effective countermovements (Burawoy, 2015, p. 24). As learnt from the history of the early 20th century, the countermovements may not necessarily proceed toward the protection of society, but may adversely reinforce the perils of neoliberalisations.

From the theoretical exploration in this chapter, I identified three theoretical accounts of my research questions:
• The political economic background of international labour migration to South Korea has to be understood in the context of the transformation of the mode of production management on a global scale which derives from the fictitious commodification of labour and results in disembeddedness of labour migration;

• The rationales of the South Korean government’s introduction of the temporary labour migration scheme has to be understood in the context of social transformation into market society as a neoliberal political project;

• The motivations of migrant workers and their supporters to protest against the South Korean government’s labour migration policy has to be understood in the context of countermovement to protect society from the neoliberal social transformation on a global scale.

*Social transformation* is the core concept that penetrates above three explanations. As mentioned in Chapter 1, this research employs a ‘social transformation approach’ to analyse the realities of international labour migration, temporary migration policy and social movements which are marked by a complex and ambivalent nature and are intertwined and interplaying. Castles (2015, p. 10) argues international migration is ‘an integral element of contemporary social transformation processes’ and always occurs in specific national and transnational social, political economic and historical contexts. Thus, he suggests migration studies has to be closely connected to broader trends of social theories and to be re-embedded in society, proposing a ‘social transformation framework’ (Castles, 2010). The social transformation approach is an initiative to synthesise existing migration theories and to contextualise them in the broad realm of social scientific studies on social transformations. It also recognises that a grand theory may lead to an over-simplified and out-of-context understanding of the reality. Middle range theories seems to be a more useful approach to understanding the social phenomena, extremely complex in their processes and relations with other social dimensions, and extremely diverse in their motivation, types, patterns and outcomes.
This chapter discusses the methodological principles that derive from the theoretical framework, situated in a discussion of broader literature on methodology. It also introduces the research methods that I used for this project, the rationale behind those methods, and reflections on the strengths and weaknesses of the approach I took.

Methodological principles: historicity, political economic structure and transformative agency

As discussed in the previous chapter, this project identifies ‘social transformation’ as a core concept that underlies the analysis on my three research areas: labour migration, temporary migration policy and social movements. I suggest that a way of developing a social transformation approach involves at least three methodological principles: historicity, political economic structure and a transformative agency.

First, I take note that the historically oriented tradition of social sciences has revived in the form of historical sociology. The classic social scientists teach us that a social phenomenon can be best understood by ‘historical analyses of social structure and social change’ by ‘explaining particular sequences of historical events’ (Skocpol, 1985, p. 4). The classic examples are Alexis de Tocqueville’s (2008 [1838]) historical analysis of republican representative democracy in the United States, Karl Marx’s (2012 [1867]) analysis of ‘modes of production’ in Western European history, and Max Weber’s (2012 [1905]) interpretive understanding of the processes of rationalisation, secularisation, and disenchantment in association with the rise of capitalism and modernity in Western Europe. Theda Skocpol (1985, p. 1) suggests that contemporary historical sociology has four characteristics. First, its ‘questions about social structures or processes’ are ‘concretely situated in time and space’. Second, it addresses ‘processes over time’ and takes
temporal sequences seriously in accounting for outcomes’. Third, it attends ‘to the interplay of meaningful actions and structural contexts’, to understand both ‘unintended and intended outcomes in individual lives and social transformations’. Finally, it highlights ‘the particular and varying features of specific kinds of social structures and patterns of change [emphasis in the original]’. This approach is compared with the ahistorical and structural-functionalist approach of ‘grand theory’ and ‘abstracted empiricism’, that originated in Émile Durkheim’s work (1964 [1938]) and was advanced by Talcott Parsons (1968). In this thesis, I seek to apply the historical-sociological approach in explaining the structure and changes of labour migration, migration policy and social movements in South Korea.

The second perspective, to which I pay attention, is political economy. In addressing real-world concerns, political economy ‘emphasises the connections between economic problems, social structures, and political processes’ (Stilwell, 2012, p. 10). The dominant orthodoxy of contemporary society has been a neoclassical economic theory, which assumes that consumers and firms make rational choices to maximise the utility of their income and the profits from their production respectively, and also represents consumer preferences as the driver of economic activity and firms as engines of efficiency. Political economists’ critical perspectives, derived from Smithian, Marxist, institutionalist or Keynesian analyses, have revealed that neoclassical-economic principles are a set of distinctive ideologies that create illusions of real power relations. Political economist approaches have contributed to migration studies by taking into consideration historical and structural dimensions and also by analysing labour migration in the context of unequal access to resources, exploitation of the global South for the profit of the North, and the international division of labour (see Castles et al., 2014, pp. 31-37). This research seeks to understand the international migration and labour migration policy in South Korea in the context of the global political economy.

Methodological attention to historicity and political economic structure does not de-emphasise the importance of people’s individual or collective agency in the course of social transformations. Whether structure or agency has the primacy on shaping human behaviour has been a long-standing question of social science. While methodological holism based on structuralism dominated in classic social sciences (e.g. Durkheim, 1964 [1938], Marx and Engels, 1996 [1867]), methodological individualism oriented to the primacy of human agency is still influential particularly among mainstream economists. There have also been consistent initiatives to reconcile the two aspects: for example, the ‘structuration theory’ (Giddens, 2013). Recently, some critical researchers, especially in education and sociology, have paid attention to the concept of
'transformative agency' as a way of examining 'oppositional initiatives to reproductive tendencies' in society (Sannino, 2015, p. 1). They suggest ‘the institutionalised mechanisms of power hierarchies and social dynamics’ simultaneously ‘sustain norms of passivity and provide opportunities for transformation’; and, ‘conflicts and crises’ are often ‘key sources of transformative agency and ensuing structural change’ (Béhague et al., 2008, cited in Sannino, 2015). Nevertheless, it has been proved, in the context of migratory processes, ‘people confronted by social changes can and do react in varying and often unpredictable ways, ranging from compliance, through informal subversion, to open resistance’ (Castles, 2015, p. 11). Thus, it is essential for my project to look at the aspect of ‘transformative agency’ especially in relation to social movements in South Korea.

**Methods and data**

*Mixed methods*

This study adopts a mixed methods approach to handle the complicated nature of social phenomena across international migration, temporary labour migration policy and social movements. Mixed methods are a research strategy that selects and then synergistically integrates ‘the most appropriate techniques’ from a myriad of qualitative and quantitative methods to ‘more thoroughly investigate a phenomenon of interest’ (Teddlie and Tashakkori, 2010, p. 8). Despite the debates over ontological, epistemological and methodological questions (see Biesta, 2010), this approach rejects the epistemological claims of ‘incompatibility of methods thesis’. I follow the position of mixed method practitioners by maintaining a ‘pragmatic stance’ (Green and Hall, 2010, p. 130) and overcoming the dichotomy between quantitative and qualitative methods.

I used both quantitative and qualitative data that can explain each study area in the best way. Statistical data were analysed to understand the political economic background of labour migration to South Korea; both media reports and policy and legal documents were examined to explain the migration policy process and to assess the policy; extensive ethnographic data, including my field notes and materials that I collected from participatory observations and the interviews of my research participants, were used to analyse the social movements of migrant and pro-migrant activists.
A transformative mixed methods approach allows a researcher to engage with ethics, reality, knowledge, and methodology even more proactively. Mertens (2010, p. 469) proposes the ‘transformative paradigm’ as a framework for ‘researchers who place a priority on social justice and the furtherance of human rights’. Under the transformative paradigm, she argues, researchers focus ‘on ethics in terms of cultural responsiveness’, recognise ‘those dimensions of diversity that are associated with power differences’, build ‘trusting relationships’, and, therefore, develop ‘mixed methods that are conducive to social change’ (Mertens, 2012, p. 802). A study of the transformative mixed methods approach, as she noted, may encounter challenges ‘in terms of the accepted role of the researcher’ such questions as whether researchers ‘should be distant from their subjects’ or ‘close to and involved with their participants’ to eliminate bias; how researchers may ‘establish a trusting relationship’ or whether it is advisable or harmful to the conduct of valid research (Mertens, 2012, p. 811). They were indeed pressing questions that I had reflected on throughout my research, especially during my field research. I will discuss my reflections on these question in the next section.

Data collection

Statistical data were extensively used to describe trends of in- and out-migration, immigration control operations, employment and general economic index. The data were also used to analyse the relation between the variables and the time-series variance of the variables. Official immigration data were extracted from Immigration Statistical Yearbook from the year 1960 to 2016, which were published on the website of the Korea Immigration Service (1961-2017). There were difficulties in using the data for time-series analysis because the Yearbook did not always provide precise definitions of each data item, which were again repeatedly changed according to changing immigration policy. I had to refer to relevant articles of the Immigration Control Act to confirm the definitions of each term in the Yearbook. Official data of the labour market and the economic index were available from the national statistical portal website, Korean Statistical Information Service, which was provided by Statistics Korea (2017).

Legal and policy documents were extensively examined to analyse debates over the introduction of temporary labour migration policy. I analysed the discussions at the National Assembly for the introduction of the EPS by reviewing the Bills proposed by members of the Assembly and the Petitions submitted by the civil society. I also analysed key provisions of relevant laws, including the Immigration Control Act, the Nationality Act, the Act on the Immigration and Legal Status of Overseas Koreans, the Act on the Employment, etc. of Foreign Workers, and the Framework Act on
Treatment of Foreigners Residing in the Republic of Korea. I also reviewed the chronic changes of the relevant legal provisions to chase the changing policy. The National Law Information website (Ministry of Government Legislation, n.d.) was a useful source of legal documents, while the website of Korea Legal Research Institute (2017) provided useful English translations. Other policy documents such as The 1st and 2nd Basic Plan for Immigration Policy were also examined to understand the implementation process of the legal provisions.

News archives were an important source of information about the government’s announcements, the political debates and the migrants’ and pro-migrant activists’ collective actions on migration policies. The news searching service of a South Korean commercial internet portal site Naver was most often used. I mostly referred to reliable South Korean major newspapers like The Hankyoreh and The Kyunghyang Shinmun. I also referred to independent internet media like the Pressian or the a human rights organisation’s news bulletin Human Rights Daily published by SARANGBANG-Group for Human Rights when they reported specific details on the issues that were not covered by the major papers.

Ethnographic data was also broadly collected for this research. I conducted extensive participatory observations of South Korean social movements for and of migrant workers between February and November 2012 in South Korea. During this period, I attended 42 events including rallies, public or internal meetings and public forums. I also conducted 40 interviews with social movement activists, labour unionists, migrant service providers, professionals and migrant workers (see Appendix I). I sought to get ‘deeply and fully immersed’ (Mertens, 2012, p. 79) in the society of the migrant rights activists in South Korea during my field research period.

My ethnographic research has three features. First, it follows the tradition of sociological ‘urban ethnography’ that seeks to analyse such issues as social changes, power and class relations, and segregation of a minority in an urban setting rather than to describe the lifestyle and culture in an ‘exotic and primitive field’ (Madden, 2010, pp. 39-45). Second, my approach is ‘ethnography at home’ and ‘interrogating home’, because I studied a research field and participants that were already familiar to me, but in new relations and from new perspectives (Madden, 2010, pp. 45-51). I was born and grew up in South Korea and also worked in the area of migration and human rights before I started this research. Thus, I experienced few language or cultural barriers. The knowledge that I had acquired through my previous work experience was useful for contextualising the collected data in the history and culture of the society. Third, due to the social and cultural closeness between researcher and research participants, I particularly endeavoured to maintain the principle of ‘reflexive ethnographic research’ (Davies, 1999, p. 5). Throughout my
field studies, I constantly reflected whether and how my research activities and my research products would affect my research participants and the society I studied. My reflections are discussed in the next section.

The interview strategy tailored for my specific research conditions and relations with research participants was as follows. First, before field research, I developed a semi-structured interview schedule on the basis of the theoretical knowledge that I obtained from a literature review and the practical knowledge that I acquired through my prior work experience. The questionnaires consisted of information on research participant, research participant’s history of social movements, and research participant’s view on the issues of my research problems (see Appendix II). Second, I conducted a preliminary internet research of migrant and pro-migrant organisations’ websites and newspaper reports to collect information on their history and action plans, key actors, and key interests. Then, I contacted the organisations to request interviews when email addresses were available. The information I collected through this process also directed me to major public events organised by these organisations.

During the early stage of field research, I focused on participatory observations by attending as many public events as possible, such as rallies, public forums, and press conferences (see Appendix I). These participatory observations helped me identify and recruit my research participants. For example, when I attended a conference on racial discrimination in March, which was my first participatory observation (PO_01), I had a chance to identify a few key migrant rights activists and to approach them to request interviews.

When I identified or recruited a research participant, I conducted the second round internet research to collect publicly available information on activities and thoughts of the individual research participant. Since many of the research participants had already been actively involved in social activities, their activities and thoughts were broadly exposed to the public in the form of media interviews, statements of opinion and essays. They were available from newspapers, magazines and the websites of their organisations. I was able to collect information on historical events and other factual information and to crosscheck them with news reports or the academic literature before I conducted interviews.

During the interviews, I focused on bringing about discussion on specific events, research participants’ activities and thoughts and my research topics rather than collecting information about them. Since I had already collected a significant amount of specific information during the pre-interview stage, I tried to help my research participants reflect their experiences and self-
evaluate their activities. For example, instead of asking 'What happened in 2003?' I asked 'What was your role during the sit-in protests in 2003? What was your observation of them? What is your evaluation of the organisational strategy of the protests? What were their social implications, do you think?' Although not all research participants actively engaged in the discussions, most of them showed interests in the new style of interview, which differed from what they had previously participated in with media or other researchers. I tried to give my research participants an impression that I was prepared for an in-depth discussion because of the breadth of research I had already completed and by doing so, I aimed to include them in the process of analysing the information and building a theoretical account of their experiences together. I also tried to give them a chance to reflect on and assess previous activities. I sought to extract their thoughts rather than to collect information. It was an encouraging experience that one of my research participants CHM (RP_14) said my ‘reflexive and interactive interview style’ was a worthwhile way to spend his time and gave him a chance to think deeply about his work.

**Reflections**

**Research ethics and positionality**

The reflexive and interactive interview strategy was an outcome of my consideration on research ethics. When I approached pro-migrant activists for interview requests, one of my research participants (RP_09) expressed her discomfort about such an interview for the purpose of academic or policy research. She said ‘Most information asked by researchers, especially student researchers, is in fact available on our website. They don’t do a minimum amount of homework before they request interviews. I don’t want to waste my time repeating the same story for their business.’ Many of my research participants complained about their experiences of previous interviews, similar to what Clark (2008) identified as ‘research fatigue’. Some of them said that they even had the feeling of being ‘exploited’ by the researchers, just like a refugee research participant’s statement that Pittaway et al. (2010) quoted to discuss the ethics of research with the vulnerable group: ‘Stop stealing our stories’.

Upon the unwelcoming responses of the potential research participants, a question occurred to me: ‘What would or should my research mean to my research participants?’ This reminded me of the initiatives of ‘Minjung sociology’ (Kim, 1996a) and ‘public sociology’ (Burawoy, 2004), both
sought to engage with non-academic audiences, especially vulnerable groups. I thought the process and the product of my research should be something useful and meaningful for my research participants or at least not waste their time and energy. The interview strategy, as described above, was important to convince my research participants to think their participation would be meaningful to their activism as well as my research. The final product of the research will have to be useful to my research participants. It will be important for to share it with them and to discuss it again.

I was also struggling with the question of positionality between activist and researcher. I have never been comfortable with writing and talking about the disadvantaged, the impoverished, the persecuted and the oppressed and also those who fight for them. I was somehow overcome with the shame or guilt that I would never fully understand their lives without having personal experience of their situation. It was the dialogues with my research participants that gave me a clue to untangle the thoughts about my identity, which is indeed a product of relationships between myself and others. Thus, I turned the focus of my reflection toward the relation between a researcher and research participants.

**Relationship between a researcher and research participants: a comrade or an outsider**

On 7 June 2012, I was sitting in a meeting room of the Korea Confederation of Trade Unions (KCTU) in the central Seoul with a hope to observe an internal meeting of the Alliance for Migrants’ Equality and Human Rights (PO_14) in preparation for a migrant workers’ rally in August. By that time, I had already attended several public events that were co-organised by the Alliance and other social movement organisations. For example, my participation at the conference on racial discrimination (PO_01) in March and the Migrant Worker’s May Day Rally in April (PO_07) helped me identify that the Alliance was a network of migrant, pro-migrant, and other social movement organisations and trade unions, which had played a central role organising those public events. My assumption was validated by an interview with migrant rights activist, KGD whom I have kept an acquaintance with for several years (RP_07). I had asked him whether I might observe some of the internal meetings of the Alliance, so he took me to one of the Alliance’s steering committee meetings.

Before the meeting started, the committee members discussed whether I would be allowed to observe their meetings. KGD explained my background, mainly as a former staff member of an international organisation which had cooperative relations with pro-migrant organisations. He
added some of his personal experiences of me from when we worked in partnership. Then, I explained my research interests and the purpose of my participatory observation. Some of the members, who had seen me at the public events, recognised and welcomed me; others still looked sceptical, although they reluctantly accepted me.

Their scepticism about my participatory observation was related to their previous experience. The confidentiality of the internal meetings was not a serious issue, contrary to my presumption, because they thought nothing should be undisclosed to the public about their activities. Their scepticism was related to the distrust of researchers, widely spread among South Korean social movement activists. This is connected to the long-standing tensions between the professionals or experts, who worked on a voluntary basis while holding relatively well-paid and stable jobs, like professor or lawyer, and the activists or practitioners, who worked full-time for the organisation with passion and commitment despite low wages and poor working conditions. This relationship was the most problematic when hierarchical relations were involved. The professionals often dominated policy discussions and made theory-driven decisions about the organisation's activities, while the activists were supposed to implement the decision without fully participating in the decision-making process despite their rich insights from field experience. The professionals often took advantage of their involvement in the social movement to establish their career path and promote their positions, while the activists were often left behind in the same position and sometimes with a sense of betrayal. It was even worse if their former professional colleagues behaved against their previous commitments once they achieved an influential position. The activists endeavoured to break out of the hierarchical relations throughout the 1990s and 2000s. For example, one of major human rights organisations in South Korea, SARANGBANG-Group for Human Rights (2006 [1998]) announced the 'Declaration of the Principles of Activism' to emphasise the independence of activists. As a result, they established the idea of 'activist-oriented activism' that values the experience and insights of activists and equal relationships among the members of the movement. Although the activism-oriented activists did not utterly refuse the involvement of the professionals, they did not hide sceptical views of the academics.

Devotion, sincerity and sympathy were critical attitudes, that I was expected to show, to build the activists' trust in a researcher. I tried to attend as many events and meetings and to collect as much information as I could. I tried to read as many articles written by or about them and their activities as I could. When I saw the activists, I tried to share the knowledge that I learnt from the readings or participations. After very intensive first three months, the activists began to appreciate my efforts: they invited me to meetings, shared information, and sometimes asked my
opinions about their plans. It was the outcome of sincere efforts, not an articulated research strategy.

One day, a junior trade unionist, who attended a meeting of the Alliance, called me ‘Comrade Chulhyo’. Although the term ‘comrade (dongji)’ is still used among trade unionists in South Korea, no other activists had used the term with me. It seemed the junior activists felt more comfortable to call me ‘comrade’ than others. At first, I considered this situation indicated that I was successful in building a close rapport with my research participants. On second thoughts, however, I was worried I might fail to keep enough distance from them to ensure the objectivity of my research. It seemed the experienced-activists understood that I would not become their comrade due to this complicated problem, so they just called me ‘Mr Chulhyo (ssi)’. I asked to myself whether I was their comrade or an independent researcher.

This question remained unresolved throughout the ten months of my field study. The day before my departure, several research participants organised a small dinner party for me. We had drink and a meal, but it naturally became a chance to debrief them on the outcome of my field study. I asked them about the unresolved question: ‘Why did one call me comrade, but not others?’ They laughed, and one of them said, ‘You know the reason better than we do.’ They asked me about my future plans after my research. My answer was ‘Well, somewhere between your comrade and an independent professional.’ I conducted my research neither to help my research participants nor to do anything against them. However, I did not want to pretend to be an outsider-observer or to hide my opinions. When I agreed with my research participants, I supported them; when I disagreed, I criticised them face-to-face. The whole process of my field research was a reflexive and interactive ethnography.
Chapter 4  Development, democratisation and international migration before neoliberalism: a historical account

This chapter and the following one seek to answer the first research question ‘What is the political economic background of international labour migration to South Korea?’ They analyse the political economic changes in South Korean society before and after neoliberal transformations; and, then, they argue the increase of international migration in South Korea is related to the neoliberal transformation of South Korea.

This chapter begins with a chronicle of social transformations in South Korea for the last century. The chronicle covers a hundred year before neoliberal transformations arose in the mid-1980s. Throughout the 20th century, the Korean peninsula indeed experienced a series of major social transformations from feudal monarchy to colonial rule, a division of territory by foreign forces, the establishment of two nation states, and a proxy war. Then, the southern half of the peninsula went through rapid industrialisation under authoritarian regimes and democratisation.

Throughout the historical turbulence, there had always been issues of international migration, labour policy and social movements. Out-going migration of Korean workers continued since the late 19th century as a way of escaping poverty and political oppression. Later, the South Korean government promoted both temporary and permanent emigration as a part of economic and population strategy.

Even before South Korea became highly industrialised and financialised, occasional arrivals of migrants continued since the late 19th century. The government's response was a systematic and exclusionary policy on the migrants and asylum-seekers. Exclusionary immigration still lasts as the principle of the contemporary South Korean immigration policy.

This chronicle provides a historical account of neoliberal globalisation and the international migration of the three decades afterwards, which will be examined in the next chapter. It also helps demonstrate the contemporary transformation from a comparative perspective.
Rapid economic growth, exploitation of workers and resistances under authoritarian developmental regimes

The poverty on the ashes of wars and political oppression under colonialism and post-colonial rules (1890–1960)

Since the late nineteenth century, Korean society under the Kingdom of Joseon slowly transformed toward a modern society with ‘nascent capitalism’ (Kuznets, 2006, p. 5). The modernisation project was initiated by the kingdom as well as elite groups who were influenced by Western or Japanese civilisation. Agriculture was commercialised, international trade was increasing, a modern financial and monetary system was introduced. In the meantime, the Korean peninsula had become an arena of the contest for colonial powers, which threatened the sovereignty of the country. The top-down transformation project failed to address the poverty and inequality. Instead, Korean people perceived it as a part of foreign invasions. They mounted resistances such as Donghak Peasants Revolution in 1894-1895. Despite nationwide popular resistance, the colonial rule of a neighbouring country, Japan, finally overthrew the dynasty of five-hundred-year history in 1910. The colonial rules lasted 36 years.

Imperial Japan was in the process of rapid industrialisation and militarisation, and consequently in need of an extended market as well as a source of natural resources and labour forces. Korean people were the victims of the colonial exploitation (Seo, 2010). Although the Japanese imposition of a capitalist economy led to the urbanisation and industrialisation in some parts of Korea, the exploitation further intensified during the Second World War for the procurement of military supplies. Whether colonial rule produced the ‘offspring’ of the capitalist economy in Korea or quelled the ‘sprouts’ of endogenous modernisation is controversial (Shin, 2006). Some argue the growth of small entrepreneurs and the instalment of infrastructure during this period are considered as ‘foundational capitalism’ (Kuznets, 2006, p. 8). Others emphasise the people’s experiences of exploitation and oppression under colonial military rules as well as the increased economic dependence to Japan (Seo, 2010).

Colonial occupation was terminated by the winners of the Second World War, but the independence of the nation in 1945 was immediately followed by another foreign occupation: the military administration of the United States in the southern half of the Korean peninsula and of the Soviet Union in the northern half. Three years later, two separate republics were established in each part of the peninsula, respectively under the auspices of the two big powers of the Cold
War. The nation was split into two states. They repudiated the legitimacy of each other and denounced each other as illegal occupation of territory. In 1950, the two states entered into a war, in fact, a proxy war between the two Cold War powers. The three-year war ceased by an armistice.

South Korea was left only with the ashes of the war, being one of the poorest economies in the world with 67 US Dollars of Gross National Income (GNI) per capita in 1953 (Korea National Statistical Office, 2008). Political turbulence continued. The Liberal Government of the first President Syngman Rhee, who was once an independent movement activist, faced severe resistance from citizens when it attempted to prolong its power through a corrupt and fraudulent election. In the end, the president stepped down after a series of mass student demonstrations in April 1960. Soon after, a Democrat Government was elected, but it did not last even a year. In 1961, the government was again overthrown by the military coup of General Park Chung Hee, a former Japanese army officer.

'Miracle of Han River': rapid economic growth under authoritarian regimes (1961 – 1986)

The authoritarian rule of Park Chung Hee continued for two decades until he was assassinated by his right-hand man in 1979. The oppressive regime dismantled democracy and the rule of law, particularly through the Yushin Constitution of 1972, which gave absolute power to the president (Im, 2011a). Human rights, especially freedom of expression and association, political rights and labour rights, were severely restricted. The antagonistic relations with North Korea made political repression even worse by justifying it ‘in the name of national security against the presumed threat from the North’ (Amnesty International, 1975, pp. 94-95). The dramatic termination of the authoritarian regime was followed by another military coup in 1979. After quelling people’s determined resistance, especially through the Gwangju Massacre in May 1980, General Chun Doo Hwan continued the authoritarian rule for another seven years.

The two authoritarian regimes strongly pursued economic growth projects in the name of the Five Year Economic Development Plan with the slogan of ‘the modernisation of the nation’, copying the Meiji Restoration, a Japanese modernisation project in the 19th century (Moon and Jun, 2011). The projects strategically focused on ‘export-oriented and outward-looking industrialisation’. The government promoted international trade and foreign loans and in response to the project, businesses concentrated on the industries favourable for export, which were, at that early stage, light industry relying on cheap labour (Harvie and Lee, 2002, Moon and Jun, 2011). On top of the accumulation of capital, the primary export effort was transferred to
heavier industries, being supported by the government through massive investment in infrastructure and technology. Consequently, the economy became highly dependent on the international economy (Bradshaw et al., 1993, p. 339). The government maintained a protectionist approach to international trade and a nationalist approach to industrialisation by fostering local business rather than encouraging foreign direct investment. The local businesses under the auspice of the government later grew into the Korean version of conglomerates, chaebol.

During the three decades of the authoritarian period, the South Korean people experienced the breathtaking speed of industrialisation, urbanisation and economic growth. Macroeconomic indexes display the rapid economic transformations. The GNP per capita increased 38 fold. The industrial structure also fundamentally changed from the agriculture- to the manufacturing-oriented. The primary sector of manufacturing rapidly shifted from light industry to heavy industry. International trade increased almost 60 fold. Principle export items used to be mostly natural resources in the 1960s, such as iron ore, fish, raw silk, and pig hair; and light-industry products in the 1970s such as wigs and textiles. However, in the 1980s, heavy-industry products such as ships and steel became the major export items for South Korea (see Table 4-1).

Table 4-1 The growth of the South Korean economy by major economic indexes, 1960–1990

<table>
<thead>
<tr>
<th>Economic index</th>
<th>Year</th>
<th>Growth rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1960</td>
<td>1990</td>
</tr>
<tr>
<td>GNP per capita (current US Dollar)</td>
<td>156</td>
<td>6,153</td>
</tr>
<tr>
<td>Industrial structure (Proportion of nominal GDP)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td>36.8%</td>
<td>8.9%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>13.8%</td>
<td>27.3%</td>
</tr>
<tr>
<td>Heavy industry</td>
<td>23.4%</td>
<td>60.3%</td>
</tr>
<tr>
<td>Light industry</td>
<td>76.6%</td>
<td>39.7%</td>
</tr>
<tr>
<td>Exports of goods and services (Current US Dollar, Million)</td>
<td>124.3</td>
<td>73,735.9</td>
</tr>
<tr>
<td>Export items</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natural resources</td>
<td>45.4%</td>
<td>4.9%</td>
</tr>
<tr>
<td>Light industry products</td>
<td>4.9%</td>
<td>38.5%</td>
</tr>
<tr>
<td>Heavy industry products</td>
<td>9.2%</td>
<td>42.2%</td>
</tr>
<tr>
<td>IT products</td>
<td>0.0%</td>
<td>14.3%</td>
</tr>
</tbody>
</table>

There was also impressive growth in the average wages of urban workers. The official statistics show the average nominal monthly incomes of a household of urban workers rapidly increased throughout the period. The income level was lower than the household expenditure in 1963 but grew faster than the expenditure afterwards. The proportion of food among the expenditure continued to decrease over the period. This statistics suggests the quality of life of urban workers improved (see Table 4-2).

The industrialisation of South Korea was often referred to as a success model for developing countries. Mainstream economists argued the economic growth was the outcome of the fast accumulation of production factors, which was achieved through active pursuit of export-oriented policies, non-excessive government intervention, emphasis on education, and stable macroeconomic policies (Tcha et al., 2003, p. 2). They named it the ‘East Asian model’ (Richter, 2000). International organisations such as the World Bank also praised the economic growth as the ‘East Asian miracle’ (The World Bank, 2003). They argued the economic success derived from the ‘carefully balanced’ intervention, which sought to ensure macroeconomic stability with such methods as making markets works more efficiently or creating markets rather than replacing markets with government planning, strategically assisting direct investment for economic growth and stability, and creating an atmosphere conducive to private investment (Stiglitz, 1996, p. 156).

However, there are alternative explanations. A ‘dependency theory’ approach argues that the history of Japanese colonisation and the subsequent military rule of the US yielded the background of ‘dependent development’ of the South Korean economy. The dependent feature was intensified by the high concentration of South Korea’s international trade to and foreign loans.

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Nominal monthly incomes of a household of urban workers</td>
<td>5,900</td>
<td>28,180</td>
<td>234,086</td>
<td>943,272</td>
</tr>
<tr>
<td>Nominal monthly household expenditure of urban workers</td>
<td>6,330</td>
<td>26,710</td>
<td>183,578</td>
<td>723,035</td>
</tr>
<tr>
<td>Differences between incomes and expenditure</td>
<td>-6.4%</td>
<td>5.5%</td>
<td>27.5%</td>
<td>30.5%</td>
</tr>
<tr>
<td>Proportion of food expenditure among the household expenditure</td>
<td>61.3%</td>
<td>46.5%</td>
<td>43.0%</td>
<td>32.7%</td>
</tr>
</tbody>
</table>

from the US and Japan. However, the ‘dependent development’ of the Korean economy has a unique political dimension that was generated by its geopolitical situation. The US had political and military interests in restraining the proliferation of Communism in East Asia, and this was an important motive to support South Korea’s incorporation into the international capitalist system. This political situation also allowed a considerable degree of bargaining power for the peripheral South Korea in relation to the centre countries (Lim, 1985, pp. 133-134).

Another dominant explanation is ‘developmental state’ model, characterised by aggressive industrialisation processes driven by the state (Evans, 1995, Woo-Cumings, 1999b). The strong state project of a ‘growth first’ strategy was possible because of the authoritarian regimes’ repressive drive. The military regimes maintained complete controls over bureaucracies, politics and financial agencies. State intervention supported market and business through facilitating foreign loans rather than guiding business or planning production. The government’s nationalist development strategy facilitated the rapid capitalist accumulation of local bourgeoisie, protecting the national market from multinational corporations. The local bourgeoisie were the key actors that carried out the government strategy of export- and heavy industry-oriented growth (Kim and Park, 2011, Kuznets, 2006), and eventually grew to large chaebols like Hyundai and Samsung.

An important factor that justified political repression by the authoritarian regimes and the developmental state model was the excuse of the threat of an external ‘enemy’, North Korea (Evans, 1995). In this context, South Korean sociologist Cho (2012b, p. 3) defined the South Korean model of the developmental state as an ‘anti-communist developmental regime’. The South Korean ‘developmental state’ model was often contrasted with ‘predatory state’ model of some African countries (Evans, 1995). It was even considered as ‘the antithesis of the neoliberal path’ in comparison with some Latin American countries suffering inequality and underdevelopment (Delgado-Wise and Invernizzi, 2005, p. 419).

These broadly accepted explanations are challenged by those who emphasise the role of the working class in the process of capital accumulation. Chang (2013) notes that behind the success of statist development project, there were anti-labour policies that disempowered and depoliticised the working class. The capital accumulation was possible because the authoritarian regimes facilitated the establishment of a ‘capital-dominant class relation’ on top of constant suppression of class struggle (Kim and Park, 2007). The constant military confrontation with North Korea created a political situation that could excuse controlling the discontent of workers and ignoring their demand. Mass production for export-oriented growth was the outcome of
extreme exploitation of labour through low wages, long working hours and poor working conditions.

The macroeconomic indices fail to capture the workers’ experiences of labour exploitation and political repression. Throughout this period, South Korean society saw the swift, abrupt and intense ‘proletarianisation of the labour force’ that involved a large-scale internal migration of rural peasants to the urban and industrial areas (Koo, 1990). The number of wage workers increased 335 percent between 1963 and 1985, and among them, manufacturing workers increased more than 7.5 fold while agricultural workers decreased almost by half (Koo, 2001, pp. 33-36). This also meant the rapid collapse of rural communities. Approximately 11 million people are estimated to have moved from rural to urban areas between 1966 and 1984. The rural communities collapsed, and the relative income level of farming households rapidly deteriorated throughout the period (see Table 4-3). The government maintained low grain price policies to feed urban workers at low cost, which was also another factor that intensified the low income for farming households.

The repressive regimes severely restricted the freedom of expression and thought. Thus, many social scientific studies were government-patronised and failed to engage with the miserable

| Table 4-3 Rural-urban migration, growth of manufacturing workers and collapse of rural economy |
|-----------------------------------|----------------|----------------|----------------|----------------|
| Number of wage workers            | 2,414,000      | 4,803,000      | 6,485,000      | 8,090,000      |
| Agriculture                       | 725,000        | 677,000        | 551,000        | 437,000        |
| Manufacturing                     | 417,000        | 1,782,000      | 2,475,000      | 3,146,000      |
| Rural-urban migration (estimated) | 5,100,000      | 5,900,000      |                |                |
| Farm household as percentage of total population | 53.6% | 37.5% | 20.9% | 15.1% |
| Extent of agricultural income covering household living expenditures | 88.4% | 124.4% | 92.5% | 78.9% |

lives of workers critically. Instead, the critical metaphor of literary works often vividly described the worker’s experiences.

Kim Mingi is a prominent folk singer and songwriter. His songs in the 1970s and 1980s represented the lives of the oppressed workers and the urban poor. They also resisted authoritarian rules and rapid industrialisation. Many of his songs were censored and banned by the authoritarian governments, but were widely distributed underground by pro-democracy activists and students. The moratorium was lifted after democratisation in 1987. His music became a significant influence on the 'song movement' as a part of social movements in the 1980s.

One of his songs represented the emotions of an internal migrant worker as below:

On the way to Seoul

Three years since my parents have been lying sick in bed,
I dug out all the herb roots on the hills and gave them to my parents.
Who is going to take care of my old parents, when I have left? Who is going to do it?
The way to Seoul, it is so long.

Magpie, you are coming to us every morning and cry.
Come again and comfort my parents, when I have left.
Who is going to take care of my old parents, when I have left? Who is going to do it?
The way to Seoul, it is so long.

Yellowy doggy, you are walking ahead of me. Why do you come along with me?
Go back and take care of my parents.
Who is going to take care of my old parents, when I have left? Who is going to do it?
The way to Seoul, it is so long.

Until when I get good medicine and come back,
A Shade tree in front of my house, do not have your colour faded.
Who is going to take care of my old parents, when I have left? Who is going to do it?
The way to Seoul, it is so long.

(Kim Mingi, 1972)

The South Korean economy enjoyed an ‘almost unlimited supply of labour’ until at least the mid-1970s, due to an abundant reserve army of labour force in rural areas as well as an additionally
large pool of potential female labour. Thus, South Korean companies hardly experienced any serious labour shortage until the mid-1980s (Koo, 2001, pp. 32-33). This job market situation meant for workers, despite the increased income, severe precarisation of employment. The workers were easily replaceable, so employers were not interested in improving their working conditions or motivating workers by providing welfare (Koo, 2001, p. 58). Threats of dismissal were one of the most common ways of personnel management, especially in low- or semi-skilled sectors. The oppressive authoritarian governments even intensified the vulnerable employment of workers. The laws on labour standards were hardly implemented. Moreover, one of the first measures that the military regime took, as soon as it seized power, was to dismantle the existing national federation of trade unions and to create a yellow union. It also continued to prohibit trade unions from political participation by law. In 1971, the government audaciously suspended the two primary labour rights: right to collective bargaining and right to collective action (Choi, 1989). Workers had no way to protect themselves from the exploitative employment practices.

Although the internal migrant workers had left rural homes in the hope of escaping poverty and harsh living conditions, they soon faced even harder working and living conditions in rapidly industrialising urban areas. One of the most common experiences was the long working hours. The comparative advantage of the South Korean economy, which was the prerequisite to the export-oriented growth strategy as a late industrialisation country, was cheap labour. The major exporters of South Korea, at least during the early stage of economic growth, were labour-intensive industries such as the production of garments, textiles and electronics. The profit of these industries was heavily extracted from the exploitation of cheap and abundant labour. The working hours of manufacturing workers were the highest in the world throughout the period. According to a survey conducted by a religious organisation in the early 1980s, the working hours in the electronic and textile factories in Guro Industrial Complex in West Seoul were more than sixty hours a week (see Table 4-4). The Guro Industrial Complex was the first industrial zone established by a government plan to export-oriented industries. Later, it became a centre of South Korean labour movement.

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**Table 4-4 Working hours of manufacturing workers in three countries, 1980 (per week)**

<table>
<thead>
<tr>
<th></th>
<th>US</th>
<th>Japan</th>
<th>South Korea</th>
<th>Electronic and textile workers at Guro Industrial Complex</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>39.7 hours</td>
<td>38.8 hours</td>
<td>53.1 hours</td>
<td>60-70 hours</td>
</tr>
</tbody>
</table>

*Source: Various sources cited in Koo (2001, pp. 48-55).*
Human rights lawyer Cho Young-rae describes the hard working conditions in the garment industry, which was one of the major South Korean exporters in the 1970s, as below:

When work was plentiful the schedule for the workers was from 8 am to 11 pm, 14 to 15 hours per day on average. There were many days when they would work all night, and in some instances two or three nights consecutively. That was when the factory owners would buy anti-sleep pills or administer injections to ensure the workers stayed awake while working. (Cho, 2003b, p. 123)

Another way of maximising corporate profit was the minimisation of costs for the working environment. The safety requirements at the factory were often ignored to accelerate the speed of work or to save costs. In addition to the dangerous working environment, the mental and physical exhaustion that accumulated with the continuous overtime and lack of rest also added to the danger of industrial accidents. The government’s labour statistics show very high rates of industrial accidents throughout the industrialisation period. (see Table 4-5). Considering the figures reflect only the cases voluntarily reported by employers, there seem still more workers who suffered industrial accidents but were not compensated adequately. The poor working environment also worsened workers’ health in the long term. Many workers suffered from various industrial diseases due to noise, dust, heat, and gas that exceeded safe labour standards. A young worker in his twenties suffered chest pains, digestion problems, hearing difficulties, loss of eyesight, frostbite, and skin problems after several years of working in the factories (Koo, 2001, pp. 55-56). In the end, the workers were burnt out, worn out, and kicked out.

As presented earlier, the official statistics show the impressive increase in average incomes of urban workers. Economists also suggest that relatively equal distribution accompanied South Korean economic growth. However, they fail to represent the vast income disparities between female and male workers, between manual and non-manual workers, and between workers of

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<tbody>
<tr>
<td></td>
<td>15.5</td>
<td>16.8</td>
<td>11.1</td>
<td>11.6</td>
<td>6.7</td>
</tr>
</tbody>
</table>


---

5 Total number of accidents divided by (Yearly working hours × Total number of workers), multiplied by 10,000.
different levels of education (see Table 4-6). The real experiences of workers were very hard. Although the average incomes were higher than average expenditures, it was also true that many workers were still paid wages below subsistence level (see Table 4-7). A survey at Guro Industrial Complex shows most workers were paid about Korean Won 100,000, about one-third of the national average income. More than half of the wage was earned by overtime work. More than one-third of the workers said they ran out of money two weeks after they earned monthly wages; and most other workers managed to use money for another week (Korean Church Social Mission Association, 1985).

The housing of manufacturing workers was also in deplorable condition. Many workers lived in multiple-dwelling houses, called a ‘honeycomb house’ (Beoljip). Some companies offered dormitories to their workers, but many workers lived in the honeycomb houses. According to a

### Table 4-6 Income disparities, 1975–1990

<table>
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</thead>
<tbody>
<tr>
<td><strong>by gender</strong> (Women's wages as percentage of men's)</td>
<td>42.2%</td>
<td>42.9%</td>
<td>46.7%</td>
<td>53.4%</td>
</tr>
<tr>
<td><strong>by educational level</strong> (University graduates' wages as percentage of high school graduates')</td>
<td>214.4%</td>
<td>228.5%</td>
<td>226.5%</td>
<td>185.5%</td>
</tr>
<tr>
<td><strong>by educational level</strong> (University graduates' wages as percentage of middle school graduates' or the less-educated)</td>
<td>271.6%</td>
<td>297.3%</td>
<td>301.2%</td>
<td>269.3%</td>
</tr>
<tr>
<td><strong>by job</strong> (Manual workers' wages as percentage of non-manual workers')</td>
<td>n/a</td>
<td>n/a</td>
<td>52.0%</td>
<td>n/a</td>
</tr>
</tbody>
</table>

**Source:** Koo (2001, pp. 58-59).

### Table 4-7 Low wages insufficient for expenditure, 1982

<table>
<thead>
<tr>
<th>Average monthly expenditure of urban households per one income earner</th>
<th>KRW 191,521</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average monthly wage of bottom 50% income earners</td>
<td>KRW 140,000</td>
</tr>
<tr>
<td>Average monthly wage of bottom 25% income earners</td>
<td>KRW 100,000 or less</td>
</tr>
<tr>
<td>The rate of average manufacturing wages as percentage of subsistence requirements (the 1970s – mid-1980s)</td>
<td>50–60%</td>
</tr>
</tbody>
</table>

**Source:** Federation of Korean Trade Unions, cited in Koo (2001, p. 58).
A survey of workers in Guro Industrial Complex, the average size of a worker’s room was 2×3 metres. The room was often shared by two female workers or sometimes even by three. A kitchen half the size of the room was attached, which was also used for the shower and washing. There was no private toilet, so the workers shared a common toilet: one toilet by average 26 workers; in the worst case, even by 65 (Korean Church Social Mission Association, 1985). Most workers spent 30-50 percent of their incomes on such poor housing conditions. They could not live on their wages.

The rapid economic growth and industrialisation were never possible without the exploitation of low-wage workers in poor working conditions. This exploitative labour system has never disappeared, even after South Korea reached a high-level income society. It has served continuously as the basis of extracting profits from the industry of lower productivity, underlying the national and global economy. Chapter 5 and 8 discuss how and why this labour system persists and also identify today’s victims: non-regular workers and migrant workers.

‘We cannot last long like this’: discontent of workers and the sprouts of mobilisation

A general strategy of workers in response to such hard working conditions and low wages was to seek a new employer who provided better working conditions and wages (Koo, 2001, p. 60). Throughout the 1970s and 1980s, almost two-thirds of all workers changed their employers more than one time (Korea Labor Institute 1994, cited in Koo, 2001, p. 57). Although many workers were afraid of arbitrary dismissal, they could also counteract by leaving their employers. The right to choose a job was an essential leverage for workers in negotiation with their employers. This issue arose again three decades later with migrant workers, as will be discussed in Chapter 8.

South Korean workers in the 1970s and 1980s not only resorted to the individual solution as above but also began to express their discontent collectively and to seek collective solutions. Park, No Hae had worked in textile, chemical and metal industries from the age of 16. He published a collection of labour poems under the title of The Dawn of Labour in 1984. His pen name is the acronym of ‘The emancipation of Persecuted Workers’. Labour poet and revolutionary socialist activist Park No Hae vividly described the despair and frustrations of workers. However, he also dreamed of ‘the dawn of labour’ where workers are emancipated from the exploitations; and he called for ‘solidarity’ to struggle against the exploitations.
The Dawn of Labour

Finishing the night shift like war, / I pour cold soju,
ah, / on my sore breast in the dawn.
Cannot last long like this.
Can never last like this.

After three meagre ration meals, / the battle of endurance, drenched in grease.
Squeezing out all my energies and struggling, / this labour work is like a war.
Cannot last long.
Can never last.
Cannot help it, though.
If only I can get away from this.

Worn out and hollowed, / my fate of twenty-nine years, if only I can fly away from it.
Ah, but, / cannot help it, cannot help it,
if it is not by death, I cannot help it.
This unrelenting life, / under the yoke of poverty,
cannot help this fate.

For the labour of tomorrow / coming again to my drooping body,
on my sore breast in the dawn, / I pour cold soju.
Doggedness and perseverance stronger than soju,
rage and sorrow, I pour.

This wall of despair that I could not get away from, / by all means, I will break through
with harsh drops of sweat and tears of blood.
For quietly breathing and growing / our love,
our rage, / our hope and solidarity,
on our sore hearts of dawn, / passing and passing cold soju glasses,
we pour, / until the new dawn of workers
rises.

(Park No Hae, 1984)

Under the oppressive authoritarian regimes, the workers’ resistance against the exploitations
were restricted but desperate. On 13 November 1970, 22-year old tailoring worker Chun, Tae-il
and several colleagues of his organised a picket to call for the improvement of working condition at Seoul Peace Market. The picketing was, however, dispelled by the police and employers. Chun Tae-il burnt his body to death, shouting ‘Observe the Labour Standards Law.’ ‘We are not machines; let us rest on Sundays.’ and ‘Do not exploit workers’ (Cho, 2003b, pp. 31-32). Before the incident, he was a typical garment worker who had moved from a regional city to Seoul. Being shocked by the exploitive working conditions, he documented the illegal conditions in the garment factories in Seoul and submitted complaints to labour offices. He also organised workers and studied labour laws. However, all his efforts could not make any change. He ended up burning himself to make the exploitation known to the public. This incident sparked the development of the labour movement in South Korea. Workers started to organise independent trade unions, and occasionally went on strikes against poor working conditions or illegal dismissal. However, the collective actions of workers were mostly quelled by the police, and the efforts for organising independent unions were disrupted by yellow union members who were sponsored by the employers (Koo, 2001, pp. 70-99).

The workers’ desperate resistance triggered the involvement of students and religious groups in the labour movement. It was a striking story for students that Chun Tae-il lamented ‘if I only had a university student friend’ who could help him in his struggle against the government (Cho, 2003b, p. 187). From the 1970s, progressive churches were involved in the labour movement through providing spaces for workers and helping individual labour dispute cases. From the early 1980s, students began to get deeply involved in the labour movement. They recognised the importance of solidarity between students and workers for the overthrow of the authoritarian regimes. Students often gave up their university degrees and declared ‘class transfer’. Then, they disguised themselves as working class and joined factories. Through underground activities, they educated workers or, in other words, they carried out ‘conscientisation’ campaigns and organised workers for ‘democratic or independent union’ (Koo, 2001, pp. 100-125).

While South Korea’s industrial structure was shifting from light industry to heavy industry, the dominant group of workers also shifted from female to male. Labour disputes in the 1970s were rather occasional and resulted from desperate claims of suffering workers. The labour movement in the 1980s grew more organised, militant and radical, though the workers’ resistance was often quelled by the government, which supported employers.

The experiences of workers during the period of rapid economic growth in South Korea support the argument that the ‘miracle of Han river’ was the bloody outcome of the exploitation of workers. It was a process of capitalist accumulation sponsored by the state and also a
reorganisation of social, political and class relations. However, the workers’ movement for independent unions gradually grew through the persistent collective actions and began to draw the attention and support of students, politicians and the public. The workers’ resistance was an important social factor that caused cracks in the oppressive authoritarian regimes.

**Out-migration of Korean workers**

*Forced and economic emigration of poor Korean people under colonial rule*

Throughout the late 19th century, Korean (then, Joseon) peasants in poverty migrated to Northeast China and the Russian Far East for the cultivation of wasted land. They were followed by independent movement activists who organised armies and organisations in exile to fight against Japanese colonial rule between 1910 and 1945, as vividly illustrated in the reportage of Kim and Wales (1941).

The Koreans in the Russian Far East were forcibly relocated to Central Asian republics by Stalin’s ‘population transfer project’. It is recorded that 171,781 people were forcefully relocated in 1937 (Kang (1995) as cited in Yoon, 2012a, p. 420). Although the Koreans in the Soviet Union, also known as Koryo Saram, suffered hard living conditions, they managed to build a middle class community in between Russians and the indigenous ethnic groups. After the collapse of the Soviet Union, the Korean migrants again faced ethnic exclusions and discriminations amid growing nationalism in the region (National Archives of Korea, n.d.). When the Commonwealth of Independent States (CIS) was established, it is reported at least 280 million people lost their citizenship due to the inconsistency between nationality law and practices of the new independent states (Faruharson, 2011). The majority of Koryo Saram were also rendered stateless (Kim, 2014a).

When Japan occupied Manchuria by building a puppet state in 1932, it forcibly relocated more than 250,000 Korean workers to this region to launch development projects; another 250,000, supposedly, were voluntary migrants (T. Kwon, 1996 as cited in Yoon, 2012a, p. 414). Another 60,000 were conscripted to the then Japanese-occupied Sakhalin Islands between 1941 and 1944 (Jeon and Lee, 2012, p. 142). After the Second World War, Manchuria and the Russian Far East were re-occupied by China and the Soviet Union respectively. The majority of Koreans stranded
in these areas could not return home, mostly because of the ignorance of the United States and the Soviet Union Military Administrations, which divided and occupied the Korean peninsula (Lee, 2012b).

The Koreans in China, also known as *Joseonjok*, built Korean communities in the Northeast Chinese provinces. They made significant contributions to the establishment of Communist China. Their political and economic influences, however, gradually decreased after the Cultural Revolution and economic reform in 1960s in China. These ethnic Koreans and their descendants returned to South Korea after the 1990s. The *Joseonjok* and *Koryo Saram* became the major source of migrant workforces for South Korea, as will be discussed in Chapter 5. Some 4,000 victims of the forced migration in Sakhalin returned to their home country after South Korea, Japan and the Soviet Union agreed on a repatriation programme in 1990 (Kim, 2014a).

The forced migration to Japan intensified during the Second World War. The Japanese colonial government conscripted Korean people for the forced labour in coal mines, fight on the battlefronts or even ‘sex slavery’. The Korean population in Japan reached up to 2.3 million in 1945 (Lee, 1996 as cited in Yoon, 2012a, pp. 414-415). Although approximately three-quarters of them returned to Korea after Japan’s defeat in the War, the rest could not return (Heo, 2012). Later, the remaining Koreans built two separate communities, which had close relationships with either the North or South Korean governments respectively, many of whom still remain stateless (Kim, 2014). Although the Korean communities suffered systematic racial discrimination, they played crucial roles in building multiethnic migrant communities and pressing the Japanese government to recognise migrant rights (Lee, 2012c, Lim and Kim, 2013).

Emigration to the US began in the 1890s in the form of ‘indentured labour migration’ (Castles et al., 2014, pp. 88-89). Several thousand Koreans migrated to sugar plantations in Hawaii. The recruitment was facilitated by American missionaries. Later, they were followed by ‘picture brides’ to marry the single male migrant workers who had arrived earlier (Patterson (1988) as cited in Yoon, 2012a, p. 414). They suffered hard working and living conditions, but later built an economically influential community. This migration flow continued until the US Immigration Act of 1924 prohibited Asian immigrants (National Archives of Korea, n.d.). The emigration to the US was re-boosted by the US involvement in Korean War. More than 10,000 Koreans migrated to the US between 1950 and 1962 as partners or children of American soldiers. Thousands of war orphans were also adopted by American families.
The South Korean government had discriminatory approaches toward the Korean diaspora. Its diaspora policy favoured the migrants of Korean ethnicity from developed countries like the United States and Japan. However, it was restrictive toward those from less-developed countries like China and the Central Asian countries. The Chapter 7 analyses political-economic implication of this discriminatory policy of the South Korean government.

**Temporary labour migration of South Korean workers and their struggles**

Throughout economic growth, the South Korean government promoted the emigration of young workers as a part of its development strategies. The temporary labour migration of South Korean workers started in the form of the recruitment of individual workers. Later, it shifted to the form of collective migrations of the workers attached to South Korean construction companies. Both made significant contributions to the economic growth of South Korea: the remittance of the workers became ‘the seed money for the economic growth in the 1970s’ (Yun, 2013, p. 388). The earnings of the construction companies contributed to South Korea’s foreign exchange, especially when it faced the oil crisis in the 1970s (Kim, 1988). The government also promoted the permanent emigration of ‘surplus population’ as a response to the post-war exponential population-growth (National Archives of Korea, n.d.).

The first flows of temporary labour migration were initiated by a European guest-worker programme. Between 1963 and 1977, almost 20,000 mining workers and nursing assistants went to the former West Germany (Yun, 2014, pp. 433-434). According to the testimonies of the workers, high-level wages were attractive enough for the young and highly educated workers to accept the hard and dangerous manual works. The opportunity to travel overseas made it even more attractive while the authoritarian regimes strictly controlled overseas travel (Choi, 2013d, Kwon, 2010). Workers recall that they were satisfied with the relatively advanced working conditions and welfare system in the destination country and, more importantly, they also learnt the better working conditions were the outcome of workers’ collective struggles (Cho, 2007).

According to a survey, approximately 40 percent of the South Korean workers remained in Germany after their contracts, while another 20 percent re-migrated to other European or North American countries (Yun, 2014, p. 439). They achieved permanent residence through struggles to challenge the temporary labour migration system. The female nurses initiated meetings, rallies and petitions. In 1977, the West German government granted permanent residences or citizenship to them. This experience of struggle ‘taught them social movement’ and they
organised 'Group of Korean Women in Germany' afterwards (Choi, 2007, Kwon, 2010). Choi, Young Sook, who is still a nurse and also a social movement activist, remembers her struggles against the temporariness of labour migration as below:

We argued 'we are not such communities that you can bring in when you need and throw away later. We are a human being. If we go back to Korea now, the life will not be easy due to cultural differences. So, we will live where we want to live, and will go back when we want to go back.' (Choi, 2007)

Male mining workers, at first, sought the permanent residence through marrying the female nurses. They soon joined the struggles for the recognition of the right to residence. They had already been actively involved in the strikes, calling for safe working conditions and fair treatments. By the late 1970s, their struggles shifted to challenging the guest-worker system. The mining workers eventually achieved permanent residence in 1980 (Cho, 2007). 'Association for Human Rights of Korean Miners in Germany' was one of the most active organisations for the movement (Choi, 2013d). Later, some of these migrants, like Choi, Young Sook returned to South Korea and made significant contributions to South Korean pro-migrant groups in the 2000s.

The second flows of the collective temporary labour migration were organised by South Korean companies that brought construction workers to overseas construction sites. After the 1973 oil crisis, construction booms surged in the Middle East. South Korean companies managed to get subcontracts for huge projects like highways, waterways and buildings (Chung, 1993). The 'mythology' of hard-working but not-complaining South Korean workers satisfied the Middle East oil-rich contractors (Disney, 1977, p. 23). South Korean companies became one of the biggest constructors in the region. The number of South Korean workers in the Middle East continued to increase to more than 170,000 by the early 1980s and their remittance's became significant contributions to household incomes (Kim, 1988, pp. 229-230). The success in the Middle East was a platform for the capital accumulation of some South Korean chaebols like Hyundai.

However, the 'mythology' of hard-working South Korean workers was only a deceptive term to disguise the exploitative working conditions. The companies trained and managed workers like soldiers and accommodated them in barracks. They worked more than ten hours a day and had only two days off a month. The wages were lower than other migrant workers in the region, although higher than the average wages in South Korea (Disney, 1977, p. 24). The workers' discontent grew about militarised and oppressive personnel management and the relatively low wage. On 13 March 1977, the violent behaviour of a manager ignited the counter-violent strikes
of the furious workers. Thousands of Hyundai Construction workers in Saudi Arabia attacked their managers, burnt their offices and occupied communication facilities. The Saudi Arabian military force was dispatched to quell the violence. The strike was resolved by the mediation of South Korean embassy and labour office: they agreed to a 20 to 25 percent increase in income (Sungkonghoe University Democracy Archives, 2009). The construction workers in the Middle East were, in practice, under the jurisdiction of the South Korean authoritarian developmental regime and treated as if they were still in South Korea. Although this strike was hardly known to South Korean society due to the authoritarian government’s control of information, it is still considered as an important part of labour movement history.

The recession of oil trade in the mid-1980s pressed countries in the Middle East to reduce new construction projects. Accordingly, South Korean construction companies had to retreat from the region and their employees also returned. From the mid-1990s, their overseas business revived and expanded toward Southeast Asia and Latin America. However, they did not take South Korean temporary migrant workers to these new construction sites this time. The employers preferred hiring cheaper local workers to paying high South Korean wages increased after the democratisation. The share of South Korean migrant workers in the overseas construction sites of South Korean companies dropped from 95 percent in the mid-1970s to 6 percent in the mid-1990s (International Construction Association of Korea, 2009). South Korea was transiting from an origin country of temporary migrant workers to a destination.

South Korean workers that went to the former West Germany were an important force for abolishing the temporary labour migration system. On the other hand, the workers that went to the Middle East under the auspices South Korean employers had almost same working conditions as in South Korea and eventually returned home. This comparison may be explained by several factors such as democracy in the destination countries and origin countries’ strategy (Castles, 2004b), or the individual characters of the workers. However, the method of labour management also seems to be a decisive factor: the individually hired workers in Germany managed to settle down, while the workers attached to a South Korean company in the Middle East all returned.

**Government-promoted permanent emigration of ‘surplus’ population**

The South Korean government promoted the permanent emigration project as a method of population management. The introduction of Overseas Emigration Act of 1962 was an initiative to facilitate the emigration. As stipulated in the Act, the project aimed at ‘optimising population
level, stabilising the national economy and enhancing the prestige of the country' (Article 1). The project focused on the migration to Latin American countries like Paraguay, Brazil and Argentina for the cultivation of wastelands. However, the migrants had no skills or experiences of agricultural work, so they soon moved to cities and ran retail or garment production businesses (National Archives of Korea, n.d.). The effect of this project was only marginal on population management; thus, it stopped in the 1960s.

After the ‘discriminatory national-origins quota system’ was abolished in the US immigration policy in 1965 (Castles et al., 2014, p. 129), the US became a major destination for South Korean migrants. From the early 1970s to the mid-1980s, more than 30,000 South Koreans emigrated to the US every year (National Archives of Korea, n.d.). These migrants had social and economic characters different from the previous batches of migrants. Most of them were ‘new middle class’ who were already established in cities, often after internal migrations from rural areas. They settled down in the US and opened small businesses. They were quickly integrated into the mainstream society; however, they were often in conflictual relations with minority communities, as seen in the case of 1992 Afro-American uprisings in Los Angeles (see Seo, 2003).

Another flow of migration to the US was international students. Highly qualified students sought higher education in the US universities under scholarship programmes (Yoon, 2012a). While many students returned home, others settled down in the US. The student migrations have had particularly significant influences in academia and, eventually, throughout the origin society (Kim, 2010a, Korea Progressive Academy Council, 2003). They are often blamed for leading the US-oriented ‘intellectual colonisation’ in South Korean society (Cho, 2003a).

The most flows of international migration during the period of colonial rule and authoritarian regimes were out-going migration. Many Koreans emigrated to China, Russia, Japan and the US. They sought the opportunity to escape the poverty and political oppression in their homeland. Throughout rapid economic growth, South Korea was mainly the origin of temporary or permanent migration to Europe, Middle East and America. The South Korean government played significant roles in promoting emigration as a strategy of national income and population control. Most South Korean migrants had to endure hard working condition to send the remittances back home, which eventually contributed to economic growth in the home country.
**Arrivals of migrants and exclusionary immigration policy**

The South Korean migration literature has paid little attention to immigration before the 1990s. This section highlights two notable cases of early migrant arrivals. The first was the arrivals of the earlier generation Chinese migrants who sought business opportunities in late 19th century Korea amidst the competitive intrusions of the colonial powers. The second was the temporary or emergency landings of Vietnamese 'boat people' in the late 1970s and the 1980s, who survived the perilous exodus and sought asylum. These groups of migrants were not large enough to make a significant impact on the society. However, the way that the South Korean government treated these migrants is worth examining because they reveal the extremely exclusionary and systematically discriminatory origins of the South Korean immigration policies.

Through the two cases, I illustrate how 'ethnic nationalism as the predominant principle of the organisation of South Korean society' (Shin, 2010a), was reflected in the immigration policy. The exclusionary and discriminatory nature of early immigration policies operated in the context of totalitarian and developmental regimes that propagated 'ethnic nationalism' to mobilise the populace toward the 'national' goals of security and economic growth and suppressed diversity. Civil society was complicit in the totalitarian exclusion project: in competition with the regimes, they advocated an alternative 'ethnic nationalism' but ignored the ethnic minorities. The South Korean society was hardly considerate of the minority and migrants.

Understanding the characteristics of the early immigration policies helps in extending the understandings of current immigration policies in a historical context. Considering 'ethnic nationalism' still prevails as a dominant political discourse in South Korea, it particularly provides an analytical insight to understand the ethnic-nationalist political dimensions of the current immigration policies. This section begins with illustrating the two cases, and then, discusses their implications on the current immigration policies.

**Systematic exclusions of 100 years: the settlement of old-comer Chinese migrants**

The first arrival of immigrants in modern Korea was the Chinese merchants from Shandong area the northeast of China. The arrival began in the 1880s when imperialist competition over the Korean peninsula reached its peak: the UK, the US, France, Russia, Germany, Japan in addition to China were all trying to involve themselves in the economy and politics of Joseon. Throughout the Japanese colonial period, these old-comer Chinese immigrants, known as Huaqiao or Hanhua,
were successfully established in Korean society, especially in the sector of commerce and trade. The population of the Chinese immigrants reached 80,000 in 1942, the majority of whom resided in the northern half of Korean peninsula (Park and Jang, 2003, p. 6). According to an estimation, there were about 12,000 old-comer Chinese in South Korea in 1945 (Jang, 2002, p. 247).

The exclusionary policy on the Chinese migrants in Korea traces back to the colonial period. In the aftermath of violent incidents between Korean and Chinese farmers in Manchuria in 1931, known as the Wanbaoshan Incident, a series of violent attacks on the Chinese community in Korea occurred throughout the country, which resulted in the killings of 142 Chinese migrants in three days (Park, 2014b, p. 250). The incident used to be understood as an outcome of Japanese colonialist’s manipulation or a spontaneous expression of Korean workers’ discontent over increasing Chinese coolies. However, recent studies reveal there were several incidents of attacks on the Chinese community, which were systematically organised by Korean nationalist groups as a means of taking the lead among independent movement groups (Min, 1999, Park, 2014b). They argue the Chinese migrants were used as scapegoats by independent movements for mobilising ‘ethnic nationalism’ against colonialism.

After independence, the governments of South Korea officialised extremely exclusionary policies against the Chinese migrants. The authoritarian anti-communist government of Rhee Syngman strictly prohibited the new entry of foreigners in 1948. The government also forbade the immigrants from possessing foreign currency and engaging in international trade (Lee, 2012f). The military junta of Park Chung-hee even further intensified the discriminations against the Chinese migrants by prohibiting foreigners from owning land in cities including Seoul where the major Chinese enclave was (Article 5, the Foreigner’s Land Acquisition Act of 1961). It also imposed unfair taxations on them. It eventually expelled the Chinese community from the capital city during urban gentrification projects in the late 1960s (Park, 1999). The government never granted permanent residence to these foreigners. Thus, the Chinese migrants had to renew their visa every one-to-two years even though they were the second or third generations born in South Korea. The acquisition of South Korean nationality was extremely difficult, as the naturalisation process required sponsorship from high-level government official or a large amount of asset (Article 4, the Nationality Act).

International relations in North Asia during the Cold War aggravated the isolation of the Chinese migrants in between their anti-communist country of residence and communist country of origin. They were impelled to acquire anti-communist Taiwanese citizenship, although their origin was mainland China. They were under the consistent suspicion of having potential connection with
communist China (Lee, 2012f). Under such political repression, any mobilisation against the discriminatory treatment or any expressions of discontent were almost impossible. When the South Korean government broke off diplomatic relations with Taiwan in 1992 and established a new diplomatic relationship with People's Republic of China (PRC), their situation became even more complicated. New-comer Chinese migrants, mostly with Korean ethnicity (Joseonjok), gradually migrated from the PRC to South Korea. They gained considerable attention from the public and the government, while the old-comers remained abandoned and forgotten.

Exclusionary and discriminatory policies were often justified by the law in the name of ‘the public necessity’ (Article 5, the Foreigner's Land Acquisition Act of 1961). In the context of the authoritarian developmental regimes, ‘public necessity’ was often used as the excuse for expropriating or restricting the properties of the most vulnerable. Some of the people’s resistance against such expropriations drew the public’s attention, for example, the Gwangju Housing Complex incident in 1971. However, no resistance of or redress for the old-comer Chinese is publicly known. The media often described the Chinese enclaves as ‘the old-fashioned’ and called for their removals in the name of the ‘urgent request of modernisation’ (see The Kyunghyang Shinmun, 1968). There was no room for the Chinese migrants both in the authoritarian government’s project of ‘modernisation of fatherland’ and in the civil society's fight for the emancipation of national workers. As both the South Korean state and civil society took for granted ‘ethnic nationalism’ (Shin, 2010a, p. 228), they were ignorant of the discrimination against ‘foreigners’. The Chinese migrants were excluded entirely from the South Korean society by the complicity between the state and civil society.

After democratisation in South Korea, the Huaqiao community finally began to raise their voices. With the support of civil society groups and politicians, they sought to introduce new laws to recognise their rights and permanent residence (e.g. Bae, 2000, Chung, 2001). The South Korean government finally granted them permanent residence visas in 2002 and the right to vote for local government election in 2006. It was the first ‘official recognition of their settlement only after 100 years’, as the president of Chinese Residents’ Association Seoul Korea, Lee, Chung Hyun commented at a conference which I attended (PO_19). However, the discrimination persists, especially in education and welfare services, according to the media reports (see Kim, 2012c, Park, 2013b). The discriminatory government policies also generated the legacy of wide-spread daily-life discriminations (Jang, 2002, Park and Jang, 2003, Yang and Yeou, 2011). Over the 100 years of survival under the systematic discriminations, the old-comer Chinese migrant community was never able to grow in size: there were 12,038 people with permanent resident visas for Overseas
Chinese in Korea (F-5-8 visa) in 2012, which is as many as in 1945. The Chinese Resident's Association Seoul Korea (2006) reports that since the 1970s approximately 20,000 people have re-migrated to third countries like the United States, Australia and Taiwan to escape from the discrimination.

The case of the old-comer Chinese migrants exemplifies the deep-rooted exclusionary and discriminatory nature of South Korean government policies against migrants. The government policy of exclusion and discrimination against migrants was implemented as a part of the 'ethnic nationalist' totalitarian development project. There was no room for the Chinese migrants to raise their voices when ethnic nationalism was the dominant discourse both in the government and civil society. They survived the systematic exclusion and discrimination for 100 years.

**Absolute exclusion of asylum-seekers: the temporary landings of Vietnamese 'boat-people'**

Throughout authoritarian regimes, there was almost no migratory flow into South Korea. The country had no economic or political merit to attract migrants, as one of the world’s least developed post-war countries and under the authoritarian regimes. Its geopolitical location was another obstacle for the movement of people, given it was surrounded by the ‘enemy countries’ during the Cold War period. The political situation made its borders one of the world’s most highly militarised, especially toward the north. Consequently, strict immigration controls and ‘closed immigration policy’ (Kim, 2012d, pp. 2-6) allowed almost no arrivals of migrants.

An exceptional case of migrant arrivals was the landing of Vietnamese asylum-seekers after the Vietnam War. Between 1975 and 1989, almost 3,000 Vietnamese asylum-seekers landed in South Korea. The first group was those who accompanied the South Korean nationals when they left Vietnam during South Korean Navy’s evacuation campaign a few days before the ‘Fall of Saigon’ in 1975: 910 Vietnamese, 31 Chinese and 1 Filipino, all related to South Korean nationals. After that, the landings of Vietnamese ‘boat people’ who were rescued in the South Korean territorial seawater or international waters continued until 1989 (Chung, 2009).

Selective reception of asylum-seekers was made on the ground of kinship-ties rather than in accordance with the international responsibility of refugee protection. Only a small number of the first arrivals, who were related with South Korean nationals by family or common law relations, were granted South Korean nationalities or long-term visas. The government imposed marriage on those who did not have a pre-existing relationship with a South Korean citizen as a
way of obtaining citizenship (Chung, 2009, Nho, 2013). The rest of the asylum-seekers were absolutely excluded. All were confined in an asylum-seeker camp, run by the UN Refugee Agency and the National Red Cross, at a remote suburb of a harbour city, Busan. None of them were, reportedly, permitted to settle down or even to stay outside the camp. Most of them were resettled in a third country after several months or years of ‘temporary landing’ in the camp or even repatriated to Vietnam (Nho, 2013). Without any consideration of refugee protection, the South Korean government recognised only family relations for accepting asylum-seekers.

South Korea’s diplomatic relation with the US as an anti-Communist alliance was an important reason for the exceptional permission of migrant arrivals. South Korea had already participated in the Vietnamese War both under the pressure of ‘blood-ally’ and for the economic rewards endowed by the ally. The South Korean government could not avoid further requests from the US to share the burden of humanitarian responsibility. However, it also took a political benefit from the asylum seekers: the accepted asylum-seekers were mostly mobilised to testify against communist Vietnam, which was used to justify South Korea’s anti-communist authoritarian regime against communist North Korea (Nho, 2014b).

Later, the government’s policy turned to blunt and total blockades of asylum-seeker arrivals. The government discouraged South Korean ship operators from rescuing boat people in international waters, which is against the international maritime law. The ship’s crews, who persisted in rescuing the boat people, often faced economic and political pressures from the government. For example, the captain of a South Korean deep-sea fishing vessel, who rescued 96 boat people in 1985, suffered severe investigations by intelligence agencies and dismissal from his work, as reported by a newspaper (see The Chosun Ilbo, 2004). After this incident, there were no more rescues of boat people by South Korean vessels in international waters (Nho, 2013). In the late 1980s, the government overtly pushed out to international waters all boats that were considered having Vietnamese asylum-seekers on board. It permitted no more landing of any asylum seekers.

The South Korean government’s policy toward the Vietnamese asylum-seekers was far from the international principles of refugee protection. Scholars argue the delay in South Korea’s ratification of the Convention on the Status of Refugees is partly derived from the government’s intention to avoid the international responsibility for the protection of the Vietnamese asylum-seekers (Chung, 2009). South Korea acceded to the Convention in 1992 only after it resettled all the asylum-seekers in other countries. Also, although the country was already a State Party to the Convention on the Status of Stateless Persons, such international responsibility was ignored entirely (Kim, 2014a).
South Korean civil society was either ignorant or ambivalent about the Vietnamese asylum-seekers. Although the forceful expulsion cases in the late 1980s drew the attention of the media (e.g. Chung, 1991), no reliable documentation of the conditions in the asylum-seeker camp was produced by government agencies, civil society group or academics. Although some researchers assumed that there was some interaction between the asylum-seekers and local people (Nho, 2014a), no evidence was found of the South Korean civil society's involvement in the protection of the asylum-seekers. Although the National Red Cross of Korea was involved in the camp management upon the commission of the government, this organisation was considered as a quasi-governmental organisation. On the contrary, there was even an incident where local people publicly refused the landing of asylum-seekers in 1989 (Nho, 2013). The Vietnamese asylum seekers were not part of South Korean civil society's concern.

The South Korean government's treatment of the Vietnamese 'boat people' is another example of extremely exclusionary origins of its immigration policy, which was implemented and justified in the context of the 'ethnic nationalist' anti-Communist regimes. The international obligations of refugee protection were never a concerned; kinship-relation and the anti-Communist politics were the only considerations of the government.

**Exclusionary immigration policy in the context of ethnic nationalism**

The South Korean policies on the old-comer Chinese migrants and Vietnamese asylum-seekers show how the two dominant political discourses, 'ethnic nationalism' and anti-communism, were reflected in the immigration policy during the authoritarian governments. Anti-Communism, being conflated with the ethnic nationalism, exacerbated the discrimination against migrants from communist countries during the Cold War period, as the government's suspicions toward Chinese migrants exemplified. However, the ambivalent stance on the Vietnamese asylum-seekers reveals that anti-communism was not always the core principle. Although South Korea involved itself in the Vietnam War as a part of anti-communist allies, the government never allowed reception and settlement of the people who fled from their 'blood-alliance' South Vietnam. The absolute exclusion of Vietnamese asylum-seekers exemplifies how ethnic nationalism overrode the anti-communist political agenda.

Ethnic nationalism appeared in Korea as an ideological ground for the resistance against imperialism and colonialism. Since Korea has had a long history of political and linguistic continuity as a nation-state, imperialist invasions in the late 19th century and Japanese
colonisation afterwards were perceived as serious external threats toward the continuity of nation. Opposing Japanese colonialist’s propagation of ‘Pan-Asianism’ and denial of the distinctiveness of Korean nation, the leaders of independent movement mobilised the ethnic nationalism as an ideological ground of resistance against invasion and struggles for the emancipation of people.

After the independence, however, the ideology of resistance and emancipation was reformulated as a government ideology by the post-war authoritarian regime. The Korean War, the territorial division of the nation and constant military threats were traumatic and unnatural experiences for Korean people. Both South and North Korean governments accused each other of the ‘crimes against the nation’. Both claimed to overcome the situation by ethnic nationalism, which was conflated with ‘anti-communism’ or ‘anti-capitalism’ respectively. Both Rhee Syngman’s ‘One Peopleism (Ilmin Juui)’ in the South and Kim Il Sung’s ‘Self-reliance (Juche)’ idea in the North functioned as the totalitarian ruling ideology. They subsumed people under the holist ideology and compelled them to sacrifice their lives for the abstract whole (Shin, 2010a, p. 230). The totalitarianism allowed no room for not only political opponents but also ethnic minorities.

Ethnic nationalism also functioned as a key driving force for resource mobilisation and capitalist accumulation during authoritarian developmental regimes. Since Park Jung-hee had seized power through a military coup and lacked political legitimacy, his government prioritised the rapid and tangible achievement of economic growth over democratic values such as the rule of law, civil rights and recognition of minorities. The ‘developmental regime’ propagated the ethnic nationalist, totalitarian and patriarchal ideology of ‘the Modernisation of Fatherland (Choguk kundaehwa)’ to justify the exploitation of the populace, especially the workers who suffered poor working conditions and political suppressions (Koo, 2001, Woo-Cumings, 1999a). The nationalist ideology eventually served capitalist accumulation and facilitated the growth of chaebols in the name of ‘the enterprise of the nation (kookmin kieop)’. Ethnic nationalism overrode all other identities, including class and compelled workers to conform to employers and the government. Thus, little room for a labour movement was available. The economic and political sacrifice of workers benefited the complex of authoritarian rulers and chaebols.

Resistant movements against authoritarianism were also trapped within the frame of ethnic nationalism. The civil society contested the governing ideology of national identity by promoting an alternative view of the nation, minjung (Wells, 1995). The notion of minjung identified the subjugated, marginalised and oppressed as peasants, workers and the poor. The ‘emancipation of minjung’ was one of the key slogans of social movements under the authoritarian rule. However,
this alternative notion also took for granted its ethnic base of the nation and accused the authoritarian regime as being 'anti-nation'. As Shin (2010a, p. 228) commented, the nationalist politics became 'so emotional and bitter'. Where civil society and the state competed for the legitimate notion of nation, again no space was allowed for the claims of ethnic diversity and cultural pluralism.

Ethnic nationalism indeed became the dominant principle for the social organisation in South Korea. The principle of 'bloodline' or *jus sanguinis* was institutionalised throughout the legal system, most explicitly in the Nationality Act. No serious effort was made by either state or civil society to develop an inclusive notion of citizenship as equal members of a democratic polity. The South Korean legal system still to the present has no concept of 'citizenship' per se, but only 'nationality'. The bloodline-oriented notion of Korean nationhood and citizenship was defined by the institution, reinforced by both the state and civil society discourses, and became 'inseparable in the mind of Koreans' (Shin, 2010a, p. 234).

The consequence of the ethnic-nationalism-oriented social organisations was absolute exclusion and systematic discrimination. As the cases of early migrants in South Korea illustrate, the primacy of the nation, preached by the government, allowed no consideration of minority identities in immigration policies. Ethnic nationalism deliberately functioned as the grounds for the totalitarian repression of ethnic diversity and identities. The South Korean public was broadly complicit by ignoring the systematic exclusion and discrimination. They even actively participated in the discriminations in their daily lives (for example, see Park and Jang, 2003).

The cases of the South Korean government’s policies on the migrants before the era of neoliberalisation identify the lineage of the nature of the current migration policies. Although anti-communism has limited resonances after the Cold War phased out, ethnic nationalism is still dominant political ideology underlying the formation of the government policy as well as civil society's political agenda, especially about immigration. The 'developmental state' model is now replaced by the 'neoliberal state'. This issue will be revisited in Chapter 7 in the contemporary context of neoliberal transformation and temporary labour migration policy.
Conclusion

South Korean society has experienced a breathtaking speed of social transformations for the last century. The rapid industrialisation during the authoritarian developmental regimes transformed the country from the devastation of colonial exploitation and war to an industrialised society of high technology. The impressive economic growth was, in fact, derived from the exploitation of workers in poor working conditions with low wages. The authoritarian regimes quelled the discontentment of workers; the workers could hardly find a way to resist it. The deadly claims and statements of tailoring worker Chun, Tae-il, 'Observe the Labour Standards Law' and 'We are not machines; let us rest on Sundays' sprouted workers' collective actions.

The out-migration of Korean workers continued throughout the colonial and authoritarian developmental periods. The first flows of emigration were the mixture of forced and economic migration. The diaspora communities in China and Central Asian former Soviet states are now the primary origins of labour migration or quasi-return migration to South Korea. The second flows of emigration were the temporary labour migrations, promoted by the government as a part of their economic growth strategy. The South Korean migrant workers in West Germany achieved the entitlement of permanent residence through their struggles. This experience later influenced the migrant rights advocacy movements in South Korea.

Although immigration was strictly controlled throughout the authoritarian regimes, there were small groups of migrants in South Korea. The first-comer Chinese migrants, who arrived before and during the Japanese colonisation, experienced systematic discriminations. Vietnamese asylum-seekers, who landed after the end of Vietnamese War, experienced extreme exclusion from the society and eventually resettled in the third countries. These cases show that the roots of South Korea's immigration policy were extremely exclusionary and discriminatory.

Authoritarianism based on anti-communism and ethnic nationalism penetrates the history of the 20th century South Korea. These two concepts were the dominant ideologies for industrialisation and economic growth. The divisions of the nation into two enemy states and the geopolitical position of Korean peninsula were manipulated for the justification of authoritarianism. The experiences of devastating colonialism and civil war were conflated with the experiences of rapid economic success, which eventually produced the sense of national superiority. This South Korean version of defensive ethnic nationalism generated exclusionary and discriminatory approaches to migrants. There was no acceptance of migrants as permanent members of society.
South Korean people have encountered another major transformation of their society since the early 1990s. The transformation was accompanied by a neoliberal restructuring of economy and labour as well as new inflows of international migrant workers. The next chapter examines international migration to South Korea in the era of neoliberalism.
This chapter continues the enquiry into the first research question of this thesis: ‘what is the political-economic background of international labour migration to South Korea?’ While the previous chapter discussed a historical account of migration, labour, policy, and social movements during the pre-neoliberal period, this chapter focuses on a political-economic account of the neoliberal transformations during the period from 1987 to 2016.

This chapter does not intend to analyse specific changes in government policies; it rather seeks to analyse what the relations are between the increase of international migration and the neoliberal societal changes that involved the changes in industrial system, the mode of employment and the role of civil society.

The first section begins by examining both the internal forces that drove neoliberal economic restructuring and the external forces that imposed the structural adjustment programme. The East Asian financial crisis of 1997 was a critical turning point for South Korean society. The country has been swiftly transformed from a ‘post-war developmental state’ to a ‘neoliberal state’ through the post-crisis ‘reforms’ under the guidance of the International Monetary Fund (IMF) and with the consensus of domestic elites. This neoliberal transformation is proceeding far swifter than the previous ones and is accompanied by growing inequality between the ‘ownership classes’, benefiting from their financial and real-estate assets, and the working class suffering labour flexibility (Lim and Jang, 2006b). The democratised governments, of which members were former anti-authoritarian activists, adopted neoliberal principles in economic, labour and social policies (Sonn, 2009). As Lim and Jang (2006a, p. 442) stated, ‘political democracy is hijacked by neo-liberalism’.

The second section examines the social consequences of the neoliberal social transformation with focus on the industrial structures, labour market, employment management practices and precarious jobs. It also analyses their impacts on individual workers.
The third section examines the changes in international migration from and to South Korea. It transformed from an origin country of builders, miners and nurses to the most popular destination for Asian migrant workers and foreign brides. During this period, the South Korean government introduced a series of quasi or formal labour migration programmes to meet employers’ demands for a low-skilled, low-waged temporary and precarious workforce.

By analysing international migration and the labour market in the context of neoliberal transformations, this chapter argues the increase of temporary labour migration is related to the neoliberal transformation of South Korean society, especially the transformation of the labour market that accompanies the precarisation of work. This argument is primarily based on the examination of statistical data, including immigration data and economic indices.

Democratisation and neoliberal transformations


On 15 January 1987, the last year of Chun Doo Hwan’s presidential term, a newspaper reported a student of Seoul National University, Park Jong Chul was found dead at a police detention facility the day before (JoongAng Ilbo, 1987). Four months later, he turned out to have been killed by water torture. His death ignited the South Korean people’s discontent against the repressive authoritarian regime. Millions of people throughout the country spilt into the streets, calling for democracy. On 9 June, a student of Yonsei University, Lee Han Yeol, was shot in head by a tear-gas canister at his university campus. His death led to the explosion of people’s rage against the regime. Nation-wide demonstrations continued for a month. Popular social movements finally achieved institutional democracy, including the direct election of the president and freedom of expression. Immediately after, the Grand Struggles of Workers burst out. Ten million workers participated in more than 3,000 strikes from July to September, calling for decent working conditions and appropriate levels of wages (Koo, 2001). The people’s experiences of the June Democracy Movement and the Grand Struggles of Workers in 1987 paved the path to build an independent civil society, independent trade unions and radical student movements (Suh, 2007).

The presidential election followed in December. This time, another member of 1979 coup, Roh Tae Woo, was elected through the free election, while the opposition leaders failed to form a
coalition. Although the remnants of authoritarianism were still had political power, the process of democratisation was irreversible. At the general election a year after, the government party, Democratic Justice Party failed to hold the majority at the National Assembly for the first time in history. Despite an appreciation of South Korean democratisation as a ‘shining example’ in the Asian region (Kim, 2003e), democracy was still far from consolidated. In 1990, the government party managed to hold an extreme majority by merging with two opposition parties: one was a branch of a long-standing democratisation movement group, the other was a group formed from the remanent of the 1960 military coup. This opportunistic alliance faced severe resistance from students and workers, which again responded with aggression and violent suppressions (Chang, 2001). Student movements and trade unions continued to be suppressed. The government criminalised the Korean Teachers and Education Workers Union and forcefully quelled the protests of students advocating the re-unification of the two Koreas.

After democratisation, the government pursued the Northward policy by extending its diplomatic relations toward the countries in the communist bloc (Choi, 1992a, p. 41). This pragmatic approach intended to expand the export market, to diversify diplomatic relations beyond the ‘blood-alliance’ with the US, and also to isolate North Korea from international politics. In 1991, both South and North Korea, which had each not recognised the other as an independent state, joined the United Nations together. The South Korean government opened up its borders to attract foreign tourists during the 1988 Seoul Olympic Games and to promote overseas travels of its citizens by withdrawing restrictive departure controls. In 1992, South Korea established diplomatic relations with China in the expectation of the increase in trade, but at the cost of breaking the long-standing anti-communist alliance with Taiwan. Since then, China has become the largest country of origin of migrants to South Korea.

In 1993, Kim Young Sam was elected as the first president with a non-military background for three decades. He was once the leading member of an opposition party during the authoritarian period. However, when he was elected he represented the opportunistic coalition of authoritarian and democratisation groups, the Democratic Liberal Party. This government’s catchphrase was the ‘Korean disease’, taking the idea from the ‘British disease’, which was the declaration of neoliberal transformations in the UK in the 1980s, known as ‘Thatcherism’. President Kim, in his inaugural address in 1993, proposed ‘the creation of a new Korea’ with a ‘new economy’ to tackle corruption and to address workers’ discontent. It implied a significant shift of economic and social principles from regulation and protection to deregulation, autonomy and competition (Lim and Jang, 2006a). It was a launching declaration for the endogenous neoliberalisation of South Korean
society. The government also declared ‘Segyehwa’ (globalisation) and promoted ‘the reinforcement of national competitiveness’, which overwhelmed public discourses (Shin, 2000). The ‘catching-up model of state-bank-chaebol nexus’ (Shin and Chang, 2003) of the authoritarian developmental state gave way to the new model of neoliberal globalisation of the democratic neoliberal state.

There had been some precursors of endogenous neoliberalisation during the previous military regime (1980–1987). A group of new bureaucrats and economists who were educated in the United States emerged in the government. They enthusiastically initiated market-oriented policies like deregulating the finance market, opening the national market to international investors, promoting international competitiveness of business, and distributing resources through markets rather than government planning. Despite the support of the authoritarian president Chun Doo Hwan, their initiative failed due to strong resistance of developmental-state-oriented bureaucrats (Ji, 2011, pp. 111-120). Businesses were rather ambivalent about the initiative: they welcomed the flexibilisation of employment but refused the market-opening, the promotion of competition and the introduction of foreign direct investment.

The failed initiatives revived about ten years later by the same bureaucrats’ group, but this time with full political support from the government in the name of ‘creating new economy’. The government actively participated in the international initiatives for free trade, which transformed the global trade regime from protectionism to neoliberalism. It engaged with the Uruguay Round, which replaced the General Agreement on Tariffs and Trade (GATT) with the WTO in 1995. The government’s strategy was to increase the comparative advantage of manufacturing in the global market at the cost of agriculture. The consequence was, despite the severe resistance of farmers and students, the collapse of rural communities. South Korea also joined the Organisation of Economic Co-operation and Development (OECD) in 1996, announcing its commitment to radical opening of its financial and capital markets (Ji, 2011, pp. 140-141). Membership of the OECD was propagated as a symbol of economic success, which made people proud of their sacrifices and contributions.

The government also accelerated the process of financial deregulation, which was especially encouraged by chaebols. The deregulation of the financial sector, which began in 1991, speeded up from 1993. The interst rate was deregulated; chaebols were permitted to get involved in financial business; they were allowed to make loans with short-term low-interest foreign capital. They transformed the structure of the South Korean financial market, making it vulnerable to external financial factors and dependent on the performance of the chaebols (Cho, 1999).
The other side of the deregulation was the precarisation of work. Despite the massive resistance of workers and opposition parties, the government passed a bill for the amendment of labour laws through illegitimate processes on 26 December 1996. The amended labour laws legalised redundancy, the temporary employment of replacement workforce or the increased subcontract production during strikes, and the prohibition of the payment of wages during strikes, known as the ‘no work, no pay’ rule. Their underlying neoliberal assumption was that the flexibilization of the labour market would reinforce global competitiveness. Trade unions immediately staged general strikes against the deterioration of labour standards. As a result, the redundancy was postponed for two years, and the replacement by temporary workers from outside or subcontract production was prohibited during strikes (Choi et al., 1999, pp. 296-336). It should be noted, amid the debates over the flexibilisation of the labour market, the short-term contracted, un-unionised and precarious migrant workers were already filling the workforce shortages under the deceptive name of industrial trainings.

Neoliberalisation was not only pursued by the endogenous initiatives of domestic elite economists, but was also pressed by external forces. On the one hand, the US increased protectionist pressures on South Korea to ‘rectify’ the long-lasting adverse balance of trade. It applied a retaliatory dumping tariff on South Korean products and filed disputes to the WTO (Ji, 2011, pp. 132-137). On the other hand, the Washington Consensus increased the influences on developing economies by imposing its three standard prescriptions: fiscal austerity, privatisation, and market liberalisation (Stiglitz, 2002). The neoliberal credos rapidly replaced the planned economies. After the collapse of Soviet and Eastern Bloc, the world was being swept up by the tsunami of the ‘new great transformation’ (Munck, 2004, p. 1) of neoliberalism. The South Korean economy was also caught up in the tsunami. The process of the transformation was, however, poorly managed by the government (Lee, 2011c, pp. 32-33, McKay, 2003, p. 81).


In January 1997, the 16th biggest South Korean conglomerate, Hanbo Steel, went bankrupt due to excessive investment and bank loans. The company’s debt was 22 times its equity (Pollack, 1997). This incident was a prelude to the 1997 Financial Crisis, most commonly called the ‘IMF Crisis’ by South Koreans. In response the government-initiated financial deregulation project, businesses had rapidly increased bank loans and investments. However, the excessive loans generated high financial and credit risks of businesses. Chaebols went bankrupt in succession throughout the year. The collapse of businesses was immediately transmitted to the banks, which had heavily
relied on foreign investment. As soon as international credit rating agencies downgraded the ‘sovereign credit rate’, foreign investors, especially hedge funds, rushed out of South Korea. The foreign exchange crisis that started in Thailand earlier that year rapidly spread to South Korea. The foreign exchange reserves of South Korea rapidly decreased, and the value of South Korean Won dramatically dropped (Cumings, 1998, pp. 153-158, Ji, 2011). The South Korean government finally resorted to the IMF’s bailout in November 1997.

Economists have debated the cause of the crisis. The IMF and mainstream economists argued that the crisis was a consequence of unbalanced fundamentals in the South Korean economy, which were the legacy of the old development model and corrupt government-business relationships, in other words ‘crony capitalism’ (Corsetti et al., 1999, Hughes, 1999). There are also alternative views. Radelet et al. (1998) argued that the crisis was the outcome of the overreaction of panicking international investors in financial markets rather than real market problems. Chang (1998) denounced the under-regulation of the economy, such as mismanagement of financial deregulation, abandonment of investment coordination, and poor management of exchange rates. Lee (2011c) ascribed the crisis to the withdrawal of the developmental state and the ill-managed introduction of neoliberalism.

The IMF imposed on the South Korean economy its standard prescription, the ‘Structural Adjustment Programme’. The conditionality of loans was austerity policy in government expenditure and currency, high-interest rates, increased foreign ownership up to 100 percent. There was growing criticism against the conditionality set by the IMF, which was considered to be ‘unnecessary shock therapy’ (Stiglitz, 2002). Although the crisis undermined the power of some economic elites who were responsible for the poor management of financial and currency policies, the domestic neoliberal economic elites still played leading roles in pushing forward the restructuring programmes. Korean economist bureaucrats welcomed the opportunity to accelerate the neoliberal ‘reform’ project, which they had already pursued (Ji, 2011, pp. 231-240). The Structural Adjustment Programme reinforced the pre-existing neoliberal restructuring projects led by the domestic elites, rather than was unilaterally imposed by IMF (Lim and Jang, 2006b). The South Korean government did not passively take all the IMF prescriptions, but actively engaged in the negotiation with the IMF. For example, the government managed to expand the social welfare expenditure to mitigate the rapid increase of income gap and the polarisation of labour market as will be presented in the next section. Nevertheless, it is undeniable that the South Korean government performed the central role as a ‘neoliberal state’ (Harvey, 2005) in the neoliberal restructuring processes.
Neoliberal restructuring coincided with the consolidation of democracy in South Korea. In the middle of the crisis Kim Dae Jung of the opposition party, was elected as the president. This government achieved significant improvements in the relationship with North Korea as well as the institutionalisation of human rights and gender equality. However, the government’s economic policy aimed at sweeping away the legacies of the state-dominated economy and moving towards a market-driven system (Lee, 2012a, p. 185). The leaders of political democratisation movements converted themselves into advocates of the neoliberal economy. There was a widespread public consensus that economic liberalisation was a part of political liberalisation. As Lim and Jang (2006a) critically pointed out, political liberalisation and democracy were ‘hijacked by neoliberalism’.

In 2001, the South Korean government finalised the repayment of IMF loans, and its vigorous implementation of IMF’s conditionality was praised as ‘a model for other countries’ by the IMF (2001). However, it is controversial whether the IMF’s prescriptions helped reduce the crisis or aggravate it. For example, Stiglitz (2002) argued the recovery from the crisis was due to the South Korean government’s refusal of some of the IMF prescriptions, like control over exchange management. Later, the IMF admitted its mistakes about the austerity-oriented fiscal policy, but still not about its monetary policy (Stiglitz, 2002, pp. 128-129).

**Table 5-1 The impacts of restructuring programme, selected years**

<table>
<thead>
<tr>
<th>Financial sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of financial institutes (year)</td>
</tr>
<tr>
<td>from 2,102 (1997) to 1,617 (2000)</td>
</tr>
<tr>
<td>Banks</td>
</tr>
<tr>
<td>from 33 (1997) to 22 (2000)</td>
</tr>
<tr>
<td>Non-bank financial institutes</td>
</tr>
<tr>
<td>from 30 (1997) to 9 (2000)</td>
</tr>
<tr>
<td>Credit unions</td>
</tr>
<tr>
<td>from 231 (1997) to 78 (2000)</td>
</tr>
<tr>
<td>Number of employees in financial sector</td>
</tr>
<tr>
<td>from 114,919 (1996) to 67,171 (2001)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Industrial sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt ratio of top 30 chaebols (year)</td>
</tr>
<tr>
<td>from 500 % (1996) to 200 % (2000)</td>
</tr>
<tr>
<td>Foreign direct investment, US Dollar (year)</td>
</tr>
<tr>
<td>from 3.2 billion (1996) to 15.2 billion (2000)</td>
</tr>
<tr>
<td>Foreign share in the Korean stock market (year)</td>
</tr>
<tr>
<td>from 14.6 % (1997) to 36.6 % (2001)</td>
</tr>
<tr>
<td>Foreign ownership of major companies, 2001</td>
</tr>
<tr>
<td>Samsung Electrics 56 %</td>
</tr>
<tr>
<td>POSCO 63 %</td>
</tr>
<tr>
<td>Hyundai Motors 57 %</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Layoff at Public sector, 1998–2000</td>
</tr>
<tr>
<td>131,082</td>
</tr>
<tr>
<td>Government employees</td>
</tr>
<tr>
<td>13.2 %</td>
</tr>
<tr>
<td>Public enterprise employees</td>
</tr>
<tr>
<td>25.1 %</td>
</tr>
<tr>
<td>Local government employees</td>
</tr>
<tr>
<td>16.5 %</td>
</tr>
<tr>
<td>Other government-affiliated institutions</td>
</tr>
<tr>
<td>18.3 %</td>
</tr>
</tbody>
</table>

*Source: Lee (2002b) and Lee (2011c).*
The IMF-prescribed restructuring programme had profound impacts throughout the South Korean economy and society (see Table 5-1). The financial sector was severely smashed: one out of three banks were closed down by bankruptcy or hostile mergers and acquisitions. More than 41 percent of financial workers lost their jobs. The impacts on the industrial sector were even more severe. By the government’s guideline, major chaebols significantly reduced the debt ratio. At the same time, the ownership of businesses rapidly shifted to foreigners: foreign direct investment increased more than 4.7 fold; foreign shares in the Korean stock market increased 22 percent. More than half of the ownership of major enterprises were taken by foreigners. The public sector was also affected. The main issue was the layoffs. More than 130,000 employees within the public sector lost their jobs. The employees of public enterprises faced particularly severe layoffs compared with government employees.

**Intense neoliberal globalisation (2003–2016)**

In 2012, South Korean people elected Roh Moo Hyun as the president, again from the liberal side. By this time, the generation involved in the 1987 democratisation movement had become broadly involved in the government and politics. The government sought to eliminate the authoritarian legacies and to settle down participatory democracy in South Korean society. South Korean people enjoyed vibrant political debates, and the conservative-dominant political terrain was divided into the conservative, the liberal and the progressive (Song, 2007).

Along with the extension of democratisation, neoliberal globalisation accelerated even further. The Roh Moo Hyun government aggressively pushed ahead bilateral free trade agreements (FTAs). Starting from the FTA with Chile in 2002, it produced FTAs with 49 countries (Ministry of Trade Industry and Energy, 2013). The FTA with the United States (KORUS FTA) was the most controversial due to its potential impacts on the economy, considering the United States is the third largest trade partner for South Korea (Ministry of Foreign Affairs and Trade, 2012). The negotiation process of the KORUS FTA was also controversial. The process was not open to the public on the pretext of trade expertise and national interest, which eventually brought about severe suspicion and resistance from the people. It is also reported that chaebols (e.g. Samsung) were involved in introducing the KORUS FTA with the expectation of benefits from the deregulation of the service sector, like healthcare and health insurance (Ji, 2011, pp. 399-402). The KORUS FTA was most severely opposed by farmers, who had already experienced disadvantages throughout the industrialisation period. The government openly acknowledged the potential disadvantage to the agricultural sector, which they argued would be offset by the
advantage to the manufacturing sector. The government advertised the FTA’s advantage to car-manufacturing, but studies show even that advantage is uncertain or minimal (Chae, 2012). The government suggested it would give a subsidy to the agricultural sector (Moon, 2012), but it only generated the distrust and discontent of farmers.

On the contrary to the conservatives’ claim that the two consecutive liberal governments had a ‘left-wing’ bias, their economic policy was far from the left (Park, 2010a). They show the typical characteristics of the ‘neoliberal state’ (Harvey, 2005). They pursued typical neoliberal policies, like privatising state-owned companies, introducing a workfare system, repressing labour unions, and compensating the losses of business and finance using government funds. Also, the South Korean liberal governments made a unique neoliberal-state model ‘by actively initiating and creating the capital accumulation policy rather than by only reflecting the capital’s interest in its policy’ (Ji, 2011, p. 407). Eventually, the Roh Moo Hyun government faced the discontent of both the progressives and the conservatives: the progressives resisted the neoliberal economic policies, and the conservatives challenged the political reforms.

The liberal governments did not last long in South Korea. In 2007, the candidate of the conservative party Lee Myung Bak won the presidential election. He was the former CEO of Hyundai Construction, which was a key business actor of the South Korean authoritarian development state in the 1970s and 1980s. Right from the beginning, he was a self-declared ‘business-friendly president’ (see Lee, 2007). The government maintained a weak currency policy in support of exporting businesses, mostly big chaebol companies. It claimed a ‘trickle-down effect’ would benefit workers, which is typical in neoliberal propaganda. The revival of the old ‘export-oriented growth’ policy helped the prosperity of large firms: major enterprise groups increased their assets more than 12 percent every year after 2005. However, the ‘trickle-down’ did not happen: wage incomes of average households fluctuated between -2.9 and 4.2 percent during the same period (see Figure 5-1).

The ‘business-friendly’ government also pushed forward the privatisation of the airport, railway, gas, electricity, water and healthcare (see Park, 2012b). Severe resistance from workers and the opposition party were not able to stop the neoliberal drive of privatisation. The conservative government carried over the drive to the next conservative government, when Park Geun Hye, the daughter of the authoritarian ruler, Park Jung Hee, was elected as the president in 2012. The conservative government accelerated the neoliberalisation of the South Korean economy and bluntly served the benefits of the chaebol and transnational corporations at the cost of the people’s livelihood.
Expansion of the civil society and challenges from neoliberalism

While the South Korean state had driven the society into neoliberalism, the South Korean civil society had significantly expanded in size and diversity. South Korean social movements were the major driving forces for democratisation. During the period of authoritarian regimes, the civil society as an autonomous political and social space of people hardly existed. The relatively small social movement groups had grown throughout the 1980s, but were mostly maintained as underground organisations of activists, workers and students. They played crucial roles during the mass struggles in 1987 and successfully mobilised the middle class to participate in the movement.

South Korean sociologist Cho (2012a) argues the June Democracy Movement of 1987 and the following institutionalisation of democracy made two significant political achievements: first, the expansion of autonomous and free political space for the civil society; and second, the increase of self-awareness of people as right-holders. After 1987, South Korean civil society enjoyed gradually increased political freedom. The expanded political space enabled various civil society groups to openly raise various political and social agendas, not only a radical transformation of

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure5-1}
\caption{Growth rates of business assets and wage income, 2004–2012}
\end{figure}

\textit{Source: Statistics Korea (2017).}
the political system but also lifestyle issues (Cumings, 2007). Those groups orientated in the institutional changes often continued to identify themselves as a ‘Minjung movement’ or specifically identified themselves as a ‘social movement’.

The ‘citizen’s movement’ was a new form of social movement that appeared in the early 1990s as an outcome of the increased self-awareness of ‘citizens’ as right-holders. The ‘citizen’s movement’ groups were mostly led by professionals, the middle-class and any people who identified themselves as ‘citizens’. Their agenda was not limited to political democratisation but covered various social issues, including economic justice, environment and minority rights. They set up non-governmental organisations (NGOs) to pursue consistent actions for their agendas, typically in collaboration with full-time activists, advisory professionals and citizen supporters. The ‘citizen’s movement’ is often compared to the ‘new social movement’ in the European context. However, this South Korean version of new social movement is unique in the sense that it maintains the confrontational relationship with the government and often gets deeply involved in the political agenda (Kim, 2006a, Kim, 2013a).

The labour movement also grew to be significantly influential in South Korean society. The movement for an independent labour union, which had begun as early as the time of Chun Tae-il, the 1970s, exploded as the Grand Struggles of Workers immediately after the June Democracy Movement in 1987. South Korean workers finally established the independent national union, the KCTU in 1995. It was an alternative to the existing right-wing yellow union, Federation of Korean Trade Unions (FKTU), which was established in 1946 under the auspices of the authoritarian regime and had been the only national union after the socialist National Council of Trade Unions was banned by the anti-communist government in 1948. Since the establishment of the KTCU, the two Unions were in competition for the agenda-setting of labour policies and the unionisation of workers.

The progressive sects of both the Protestant and Catholic churches also made crucial contributions to the democratisation movement. They often took leadership of the movement or offered moral supports or physical spaces safe for social movement activists (Clark, 2007). They also contributed to the labour movement by sprouting grassroots unions throughout the 1970s and the 1980s (Koo, 2001). The churches’ social participations were often mobilised by the ‘activist clergy’ (Kim, 2011a, p. 1649) who had ideological basis in minjung theology, the Korean version of liberation theology. After the growth of the ‘citizen’s movement’ and the labour movement, the religious group gradually transferred the political leadership to these groups.
This thesis does not discuss other important groups within the civil society, such as the women, those of sexual minorities, the disabled and the environmental movement. This is not because they are insignificant within civil society, but they had less or no organisational and personal relations with migrants’ collective actions than the three groups mentioned above.

The neoliberal transformation generated significant challenges to the South Korean civil society. Although the polarisation of the wealth increased social tensions, both the citizen’s movement and the labour movement were unable to address the problems adequately. The collapse of the middle class became an existential threat to the citizen’s movement. Some of the citizen’s groups, mostly led by professionals, either neglected the perils of the neoliberal transformation or even promoted the neoliberal agenda like globalisation, privatisation and flexible labour (Kim, 2014b). Trade unions were based on the organised workers with regular or permanent contracts at large firms. They were more concerned about the wages and working conditions at their workplaces, but less interested in the unorganised, non-regular and precarious workers in small and medium enterprises (Jang, 2006). South Korean political scientist, Choi (2012, p. 176), encapsulates these situations in a phrase: ‘a civil society versus the civil society’ after democratisation. He also identifies the endogenous problems that weakened the South Korean civil society: lack of ‘pluralism’, neglect of ‘labour’ and a ‘non-political and class-blind’ approach (Choi, 2012, pp. 180-184).

In this context, it is significant and insightful that critical political economist Hundt (2015) analysed the nexus of neoliberalism, the state and the civil society in South Korea. He argues ‘for some states, neoliberalism is a means of retaining economic and political influence’, and ‘former developmental states may be particularly adept at co-opting elements of civil society into governing alliances’ (Hundt, 2015, p. 466). By embracing neoliberalism and co-opting the civil society, the South Korean state retains the political and economic influences throughout society. Thus, I argue it is essential to analyse how government policy operates to materialise the state’s influences to understand the social issues, including migration, labour and social movements in the South Korean context.
Polarisation in the labour market under neoliberal transformations

Transformation of the old employment system to the 1987 system and the 1997 system

As examined in Chapter 4, the ‘old employment system’, which is represented by the ‘barrack-like control’ of workers and the ‘immobile labour market’ (Park, 2002a, p. 145), underlay South Korea’s industrialisation under the authoritarian developmental regimes. In parallel with the democratisation in the late 1980s, the employment system was also in transition. As an outcome of the Great Struggles of Workers in 1987, the ‘1987 labour system’ replaced the ‘old employment system’. The ‘1987 labour system’ was characterised by the status of extreme conflicts between the ‘hard-line struggles’ of militant unions and the ‘hard-line crackdown’ of the government and employers (Roh, 2000, p. 169). The system put on hold the neoliberal transformation of the labour market and continued for a decade.

This general trend, however, did not reach the SMEs in the so-called 3D (dirty, difficult and dangerous) sector. While the labour market of the SMEs was already segmented from that of the primary industries of the chaebols, the workers in this sector were also increasingly isolated from the development of the labour movement. While the workers in the large-scale chaebol companies were strongly unionised under the enterprise-based union system, the workers in the SMEs were hardly able to organise unions. Consequently, they had little chance to mobilise any resistance against the introduction of neoliberal employment policies like the temporary and fixed-term employment of migrant workers.

After the 1997 Asian Financial Crisis, the South Korean government rapidly pushed forward the introduction of the neoliberal labour system, so-called the ‘1997 employment system’ in the name of ‘corporatism to overcome the economic crisis’ (Park, 2002a, pp. 146-151). It was a response to the continuing employers’ demands for labour market flexibilisation. The neoliberalisation of the labour system was even further accelerated by the imposition of the Structural Adjustment Programme of the IMF. The restructurings of finance, business and the public sector meant layoffs or redundancy for many South Korean workers. The layoff of workers, which began during the ‘IMF crisis’, continued even after the economy recovered from the crisis. It became employers’ key strategy to reduce production costs and increase their profits over workers’ sacrifice.
After employers laid off their employees, they often replaced them with non-regular workers like temporary workers or workers who were dispatched by their subcontractors. They even hired workers as individual subcontractors to avoid the employers’ legal obligations. They sometimes re-hired the same worker, who they previously laid off, for the same position, with a lower wage and a more precarious status.

The ‘flexibilisation’ of employment using ‘non-regular workers’ is a typical neoliberal employment system, institutionalised by the corporatism of the government, employers and a co-opted union. At a very early stage of the restructuring project, the Kim Dae Jung government set up a ‘social dialogue system’ (Lee, 2012a, p. 187), the Korea Tripartite Commission. The Commission sought to draw a consensus on the flexibilisation of employment, especially from labour unions. In 1998, the government, employers and labour unions agreed to the Social Pact of the Commission in the name of ‘pain-sharing’. It allowed the government to put into effect the provision of redundancy in labour law. It also legalised the ‘dispatch of employee’: in other words, it allowed large companies to use their subcontractors’ employees in their workspace (Choi et al., 1999). The Tripartite Commission was ‘a key instrument of new governance for national-level labour relations’ (Lee, 2012a, p. 188). Consequently, the redundancy, casualisation of jobs and the flexibilisation of working hour and work type came into place in the South Korean labour laws (Park, 2002a, pp. 146-151).

The Tripartite Commission agreed on the definition of the ‘non-regular worker’ in July 2002, which includes:

- temporary (or contingent) workers who have a fixed-term contract, non-fixed term contracts that are repeatedly renewed or no expectation on the continuation of work;
- hourly workers (or part-time workers); and,
- non-standard workers including temporary agency (or dispatched) workers, subcontractors’ employees, and on-call workers (Statistics Korea, 2017).

This definition is, however, controversial. The KCTU withdrew itself from the Tripartite Commission and refused the narrow definition (Kim, 2001a). Instead, they argued non-fixed term contract workers who have the position of temporary or daily work should be included. The

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6 Bijeonggyu Nodongja in Korean. The government uses both ‘non-regular worker’ and ‘irregular worker’ for English translation. However, I use ‘non-regular worker’ to avoid confusion with irregular migration.
government separately defines this group as ‘vulnerable worker’ but did not include them in ‘non-regular worker’ category. This debate exemplifies that the reality of the proliferated precarisation of jobs throughout society became a national agenda.

The labour market was significantly affected by the transformation of the employment system. Figure 5-2 presents the rapidly growing proportion of temporary and daily employment, which implies the intensifying precarisation of work (Lee, 2012a, pp. 191-192). According to an academic survey, in 2000, when regular workers were paid on average 8,401 Korean Won per hour, non-regular workers received only half of that, 4,427 Korean Won (Kim, 2001a). Unemployment tripled, and youth unemployment doubled between 1996 and 1998; they remained relatively high afterwards. The gap between the total employment and youth unemployment also grew (see Figure 5-3). Scholars argue, considering the official unemployment rate does not include those workers who feel unemployed, such as the ‘marginally attached workers’, ‘discouraged workers’, and ‘underemployed’, the actual unemployment rates increase as high as 2.24 times of the official rate (Kim, 2005b).

The neoliberal state also incapacitated trade unions in the name of the ‘the advancement of labour-employer relations’, while it pushed forward the neoliberalisation of the labour market. When the discontent of workers grew, the government and conservative media mobilised anti-labour discourses: they denounced labour unions with such terms as ‘the selfishness of big unions’, ‘labour aristocracy’ or ‘anti-democratic, illegal and violent organisation’ (Roh, 2006). If workers went on a strike against abnormal labour management, layoffs, privatisation or a government policy, the government criminalised the workers for ‘demanding beyond what an employer can meet in practice or by law’, ‘having procedural problems’ or ‘political strike’ (see Park, 2013c). The police often crushed the strikes and employers claimed compensations for the loss of profits against leaders of trade unions. Then, the court ruled the individual workers were liable for the compensation of an extremely high amount of money, which they could not pay even with their life-long savings.

Violent repressions of strikes were justified in the name of the ‘rule of law’ without questioning the legitimacy of neoliberal labour laws. As the public broadly accepted the ideological campaign of the ‘rule of law’, labour unions were isolated. They were also criticised for not being able to accommodate the rights of non-regular workers adequately. Industrial sociologist Roh (2010) argues that the middle class, who participated in the political democratisation throughout the 1980s, now became ‘liberal bourgeois’ and integrated into the neoliberal alliance between
Figure 5-2 Proportion of temporary and daily employment, 1992–2002


Figure 5-3 Unemployment rates, 1989–2004

The neoliberal transformation accompanied the growing inequality between the ‘ownership classes’ who earned from their financial and real-estate assets and the low labour cost derived from the flexibility of labour and the precarious and low-wage jobs that the ‘working class’ suffered from (Lim and Jang, 2006b). Figure 5-4 shows the deterioration of income equality and the increase of poverty. According to official data, the Gini coefficient rapidly increased between 1996 and 1998 and, then, remained high afterwards. Urban households, of which income was lower than 50 percent of median income, also consistently increased; this reflects the increase of relative poverty.

On the contrary to the typical patterns of neoliberal transformation (see Chapter 2), however, the restructuring in South Korea accompanied a rapid expansion of social welfare expenditure both in the government and private sectors. The share of welfare expenditure in GDP leapt in 1998 and gradually grew to ten percent in 2013 (see Figure 5-5). During the period of rapid economic growth, it was the family that maintained South Korea’s social security net, as named as ‘a residual model’ welfare system (Park, 2008) or ‘welfare orientalism’ (White and Kwon, 1998 cited in Hahn and McCabe, 2006). In the middle of recovering from the 1997 IMF crisis, the Kim Dae Jung government promoted a state-led welfare system under the slogan of ‘productive welfare’. This initiative reframed social welfare as ‘the right to a decent minimum standard of life’, ‘the right to work and participate’, and ‘social welfare as a human capital investment’ (Lee, 2004a, p. 293).

However, the idea of ‘productive welfare’ or workfare is controversial. Although some argue it has the potential to develop into a social democratic or Scandinavian model of social welfare, South Korea’s share of social welfare expenditure is still far lower than that of other welfare states. Others argue it is only an attempt ‘to celebrate economic productivity and private responsibility’ in social welfare (Hahn and McCabe, 2006, p. 316). Despite the increased welfare expenditure, social polarisation became even worse, as the income inequality level shows (see Figure 5-4). The ‘productive welfare’ benefits the business sector by ‘enabling’ people to work, but there is little evidence that the business sector contributed to the welfare system.

As social policy scholar Hwang (2004) identified, despite a growing sign of social security’s contribution to reducing income inequality, it was still of little use in mitigating the increase of inequality of original incomes in South Korea. His recent empirical study identifies that ‘the
Figure 5-4 Income distribution and poverty, 1990–2009

![Graph showing income distribution and poverty from 1990 to 2009.](image)


Figure 5-5 Social welfare expenditure per GDP, 1990–2013

![Graph showing social welfare expenditure per GDP from 1990 to 2013.](image)

design features of social provisions are progressive, but their distributional profiles are not’ (Hwang, 2016, p. 571). One of the external factors that diminish the progressivity of the South Korean welfare system is the excessively polarised labour market. His data shows ‘the near universal social insurance coverage of permanent workers, compared to the around 20 percent coverage rate of temporary workers’ (Hwang, 2016, p. 584). Since too many workers are excluded from the social insurance, the system has become less sustainable and solidaristic. The uninsured temporary workers has become more vulnerable against social contingencies.

Hierarchical relationship between large firms and small and medium enterprises

Throughout the neoliberal transformations, South Korea’s national economy continued to grow. The Gross National Income per capita by purchasing power parity increased steadily except during the two periods of financial crises in 1997 and 2008 (see World Bank, 2017). This macroeconomic index, however, fails to show the consequences of the neoliberal transformation, especially the increased disparity between the large firms having more than 300 employees and the SMEs having less than 300 (Statistics Korea, 2017). The survivors of the ‘IMF crisis’, chaebols successfully integrated themselves into the global market and grew to transnational corporations. On the contrary, the SMEs, which were mostly subcontractors supplying materials and parts to the big companies, either went broke or became even smaller and poorer.

In 2014, American business magazine Forbes reported that Samsung had become the ninth most valuable brand in the world (Forbes, 2014). Samsung Electronics was the 20th biggest company in the world by sales, profits, assets and market value. The company's president, the son of its founder, is now the 69th richest person in the world with 13 billion US Dollars worth of assets. His son, who is the vice-president of the company, is the third wealthiest South Korean on the same list with 4.1 billion US Dollars.

In stark contrast, several years before this report, a major South Korean newspaper, The Kyunghyan Shinmun, reported 240 employers of small and medium business went on strike on 17 March 2008 (Kim, 2008a). They claimed the supply prices of subcontractors should increase to a reasonable level. They argued that while the prices of raw materials increased from 120 to 190 percent, the supply price of their products increased only 20 to 30 percent over the last ten years. These two episodes symbolically exemplify the polarisation between the large firms and SMEs.
Statistical data confirm the growing disparity between large firms and SMEs. According to official data, SMEs have comprised the absolute majority in numbers of companies in the manufacturing sector. Since 1995, more than 99 percent of all South Korean companies have been SMEs (see Figure 5-6). The total number of employees that were hired by SMEs was more or less same as that of large firms in the 1980s. However, the share of SME-hired employees rapidly increased afterwards. In 2011, more than two out of three employees worked at SMEs (see Figure 5-7). As an independent research institute, Saesayon (Research Institute for Opening a New Society) argues, neoliberal restructuring transformed the South Korean economy ‘from high-growth and high-employment system to low-growth and low-employment system.’ The ‘rationalisation’ and ‘jobless growth’ system were largely driven by chaebols and large firms (Saesayon, 2009, pp. 276-281). In the course of the economic crisis, the chaebols restructured their employment system toward ‘slimming down’ organisations through outsourcing and offshoring and also by mergers and acquisition. It explains the radical decrease in the number of large firms and their employees. At the same time, the neoliberal production system based on outsourcing required more subcontractor companies. Thus, the SMEs and their employees increased.

There were significant disparities in wages and working conditions between large firms and SMEs. The workers at SMEs were paid almost 40 percent less than their counterparts at large firms in the 1990s. The wage gap significantly increased throughout the 1980s and 1990s (see Table 5-2). Wage disparities were more significant for the workers who were aged more than 45 years or who had no trade union at their company (Jeong et al., 2005, pp. 149-150). There was no prospect that SME workers would be better off as they aged. The SME workers were also in more dangerous workplaces than the large firm employees. Although the industrial accident rate had gradually decreased in general, the rate of SME workers was still six times higher than that of workers at large firms between 2011 and 2015 (see Figure 5-8).

SME workers had less chance to be protected by trade unions than large firm workers. According to Workplace Panel Survey conducted by Korea Labor Institute (Statistics Korea, 2017), the rates of SME workers who joined trade union were 30 percent lower than the same rates of large firm workers in 2007 (see Table 5-3). The wave of workers’ struggles to establish independent unions, the increased wages and improved working conditions achieved by the struggles in the late 1980s and the early 1990s did not reach the SMEs. As the level of unionisation had a positive effect on the increase in wages, the wage gap between the SME workers and large firms continued to increase (Bae et al., 2008, p. 56).
**Figure 5-6 Number of SMEs and large firms in manufacturing sector, 1980–2011 (selected years)**


**Figure 5-7 Employees of SMEs and large firms in manufacturing sector, 1980–2011 (selected years)**

Figure 5-8 Rate of industrial accidents (number of victims per all employees), SMEs and large firms, 1991–2015


Table 5-2 Wage of large firm workers as percentage of wage of manufacturing SME workers, 1983–2001 (selected years)

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<tbody>
<tr>
<td>Total wage difference</td>
<td>109.8%</td>
<td>115.9%</td>
<td>128.3%</td>
<td>121.9%</td>
<td>126.4%</td>
<td>138.2%</td>
<td>138.0%</td>
</tr>
<tr>
<td>Net wage difference estimated?</td>
<td>104.4%</td>
<td>106.1%</td>
<td>115.2%</td>
<td>106.6%</td>
<td>110.4%</td>
<td>114.6%</td>
<td>115.7%</td>
</tr>
</tbody>
</table>

Source: Jeong et al. (2005)

Table 5-3 Workers organised by trade unions, SMEs and large firms, 2007

<table>
<thead>
<tr>
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<th>Rate of unionised workers</th>
<th>Rate of workplaces having trade unions</th>
</tr>
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<tbody>
<tr>
<td>SMEs</td>
<td>10.36 %</td>
<td>31.14 %</td>
</tr>
<tr>
<td>Large firms</td>
<td>37.10 %</td>
<td>58.41 %</td>
</tr>
</tbody>
</table>

Source: Bae et al. (2008, p. 56).

7 This figure takes into account the education level, gender, continuous service year and experiences before the current job of employees, size and region of the company, occupation, and industrial sector (Jeong et al., 2005, pp. 87-88).
The disparity was mainly due to an asymmetric and ‘exploitative subcontract system’ between SMEs and large firms (Chung, 2007, Saesayon, 2009). According to an independent survey, most South Korean SMEs rely on subcontract transactions with less than five big companies; and half of them have subcontracts with only one or two companies (Saesayon, 2009, pp. 203-205). The large firms gained profits by making use of the subcontractors’ high dependency: their cost burdens, such as increased import prices of raw materials, increased wages, and high bank interest rates, were all shifted onto their subcontractors, SMEs. Due to the increased number of SMEs, they had to win acute price competitions to remain subcontracts with the large firms, which was vital for their survival. Moreover, the South Korean government’s high exchange rate policy, especially during the Lee Myung Bak government, aggravated SMEs’ production cost because they were major importers of raw materials. They produced parts of a final product out of the imported raw materials and sold them to large domestic firms. The beneficiaries of the exchange rate policy were the large exporters.

The most common business strategy for SMEs to reduce production costs was to cut down labour costs. Some managed to automate the production lines. Others relocated production to less-developed countries, seeking cheaper labour forces and fewer regulations on labour standards. They relocated not only the business but also the old labour management practices to the developing countries. Many other SMEs could not afford either option because both entailed investment costs and risk. Thus, the strategies of the remainders were either to give up manufacturing and switch to other service businesses, like leasing businesses, or to just continue the old exploitative labour system based on low wages and poor working conditions.

The remaining SMEs experienced severe labour shortages. The labour shortage rate of SMEs rose up to eight percent in the early 1990s. Then, it stayed between 3.5 to 5.5 percent after the South Korean economy recovered from the 1997 economic crisis. This means that the SMEs, with less than 300 employees, were short of 10 to 16 workers all the time. The SMEs experienced six to ten times more severe labour shortages than the large firms (see Figure 5-9). The SMEs were not popular with workers.

High levels of education and large wage differences by education level are the primary factors of the high labour shortage in SMEs. South Korea is a highly educated society. The workers who had tertiary education gradually increased over the last three decades. University graduates earned 50 to 60 percent more than the less-educated workers (see Table 5-4).
Taking into account the disparities in wages, working conditions and prospects, the SMEs had almost no merit to attract the increasing number of university graduates. It was rational that highly educated South Korean workers avoided jobs at SMEs; thus, it was unavoidable that the SMEs experienced increasing labour shortages. As Chung (2013) observed, the South Korean labour market has been transformed to the 'neoliberal and segmented' employment system, where the segmentation of employment is prevalent by the size of business. Other factors influencing segmentation are the type of employment, whether regular or non-regular, and gender. They will be examined later.

Figure 5-9 Labour shortage rates, SMEs and large firms, 1991–2015


Table 5-4 University graduates in economically active population 1993–2014

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<tbody>
<tr>
<td>Proportion of university graduates to economically active population</td>
<td>18.7 %</td>
<td>22.6 %</td>
<td>29.3 %</td>
<td>36.5 %</td>
<td>41.6 %</td>
</tr>
<tr>
<td>University graduates’ wage compared to the less educated workers</td>
<td>149.4 %</td>
<td>152.1 %</td>
<td>158.9 %</td>
<td>160.8 %</td>
<td>159.9 %</td>
</tr>
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One of the measures promoted by the South Korean government to address the SMEs’ labour shortage was the so-called ‘SME Youth Internship Programme’. This programme intended to give young people opportunities to have work experiences and to contribute to their career development. Throughout the country, both government agencies and the private sector introduced this programme. However, it was, in practice, only another form of non-regular work. The government promoted precarious work and employers gained benefit from the low cost of hiring young interns. The online newspaper Pressian critically reported ‘youth interns returned to jobless after 6 months employment’ (Seon, 2009). Another expedient the Lee Myung Bak government particularly promoted was that ‘young people should downgrade job expectations’, work harder, work in SMEs and do more manual work.

The Kyungyhang Shinmun critically commented ‘this is no more than to shift responsibility to individuals and to blame them’ (Park, 2010b). My research participant, KGD (RP07), who was a pro-migrant activist, also commented the President’s statement could be ‘no more than an absurd joke’. As examined above, it is not a rational choice for the university graduates to take low-waged and dangerous jobs at SMEs. In the end, a realistic recruitment strategy of the SMEs was to hire workers who otherwise would not have any chance to work. They were irregular migrants who began to arrive in the late 1980s.

Precarious job, life and human relations

While the social polarisation intensified, the middle class gradually shrank (see Figure 5-10). According to South Korean sociologist Jang’s (2013) critical analysis of class structure under neoliberalism, the middle class was divided into two groups. The first one is ‘old middle class’ or ‘old petit bourgeois’ who owns the means of production but are self-employed. The second is the ‘new middle class’ or high-income working class who has advantages in the labour market and holds relative autonomy in the labour process, like managers and professionals. Analysing official data, she argues the new middle class gradually increased their incomes during the period of neoliberalisation, while the old middle class went in the opposite direction (see Table 5-5). This data implies that the lower-middle class has dropped down toward lower class, while upper-middle class has moved up. The middle class has gradually collapsed. During the industrialisation period, South Korean society experienced the first collapse of the old middle class: farmers were proletarianised to form the urban working class. Jang (2013, pp. 23-25) observes, during the neoliberalisation period, the old middle class in the service sector has significantly decreased.
The self-employed in the service sector were the worst influenced by the polarisation. Quoting taxation data, *Yonhap News* reported the top 20 percent of the self-employed took 71.4 per cent of total income of the same group in 2009. The bottom 20 percent took only 1.6 percent of the total income. The top 20 percent self-employed earned 55 percent more than ten years before, while the bottom 20 percent earned 54 percent less than before (Ahn, 2011). Many of the self-

*Figure 5-10 Urban households of disposable income between 50% and 150% of median income, 1990–2013*

![Urban households of disposable income between 50% and 150% of median income, 1990–2013](image)

*Source: Statistics Korea (2017).*

**Table 5-5 Incomes by class and occupations as percentage of total average income, 1994–2008 (selected years)**

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<tbody>
<tr>
<td><strong>Middle class</strong></td>
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<tr>
<td>Old middle class household (%)</td>
<td>99.7</td>
<td>98.2</td>
<td>93.2</td>
<td>93.3</td>
<td>929</td>
<td>92.0</td>
<td>89.0</td>
<td>88.4</td>
</tr>
<tr>
<td>New middle class household (%)</td>
<td>124.8</td>
<td>127.0</td>
<td>133.6</td>
<td>130.3</td>
<td>124.2</td>
<td>138.1</td>
<td>135.7</td>
<td>138.6</td>
</tr>
<tr>
<td><strong>Working class</strong></td>
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<tr>
<td>Office worker (%)</td>
<td>100.0</td>
<td>102.1</td>
<td>106.2</td>
<td>110.1</td>
<td>96.5</td>
<td>114.5</td>
<td>120.0</td>
<td>112.7</td>
</tr>
<tr>
<td>Manufacturing worker (%)</td>
<td>87.9</td>
<td>87.7</td>
<td>84.7</td>
<td>91.7</td>
<td>89.6</td>
<td>89.7</td>
<td>90.4</td>
<td>91.1</td>
</tr>
<tr>
<td>Sales service worker (%)</td>
<td>84.5</td>
<td>76.5</td>
<td>84.8</td>
<td>81.8</td>
<td>73.4</td>
<td>83.1</td>
<td>89.4</td>
<td>88.2</td>
</tr>
<tr>
<td>Manual worker (%)</td>
<td>83.0</td>
<td>81.2</td>
<td>77.9</td>
<td>72.3</td>
<td>71.6</td>
<td>70.0</td>
<td>70.9</td>
<td>67.4</td>
</tr>
</tbody>
</table>

*Source: Jang (2013).*
employed were those who lost their jobs through the layoffs in large companies. They invested their retirement payment in small businesses such as fried chicken franchises, internet cafés and bakery franchises. They often rely on mortgage loans for extra funds for investment, as a newspaper reported (Hong, 2013). However, the rapid increase of self-employed businesses intensified competition among themselves, which only benefited the franchise headquarter companies. For example, every year between 2003 and 2012, 7,400 new fried chicken restaurants opened but 5,000 closed. Both international and national newspapers reported that the fried chicken restaurants increased three fold during the same period, but half of them went broke in three years (Achin, 2013, Kim and Bang, 2013). In the end, the old middle class moved down to the ‘working poor’ (Saesayon, 2009, pp. 234-242).

Polarisation within the working class has also significantly intensified by occupation (see Table 5-5). Office workers earned more than average income. Their income gradually increased. Manufacturing workers and sales service workers earned 10 to 17 percent lower than average income. Manual workers’ income is a particular matter of concern. It had already been at the bottom of the income structure before the ‘IMF crisis’ but it had consistently dropped down toward near poverty line: 67.4 percent in 2008. Manual workers were falling from working class to the ‘working poor’.

The ‘working poor’ is a term often used to describe the deterioration of workers’ incomes after the neoliberal transformations in South Korea. Although the definition is quite controversial, the term is broadly understood as the workers whose income remains below the poverty line, although they do income earning activities (Pressian, 2010). According to government research, the estimated share of the ‘working poor’ has been approximately 10 percent of all workers since 2006 (Kim et al., 2011, pp. 155-168). ‘Hard work’ or ‘diligence and assiduousness’ had been one of the most powerful moral principles in industrialising South Korean society under authoritarian developmental regimes. South Koreans had a strong belief that hard work would save them from extreme poverty and brought about rapid industrialisation and economic growth. However, people began to question the myth of ‘hard work’ after the ‘IMF crisis’. Their hard work achieved the shiny growth of the national economy, but they were still poor. Moreover, their working hours remained at the highest level in the world (Lee et al., 2007).

The increase in the working poor is related to the increase of non-regular work. Along with the massive restructuring of the labour market, the extremely flexible and precarious forms of employment increased: as discussed earlier, half of all workers are non-regular workers, who earn half of what regular workers earn (Jang, 2006). The government and employers have often
justified non-regular employment with such terms as the ‘flexibilisation’ and cost-cutting ‘rationalisation of management’. However, a study on non-regular workers in South Korea reveals the rhetoric of ‘flexibilisation’ means no more than lowering workers’ income, intensifying precariousness in workers’ lives, and increasing discriminations at workplaces (Jang, 2006). It is a typical practice that after a regular worker is laid off for ‘managerial reasons’, he or she is re-hired for a non-regular job with a lower wage. When non-regular workers asked about the difference between their jobs and regular jobs, the answer was simple: ‘Nothing but lower wage’ (Jang, 2006, p. 107). Non-regular workers do the same job as regular workers, but are paid as little as the half of regular workers.

A typical form of non-regular employment is a ‘fixed-term contract’. For management, it may be a ‘rational’ decision, but for workers, it only means a precarious presence in the workplace and an uncertain future. Workers with fixed-term contracts often say ‘I am always reluctant about savings or insurance. I am not sure about my future, so I tend to postpone everything until I get a permanent job’ (Jang, 2006, p. 104). They are living a postponed life.

Another type of non-regular employee is the ‘dispatched worker’. They do the same work as their regular-worker colleagues at the same workplace. The only difference is they are hired by a subcontractor company and dispatched to the main contractor's workplace. Because they are non-regular workers, they are paid half the rates of regular workers. The wage difference is not the only discriminations against non-regular workers. They are often excluded from basic entitlements at work like the usage of canteens, locker rooms, staff lounges and shuttle buses (Jang, 2006, p. 111).

Non-regular workers are not protected by a trade union. The ‘dispatched workers’ do not work at the workplace of their employer; thus, they are not accepted by the trade union of the main contractors’ employees. It is also difficult for them to organise a separate trade union. Even if they managed to organise a union, they would have to deal with their employer, who does not have control over the workplace of the major contractor. Moreover, the non-regular workers are mostly employed by SMEs, where workers also find it difficult to organise a union.

The distinction between non-regular and regular workers generated a hierarchy among workers doing the same jobs at the same workplace. Such discriminations at work are broadly spread throughout all industries. This means half of South Korean workers live with half the wages, precariousness, discrimination and vulnerability.
Desperate protests of precarious workers in the depressing neoliberal society

On 31 October 2013, Choi Jong Bum, air-conditioner repair worker, was found dead. According to the report of a major independent internet news service Ohmynews (Choi, 2013c), he left a message to his colleague trade unionists, ‘It was too hard to work for Samsung Service. I was starving. It was too hard to look at suffering colleagues. Although I cannot do like Chun Tae-il, I hope this would help.’ Choi had worked for the Cheonan Centre for Samsung Electronics Service since 2010. He was proud of his uniform with its Samsung logo and people envied him working for a global company (Jung, 2013). However, he was not an official employee of Samsung. His employer was a subcontractor of Samsung, named GPA (Great Partnership Agency). This was a typical non-regular employment system. His work was paid for on a piecework basis. At the worst season, his wage went down as low as the minimum standard wage. The expenses incurred during his work, including petrol, was deducted from his wages. Employees were often forced to work 12 hours a day or on weekends without overtime (Choi, 2013b).

Three months before his death, Choi and his colleagues organised a trade union to complain about poor working conditions under the subcontractor system. Reportedly, Samsung had been notorious for its ‘no union policy’ since its foundation (Choi, 2011a). Management began to put pressures on Choi and his colleagues. The main contractor, Samsung Electronics Service, took away the territory of business where Choi and his colleagues could get the most earnings. The main contractor also launched a special inspection on the performances of Choi and his colleagues, warning them that it would charge compensations for the damages and losses caused by the union. Then, the contractor seized their wages. The employer of the subcontractor company repeatedly insulted Choi and his colleagues and put pressure on them (Choi, 2013c). A non-regular worker, Choi Jong Bum’s last resort to address his painful situation was, unfortunately, suicide.

After his death, an independent research centre, Wonjin Institute for Occupational and Environmental Health, conducted a survey on the health conditions of subcontractor employees. The survey reported more than half of Samsung Electronics Service workers suffered severe psychological problems. The longer an employee had worked with the company, the more severe the levels of depression they showed. Almost four out of ten workers had either tried to commit suicide or thought about suicide mostly because of stress at work. The primary source of the stress was pressure from the main contractor. The workers also said Samsung’s ‘no union policy’ was the root-cause (see Table 5-6). The precarious work drove South Korean people into psychological depression (Pressian, 2010).
The workers who managed to keep their permanent jobs were also not safe from the aggressions of neoliberal transformations. On 9 January 2003, a trade unionist and factory worker Bae Dal Ho burnt his body to death at a corner of his workplace, Doosan Heavy Industry and Construction. According to a news report (Im, 2003), he left a note: ‘We went into the strike after we satisfied all the legal processes. But, the court said it was illegal. The law is for the haves not for the have-nots.’ Bae was employed by a state-owned company, Hankook Heavy Industry, in 1981. He had been an active member of the union. Amid the ‘IMF crisis’, his company was privatised and sold to one of the chaebols. As soon as Doosan took over the company, it launched layoffs. Fifteen percent of all employees lost their jobs within a few months. The employer withdrew himself from the collective bargain in 2002 without any legitimate explanation, presumably in an attempt to weaken the trade union. The workers went on a strike. The employer’s response was lawsuits against the union leaders over damages to his business. After the strike, most of Bae Dal Ho’s wages went under provisional seizure. He received only 25,000 Korean Won (approximately 25 US Dollars) for his monthly wage (Park, 2003).

The Trade Union and Labour Relations Adjustment Act of South Korea requires trade unions to go through complicated processes to enter into strikes, including an industrial dispute adjustment process. If a trade union does not meet the pre-conditions, it is easily charged for causing an ‘illegal strike’. Then, the law allows employers to claim compensation for damages to their business. The claims are made against individual union leaders. The compensations are usually an extreme amount that individual union members cannot afford to pay: for example, the average compensation that Bae and his colleagues were charged to pay back was more than their five-

<table>
<thead>
<tr>
<th>Working hours per week</th>
<th>Suicide</th>
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<tbody>
<tr>
<td>70 hours or more</td>
<td>16.0%</td>
</tr>
<tr>
<td>60 hours or more</td>
<td>33.8%</td>
</tr>
<tr>
<td>50 to 60 hours</td>
<td>35.6%</td>
</tr>
<tr>
<td>40 to 50 hours</td>
<td>23.4%</td>
</tr>
<tr>
<td>40 hours or less</td>
<td>7.2%</td>
</tr>
<tr>
<td>Depression</td>
<td></td>
</tr>
<tr>
<td>Severe depression</td>
<td>30.4%</td>
</tr>
<tr>
<td>Moderate depression</td>
<td>23.5%</td>
</tr>
<tr>
<td>Mild depression</td>
<td>23.4%</td>
</tr>
<tr>
<td>Normal</td>
<td>22.7%</td>
</tr>
<tr>
<td></td>
<td>Attempted suicide 4.5%</td>
</tr>
<tr>
<td></td>
<td>Felt suicidal 34.8%</td>
</tr>
<tr>
<td></td>
<td>Cause of feeling suicidal</td>
</tr>
<tr>
<td></td>
<td>Stress at work 72.7%</td>
</tr>
<tr>
<td></td>
<td>Primary causes of stress at work</td>
</tr>
<tr>
<td></td>
<td>Pressures from the main contractor 82.2%</td>
</tr>
<tr>
<td></td>
<td>‘No-union’ policy 97%</td>
</tr>
<tr>
<td></td>
<td>Survey target: All employees including subcontractor employees</td>
</tr>
<tr>
<td></td>
<td>Survey participants: 880</td>
</tr>
</tbody>
</table>

Source: Adopted from Park (2013a) and Je (2013).
year worth of wages. The compensation for damage to the business became a key strategy for employers to target union leaders and weaken unions (Chung, 2003). Workers’ suicide protests continued afterwards. The employers’ strategy of attacking individual union members drove the workers to desperation and death.

Young people had no opportunity to work, whether a regular or non-regular job. Youth unemployment emerged as a pressing social problem in South Korea after the ‘IMF crisis’. As discussed earlier, youth unemployment rates skyrocketed during the IMF crisis and have remained relatively high. Many young South Koreans experienced depression in the course of job-seeking. According to a survey conducted by a youth group, the Busan Youth Union, one out of ten young people experienced suicidal feelings. The primary causes of their depression were unemployment and non-regular jobs. Almost half of survey participants stated the solutions for youth depression would be ‘removal of wage disparity between regular and non-regular jobs’ and ‘improvement of working condition’. The biggest obstacle for seeking a job was financial difficulties: they needed to cover ‘living cost’ and ‘training cost’ to find work, and they tended to settle for casual jobs (Chung, 2015). Then, they had less time to continue seeking more permanent jobs, and eventually less chance to have a better job. The young South Koreans are trapped in the vicious circle of poverty and depression, as they cynically denounced their society as ‘Hell Korea’.

*Figure 5-11 Suicides per 100,000 population, top five OECD member countries, 1985–2013*

An increasing number of South Korean people have lost hope about their future and society. Although there was some improvement in the official social security system after the ‘IMF crisis’, the politically driven ‘workfare’ system failed to mitigate the rapidly growing income disparity, relative poverty, precariousness and vulnerability in the society. Despite the growth and prosperity of the national economy, people’s depression and desperation have continued to grow. In 2010 and 2011, South Korea was the country with the highest suicide rates among the OECD members. The suicide rate skyrocketed in 1997 when the ‘IMF crisis’ occurred; then, it constantly increased afterwards (see Figure 5-11). According to an official survey in 2012, the major reason people think about suicide was ‘the hardship of life’ by 39.5 percent (Statistics Korea, 2012). While South Korea has gone through neoliberal transformation, it has become a country of depression and suicides.

As discussed throughout this section, the disparity between large firms and SMEs, precarisation of work, the collapse of the middle class and polarisation between classes, the increases of the ‘working poor’ and non-regular workers represent South Korean society after neoliberal transformations. They are the political, economic and social backgrounds of the rapid increase of international migration to South Korea in the 1990s and the 2000s.

### Increasing international migration

Before examining international migration to South Korea, I clarify the definition of migrant data used in this thesis. The United Nations’ definition of migrant may be the most broadly used in academia. It defines a ‘long-term migrant’ as a ‘person who moves to a country other than that of his or her usual residence for a period of at least a year’, and ‘short-term migrants’ as ‘for a period of at least 3 months but less than a year except in cases where the movement to that country is for purpose of recreation, holiday, visits to friends and relatives, business, medical treatment or religious pilgrimage’ (Statistics Division, 1998, p. 18).

The South Korean legal term for migrant is ‘foreigner’, according to the *Immigration Control Act* (Article 2). The government categorises foreigners into two types depending on the period of stay: a ‘long-term foreign resident’, who is permitted to stay longer than 90 days and supposed to do either foreign registration or diaspora residence report to an immigration office, and a ‘temporary foreign resident’, who is permitted to stay for or less than 90 days (Korea Immigration
Service, 2013a, pp. 272-282). The South Korean government publishes official migration statistics including the migration data of ‘foreign residents’, ‘temporary foreign residents’ and ‘illegal foreign residents’.

Thus, the sum of ‘long-term’ and ‘short-term migrants’ by the United Nations equates to the sum of ‘long-term foreign resident’ and ‘illegal temporary foreign resident’ by the South Korean definition. This definition is used for statistical purpose throughout this thesis.

**Rapid increase and diversification of migrant population**

South Korean society experienced dramatic transformations throughout the twentieth century both in the economy and in politics, as well as international migration. South Korea was an origin country of millions of victims of forced migration during the colonial period and the Second World War, and then, a source country of migrant workers to the Gulf States, Europe and the United States until the mid-1980s. However, the country now became a major destination for more than one million migrant workers and marriage migrants from all over the world.

**Figure 5-12 Stock of international migrants in South Korea, 1984–2016**

![Graph showing stock of international migrants in South Korea, 1984–2016.](image)

*Sources: Korea Immigration Service (1961-2017) and Seol (2005b).*
The starting point of the dramatic increase of immigration was the early 1990s. According to official statistics, the number of immigrants increased more than 35 fold between 1987 and 2016 (see Figure 5-12). The share of migrants in the total population of South Korea remained as low as 0.1 percent until 1987 but increased up to 3.22 percent in 2016 (Statistics Korea, 2017). The rapid increase of international migration to South Korea coincides with the neoliberal transformation of the South Korean economy and society.

Table 5-7 presents recent patterns of immigration to South Korea. The majority of migrants arrived in South Korea for wage-work. At the end of 2016, temporary migrant workers made 35.9 percent of all migrants, most of whom were low-skilled workers. Most of the low-skilled migrant workers moved to South Korea through one of two temporary labour migration schemes: the general low-skilled stream, Employment Permit System (EPS) and the special stream for the Korean diaspora from developing countries, Visit and Work System. There were slightly more workers under the former scheme than under the latter. According to recent changes in policies, their temporary visas are valid for up to three to five years and renewable for another four years and ten months. However, they have no access to a permanent residence.

The second largest group is the Korean diaspora, or overseas Koreans who making temporary returns to South Korea for non-low-skilled work, study or other purposes. They are former South Korean citizens or the descendants of Korean citizens who hold foreign citizenship. The South Korean government’s diaspora policy grants them with preferential treatment for immigration and visa status (e.g. work permit without restriction) by the Act on the Immigration of Immigration and Legal Status of Overseas Koreans of 1999. However, workers from the Korean diaspora who are considered low-skilled and hold the citizenship of a less-developed country, particularly a non-OECD member state, are not entitled to the diaspora visa, but only to the above-mentioned diaspora stream of temporary labour migration programme. This shows the South Korean immigration policy prefers the Korean diaspora holding the citizenship of developed countries, particularly the OECD member states, over low-skilled migrants from less-developed countries.

The third largest group is the spouses of South Korean nationals, broadly known as marriage migrants. Many of their marriages were arranged by international match-making brokers, mostly funded by the South Korean spouse or sometimes sponsored by South Korean local governments (Lee, 2008a). Two or more years after arrival, they are entitled to apply for South Korean citizenship through a ‘simple naturalisation’ process with the endorsement of their South Korean spouse (Article 6, the Nationality Act). The South Korean government has introduced a series of
<table>
<thead>
<tr>
<th>Purpose of immigration</th>
<th>Population (percentage)</th>
<th>Visa type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total immigrants</td>
<td>1,663,328</td>
<td></td>
</tr>
<tr>
<td><strong>Temporary labour migration</strong></td>
<td>597,189 (35.90%)</td>
<td>Professorship (E-1), Foreign Language Instructor (E-2), Research (E-3), Technical Transfer (E-4), Professional Employment (E-5), Arts &amp; Performances (E-6), Special Occupation (E-7).</td>
</tr>
<tr>
<td><strong>Professional</strong></td>
<td>47,740 (2.87%)</td>
<td></td>
</tr>
<tr>
<td><strong>Low-skilled</strong></td>
<td>549,449 (33.03%)</td>
<td>Non-professional Employment (E-9), Working Visit (H-2).</td>
</tr>
<tr>
<td><strong>General stream</strong></td>
<td>279,187 (16.78%)</td>
<td></td>
</tr>
<tr>
<td><strong>Diaspora stream</strong></td>
<td>254,950 (15.33%)</td>
<td></td>
</tr>
<tr>
<td><strong>Vessel crew</strong></td>
<td>15,312 (0.92%)</td>
<td>Vessel Crew (E-10).</td>
</tr>
<tr>
<td>Diaspora temporary return</td>
<td>372,533 (22.40%)</td>
<td>Korean diaspora (F-4).</td>
</tr>
<tr>
<td>Marriage migration</td>
<td>152,374 (9.16%)</td>
<td>Marriage migration (F-6), Residence (F-2), Permanent resident (F-5)</td>
</tr>
<tr>
<td>International student</td>
<td>76,040 (4.57%)</td>
<td>International resident (D-2)</td>
</tr>
<tr>
<td>Working holiday</td>
<td>1,917 (0.12%)</td>
<td>Tourist Employment (H-1).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Length of immigration</th>
<th>Population (percentage)</th>
<th>Visa type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent residence</td>
<td>130,237 (7.83%)</td>
<td>Permanent residence (F-5)</td>
</tr>
<tr>
<td>Temporary migration</td>
<td>1,533,091 (92.17%)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Legal status</th>
<th>Population (percentage)</th>
<th>Visa type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid visa holders</td>
<td>1,454,357 (87.44%)</td>
<td>Residence (F-2), Permanent residence (F-5), Citizenship</td>
</tr>
<tr>
<td>Undocumented migrants</td>
<td>208,971 (12.56%)</td>
<td>Others (G-1)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Refugee</th>
<th>Population (percentage)</th>
<th>Visa type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Refugee status determined</td>
<td>672 (0.04%)</td>
<td>Residence (F-2), Permanent residence (F-5), Citizenship</td>
</tr>
<tr>
<td>Humanitarian status</td>
<td>1156 (0.07%)</td>
<td>Others (G-1)</td>
</tr>
<tr>
<td>Refugee status determination in progress</td>
<td>6861 (0.41%)</td>
<td>Visa type as the applicant holds before application or Others (G-1) after the visa expired,</td>
</tr>
</tbody>
</table>

*Source: Korea Immigration Service (1961-2017).*
policies to ‘support’ or assimilate these migrants, so-called ‘multicultural family’ policies by the *Multicultural Family Support Act* of 2008. This policies, however, ignited debates over a Korean version of ‘multiculturalism’: it is often severely criticised for promoting ‘cultural paternalism and cultural fetishism’ (Kim, 2011d) or reinforcing patriarchal social order (Kim, 2007b, Lee, 2008a).

As the table shows, more than 90 percent of all migrants are temporary visa holders, who are permitted to stay less than five years. Although their visas are renewable, only very few of them ever have the opportunity to acquire a permanent residence. This reflects the South Korean government’s immigration principle: no settlement. Scholars argue the exclusionary immigration policy shows how the South Korean government is confined within the frame of nationalism based on a firm belief of racial and ethnic homogeneity (Han, 2007, Watson, 2012). However, this policy only contributed to generating undocumented migrants. More than 12 percent of all migrants are categorised as ‘illegal stayers’ or undocumented migrants. All of them arrived with a valid visa and continued to stay after the visa was expired or cancelled due to unauthorised activities like wage-gaining without the government permission.

**Figure 5-13 Gender disparity of migrants in South Korea, 2013**

<table>
<thead>
<tr>
<th>Category</th>
<th>Males</th>
<th>Females</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low-skilled labour migration, General stream</td>
<td>235,275</td>
<td>23,583</td>
</tr>
<tr>
<td>Low-skilled labour migration, Diaspora stream</td>
<td>136,342</td>
<td>103,836</td>
</tr>
<tr>
<td>Marriage migration (spouse of a national)</td>
<td>22,039</td>
<td>128,826</td>
</tr>
</tbody>
</table>

*Source: Korea Immigration Service (1961-2017).*
While the low-skilled migrant workers under the general stream of the EPS are predominantly male, those under the diaspora steam show a relatively balanced gender proportion (Figure 5-13). This gender disparity is related to the government's restrictions on the industrial sector where migrants may be employed, and to employers' preferences toward male workers. The EPS restricts the employment of non-Korean-ethnic migrants to such industrial sectors as construction, manufacturing, agriculture, fishery and livestock (Korea Immigration Service, 2013b). Since employers of these so-called '3D-industries' prefer male workers for hard work, female migrant workers from Southeast Asian countries may have much less chance to be employed than their male counterparts. On the contrary, the diaspora stream of the EPS, the Visit and Work System, permits migrants of Korean ethnicity to work in a broader range of sectors including service sector like accommodation, catering and entertainment businesses. Female migrant workers of Korean ethnicity have chances to work in the service sector.

Marriage migration also shows a significantly unbalanced gender ratio. Almost 90 percent of marriage migrants are female. Lee (2008a) argues this gender imbalance is caused by the high demand for female foreign spouses, derived from the unbalanced gender ratio in the South Korean demography. I argue another reason is the above-mentioned exclusion of Southeast Asian female workers from the EPS-arranged employment. Although Southeast Asian females still have aspirations for out-migration, they have little chance for labour migration to South Korea. As Piper and Roces (2003) argued, international marriage is a promising migration strategy for prospective female migrants. As several Vietnamese prospective migrants testified for the study of Kim et al. (2007), marriage migration became a strategy of women in developing countries to escape from the poverty and repression in their home country.

**International migration and neoliberal transformation in South Korea**

As discussed in Chapter 2, understanding the cause of international migration is one of major topics of migration studies. Migration theories explain the determinants of international migration with economic or political conditions in origin and destination, socio-historic and structural relations between the two places, or an individual's aspiration or rational choices. These migration theories have been applied to explain the international migration to South Korea, as reviewed in Chapter 1.

The ‘migration transition’ approach (Fields, 1994) and the argument of ‘turning point’ (Park, 1994b) are more descriptive than analytical. The presupposition of ‘transition’ (e.g. Choi, 2001,
DeWind et al., 2012) lacks the analysis of empirical data. The currently available out-migration data of South Korea does not reflect the recently increasing and diversified forms of temporary migration. Official data shows the departures of South Korean people have increased to an unprecedented level (Korea Immigration Service, 1961-2017). However, it fails to identify whether they are students, working holidaymakers, migrant workers or tourists and whether they change visa status in the destination country or simply become irregular migrants. There is no empirical evidence that the net migration rate transited from a negative to a positive one.

The 'labour market segmentation' theory (Lee, 1997) is a plausible explanation. It pointed out the 'segmentation' between SMEs and large firms and the labour shortage caused by disparities in wages and working conditions generated the demand for labour migration. Also, I argue that labour market segmentation has to be analysed in a broad context of social transformations. As discussed earlier, the hierarchical relationship between large firms and SMEs, the precarisation of jobs accompanied by neoliberal restructuring of the labour market, and the government’s engagement with neoliberalisation projects are factors and consequences of the segmentation and disparities.

On the other hand, South Korean sociologist Seol (1999, pp. 71-94) suggested that it was not a single economic factor, but a complex of various economic, social and political aspects that needed to be considered. He argues the increased immigration is related to:

- the incorporation of the South Korean economy into the global division of the labour market;
- the establishment of diplomatic relations with the socialist countries after the collapse of the Cold War system;
- strengthened restrictions of labour migration in other destination countries in the region;
- social networks that were built through the international trade and foreign investment or the diasporic networks such as the Joseonjok community in China;
- most significantly, the shortage of the workforce in manufacturing sectors.

He also suggested (Seol, 1999, pp. 100-102) the workforce shortage is related to:

- exhaustion of internal migrants from rural areas,
- the decrease in the youth population,
- increased enrolment of the youth population in tertiary education,
the decrease in skilled workforce,
workers’ avoidance of jobs in the secondary industries, and
intensified segmentation between large businesses and the small and medium-sized businesses.

This list identifies possible factors that affected migration to South Korea. However, it is also essential to understand the causality between each factor and to identify a global context where all the factors are situated.

I argue the ‘changing modes of labour for management’ into ‘precarisation’ (Schierup et al., 2014, p. 2) (see Chapter 2) is a key dimension for explaining increasing international labour migration to South Korea. Throughout the 1990s and the 2000s, the South Korean economy was rapidly integrated into ‘financialised global capitalism’. The ‘corporate stratagems of offshoring, outsourcing, subcontracting’ became common management practices of South Korean chaebols. The ‘renewed sweatshop production’ became prevalent in the SMEs. ‘Precarisation of work’ in South Korea coincided with the expansion of the social security system and the rise of education levels. The ‘renewed sweatshop’ is no more an option for South Korean young workers. There are also increasing numbers of ‘globally mobile reserve army of labour’ in the region, which has also experienced the ‘precarisation of work and citizenship’ at home. For the ‘globally mobile reserve army of labour’, the ‘renewed sweatshop’ in developed countries may be a better option than extreme precarity and poverty in less developed home country.

I also argue that the global political-economic condition was not enough to generate the flows of migration to South Korea. There was an institutional mechanism that triggered the flows. In the case of South Korea, the trigger was the temporary labour migration policy, introduced by the government as a part of neoliberal restructuring of the labour market. My argument will be further discussed in the next two chapters.

Conclusion

After the series of authoritarian regimes under colonial power and military dictatorship, South Korean society enjoyed a relatively consolidated institutional democracy that is checked and balanced by a vibrant civil society. Throughout the 1990s, however, neoliberalism rapidly replaced the developmental state, and market economy dogmas dominated governance and
social relations (Ji, 2011). The liberal government's globalisation project hastily opened its economy toward international markets by preferring high-technology manufacturers, chaebols, over agriculture and small enterprises. The project was accompanied by the rapid flexibilization of the labour market, including the legislation of redundancy, subcontracted and temporary work, and limited union rights. Political liberalisation and democracy were ‘hijacked by neo-liberalism’ (Lim and Jang, 2006a). On top of the endogenous drive toward neoliberalisation, the 1997 Asian Financial Crisis became a watershed for the fundamental shift of the South Korean economy. The restructuring programme imposed by the IMF accelerated the privatisation of core business, the dependence of financial and the stock market on foreign investors, and the flexibilisation of the labour market.

This process of neoliberal transformation in South Korea exemplifies how the state ‘imposed the market organisation on society’ (Polanyi, 2001 [1944], p. 258) as well as how it continued to play an active role in the ‘introduction, implementation and reproduction’ of neoliberalism (Cahill, 2010, p. 301). The *Kim Young Sam* government (1993-1997) overtly announced the ‘Segyehwa (globalisation)’ and ‘reinforcement of national competitiveness’ project while it aggressively pursued the retrogressive revision of labour laws toward ‘de-regulation’ of labour market (Shin, 2000). The following government of *Kim Dae Jung* (1998-2002) institutionalised lay-offs, casualization of work and control over trade unions under the ‘restructuring’ pressures of the IMF. The workers’ resistances were continuously suppressed by nationalist ideology and often quelled by police enforcement. Harvey (2005, pp. 69-77) calls this state apparatus the ‘neoliberal state’, that embodies the neoliberalism by mobilising ideological rhetoric and also by resorting to ‘persuasion, propaganda’, and ‘raw force and police power’.

The neoliberal transformation coincided with the increase of in-migration of workers from neighbor countries. Although in-migration appeared as early as the late 1980s, the full-fledged increase began in the mid-1990s when the South Korean labour market was rapidly segmented and precaritised. A close review of structural changes in the South Korean economy reveals that increased immigration was not a simple outcome of economic growth, but a part of the economic restructuring projects driven by the government and employers and sponsored by the international capitalist. The neoliberal transformations restructured the mode of production management. The ‘renewed sweatshop production’ deterred South Korean young workers from working for the SMEs, but invited temporary migrant workers from other Asian countries. Also, the South Korean government’s initiative to import a workforce without human settlement triggered the flows of labour migration. The next two chapters examine the policy process of the
South Korean temporary labour migration programmes and analyse their rationales and governance mechanisms from a political-economic perspective.
This chapter and the next one examine the second domain among the three main areas of this study: international migration, migration policy and social movement. It seeks to answer the second research question as presented in Chapter 1: ‘What was the policy process of the South Korean temporary labour migration scheme and what are the rationales and governing mechanism of its operation?’ This question is related with my argument presented in the previous chapter: while the neoliberal labour market condition was the critical context of labour migration to South Korea, there was a political mechanism that triggered the flows of migration. This chapter focuses on an analysis of policy process before the next chapter discusses the rationales and governing mechanism of South Korean temporary labour migration policy.

This chapter answers the research question by examining the development of the temporary labour migration policy in the context of the general migration policy. It also discusses its implications on migrant workers and South Korean society. On top of examining the existing literature, this chapter mainly relies on the analysis of interview data collected during my field research, which is also supported by media reports and a significant amount of legal and policy documents. Throughout this chapter, I identify the two significant characteristics of the South Korean labour migration policy: the establishment of temporary or ‘non-regular’ employment and the prevention of settlement. Then, I argue the temporary labour migration policy is a strategy to reinforce the neoliberal transformation of employment system.

This chapter reviews the development of South Korean temporary labour migration schemes. Across the historical review, I identify the main actors involved in the policy-making process. I also examine their debates, which exhibit the conflictual or cooperative relations among the actors at each political juncture. The first and the second section discuss how the early stage of South Korean labour migration policies developed from a ‘back-door’ policy in response to irregular migration to a ‘side-door’ policy or pseudo-temporary labour migration scheme; and how they failed, too. The third section examines the process of introducing a fully-fledged temporary labour migration scheme later.
As reviewed earlier (see Chapter 1), a significant body of South Korean literature has studied this topic. Some of the studies provide a comprehensive overview (e.g. Chung, 2011) and critical analysis (e.g. Lee, 2008b). Lee (2008b) particularly engages with political economic theory of 'client politics' (Freeman, 1995, Green, 2005, cited in Lee, 2008) to explain why the introduction of the EPS was delayed for 10 years. It also discusses the neo-institutional theories that emphasise the dynamics within a government (Boswell, 2007, Hollifield, 2004, Rosenhek, 2000, cited in Lee, 2008) explains the negotiations among various agencies in the government in the course of legislation process for the EPS. Many others, however, still fail in contextualising their analyses in the political economy of migration. In this chapter, rather than applying the existing theories of public policy analysis as have already done by other scholars, I seek to understand the policy process in a broad political, economic and social context, particularly in the context of the continuing 'ethnic nationalist' political ideology and the neoliberal transformation. I also analyse the predominant political and economic fundamentals underlying the policy development to identify the two key principles of the South Korean labour migration policy: the establishment of temporary or 'non-regular' employment and the prevention of settlement.

Opening a ‘back-door’ to international migrants (1987–1991)

Increase of irregular migration and the lack of labour migration policy

In the late 1980s, South Korean society experienced an unprecedented increase in irregular migration. The irregular migration started with Chinese herbal medicine traders, who arrived with tourist visas during the 1986 Asian Games (Seol, 1999). They were mostly Chinese ethnic minorities of Korean descent, known as Joseonjok. Since they were able to speak the Korean language, they were not significantly noticeable in the society at the beginning. Such form of irregular migrants steadily grew throughout the late 1980s. By the early 1990s, their number surpassed that of authorised migrants (see Figure 6-1). South Korean scholars agree the irregular migration was pulled by such factors as 'the formation of social linkage among Asian countries', 'the new position of the South Korean economy in the international division of labour' and 'the labour shortage in manufacturing sectors' (Seol, 1999, pp. 71-106). Although these factors explain the social background of the migration, they did not identify the institutional mechanism that triggered the migration. I argue the increased irregular migration was encouraged by loosened
immigration control, and it continued to increase due to the South Korean government’s lack of official labour migration policy.

The immediate trigger of the increased irregular migration was the loosened immigration control of the South Korean government. For decades before the mid-1980s, the government had maintained a ‘tightly closed border’ policy, as a government official noted (Kim, 2012d, pp. 2-6). It also upheld the exclusionary immigration policy (see Chapter 4). The policy of tight immigration control was, however, no longer compatible with the changing political situation, particularly the diplomatic relations with neighbouring countries. There were two particularly significant events that drove the change of immigration control. First, the 1986 Seoul Asian Games and 1988 Seoul Olympic Games, hosted as a means of propagating the justification of the then authoritarian rules, impelled the government to open its borders gradually. Since the government needed to facilitate the arrivals of the participants and international tourists who attended the two Games, it took temporary measures to exempt entry visas or simplify the arrival processes.

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**Figure 6-1** The number of authorised migrants and irregular migrants in South Korea 1987–2004

Sources: Korea Immigration Service (1961-2017) and Seol (2005b)\(^8\)

\(^8\) Authorised migrants consist of those who hold valid visas among ‘registered foreigners’ and ‘address-reported diasporas’.

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(see The Kyunghyang Shinmun, 1986a). Second, the Roh Tae Woo government’s announcement of the Northward Policy was also an important political juncture, which removed political obstacles to people’s movement between South Korea and the former ‘enemy countries’, China and the Soviet Union. As a part of the policy, the government simplified the visa issuance process for Chinese people with Korean ethnicity (see DongA Ilbo, 1988).

Although the government loosened immigration control, it still took no steps to introduce any formal labour migration policy for low-skilled workers. The Immigration Control Act of 1983 vaguely defined ‘the status of sojourn eligible for employment’ (Article 15). The government rule granted the status to ‘a person who wishes to be employed by and work for a public or private institution or an individual’ (Article 17(1), the Enforcement Decree of Immigration Control Act as amended in 1984). However, this provision was implemented solely for a small number of professionals mostly from the US. Table 6-1 shows, for example, the number of the status of sojourn categorised as ‘employment (911)’ was meagre in comparison to the total number of migrants. This provision was later revised to specify the ‘eligible status of sojourn’ by listing high-skilled categories. The list includes ‘short-term employment’ (in the areas of entertainment, advertisement, fashion modelling, lecture, etc.), ‘professorship’, ‘special job’ (as recognised by the Minister of Justice), and exceptionally, ‘residence’ (mostly for the old-comer Chinese migrants) (Article 23, the same Enforcement Decree as amended in 1993). However, the government still had no official policy for the low-skilled migrant worker, before it introduced ‘training and employment’ visa (Article 23, the same Enforcement Decree as amended in 1998) as a part of Industrial Trainee System (ITS). The South Korean government never officially admitted the growing demands for and the supply pressure of the low-skilled migrant workers.

<table>
<thead>
<tr>
<th>Nationality</th>
<th>Employment (9–11)</th>
<th>Accompanied family (9–15)</th>
<th>Residence (9–16)</th>
<th>Total sojourners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>1,257</td>
<td>9,169</td>
<td>23,533</td>
<td>47,205</td>
</tr>
<tr>
<td>United States</td>
<td>782</td>
<td>6852</td>
<td>9</td>
<td>12,738</td>
</tr>
<tr>
<td>Japan</td>
<td>190</td>
<td>921</td>
<td>256</td>
<td>4,926</td>
</tr>
<tr>
<td>Republic of China (Taiwan)</td>
<td>9</td>
<td>553</td>
<td>23,147</td>
<td>23,828</td>
</tr>
</tbody>
</table>

The apparent rationale behind the no low-skilled labour migration policy was 'the principle of complementarity' (Seol, 1999, p. 416). The government claimed that it intended to prevent a possible competition between local workers and migrant workers in the labour market; and it was concerned about a consequent deterioration of the wage, working conditions and productivity of the local workers. Thus, the government argued that allowing labour migration should occur for those jobs with a low possibility of competition. The 'high-skilled' foreigners were considered as complementing the labour shortages in the sector and were permitted to be employed without a ceiling, but not the low-skilled workers.

However, the policy of no low-skilled migrant workers was not an outcome of any serious consideration of the labour market situation. The South Korean labour market had experienced rapidly increasing labour force shortages, especially in low-skilled jobs, since 1987. For example, the labour shortage rate in the low-skilled jobs was as high as 20.13 percent, while the rate in the high-skilled ones was only 1.34 percent March 1991 (Seol, 1992, p. 117). The government's labour migration policy was actually in contradiction to its own 'principle of complementarity'.

In sum, while the South Korean labour market experienced severe labour shortages in low-skilled jobs, the government opened its borders without an adequate labour migration policy. The consequence was that more migrant workers arrived and sought jobs in South Korea and more South Korean employers under labour shortage sought to hire the migrant workers. Labour migration in late 1980s and early 1990s South Korea was triggered by the government's tacit acceptance and welcomed by employers, but it was later illegalised by the government. The government had the first-hand responsibility for triggering the increase irregular migration.

'Back-door' policy in the context of neoliberalism and ethnic nationalism

The South Korean government's labour migration policy in the late 1980s and the early 1990s was a typical 'back-door' policy. It officially denied the demand of low-skilled labour migration for political purposes but 'tacitly condoned' the employment of irregular migrants for economic benefit (Castles et al., 2012, p. 132). Although occasional arrests and deportations of undocumented workers were reported (e.g. Kim, 1989b, The Hankyoreh, 1988, The Kyunghyang Shinmun, 1986b), the employment of irregular migrant was not seriously punished. For example, the Immigration Control Act of 1983 (Article 84) stipulated the penalty for hiring irregular migrants to be less than 1 million Korean Won (approximately 1,000 US dollars), which was about two months of wages for an average worker in an SME in 1991 (see Yonhap, 1991). The
punishment of South Korean employers, identified as ‘Other’ type of immigration law violation, were less than 951 cases in 1991 (Korea Immigration Service, 1961-2017). On the contrary, there were at least 41,877 undocumented migrants in the same year (Seol, 2005b, p. 11).

The question then arises why the South Korean immigration policy failed in reflecting the actual labour market situation. It may be answered in three terms. First, the government intentionally disregard the demand for low-skilled jobs as a strategy to propel the neoliberal industrial restructuring. As discussed in Chapter 5, the government’s priority under the neoliberal transformations was not to sustain the SMEs in the less productive 3D industries but to promote internationally competitive high-technology industries of large firms and chaebols. The government, especially the ministries in charge of industry and economic planning, preferred weeding out the less competitive industries; thus, it hesitated to introduce such measures that would subsidise the SMEs because that would only postpone their restructuring project. The idea of introducing low-skilled labour migration was never welcomed by the neoliberal policymakers.

Second, the government’s hesitancy about introducing the low-skilled migrant workers was also a reflection of the society-wide ideological bias against the low-skilled labour. Korean society has a long-standing tendency of looking down on manual workers as unrespectable and undesirable, which originated in the East Asian Confucius ideology of social hierarchy based on occupations, as symbolised by such a term as Sa-nong-gong-sang (gentry scholars-peasant farmers-artisans and craftsmen-merchants and traders). This tradition persisted even over the period of industrial transformations between the 1960s and the 1980s (Koo, 2001, pp. 127-130), although the developmental state propagated such a term as the ‘pillar of industry’ to emphasise the significance of labour. The social attitude that underestimated manual labour intensified even more when the government and society promoted the post-industrial economy in the 1990s. While the jobs in the service sector and information technology-based industries emerged, manual labour was considered as outdated and fading away. In this context, the government could not encourage the introduction of migrant manual workers into society.

Third, the racial prejudice against people from developing countries also influenced the government’s procrastination. South Korean historians and cultural studies scholars pointed out South Korean society was still influenced by cultural toadyism (Im, 1999, Park, 2002b) and ‘the coloniality of knowledge and existence’ (Ha, 2012, p. 550). This culture was conflated with the governing ideology of the ‘ethnic nationalism’ which had been playing as ‘a key organizing principle of Korean society’, as South Korean sociologist Shin (2010a, p. 16) argued. ‘Ethnic nationalism’ later developed into racially discriminatory attitudes towards the people from
developing countries. South Korean society's immediate responses to the increasing irregular migrants, who came from developing countries for low-wage jobs, was often highly racially discriminatory. The media often proliferated racial prejudices that the migrant workers from developing countries were undesirable and even unsafe and unhygienic, while it welcomed the ‘presumably’ high-skilled workers from developed countries (e.g. Kim, 1989a, Yonhap, 1992). The immigration policy was racialised by implementing the visa classification for the professionals and the low-skilled workers. The racialised policy was reflected in the statistics on the countries of origin of the professional migrants. The government most encouraged the employment of foreigners in the science and technology sector without serious considerations of the labour demands or its social impacts (see Yonhap, 1991), while it ignored the needs of the low-skilled migrant workers. The racialised immigration policy later developed in the form of the ‘hierarchical nationhood’ (Seol and Skrentny, 2009, p. 150), which will be discussed in the next chapter.

Thus, the ‘back-door’ policy was a strategic choice of the South Korean government to mitigate the political pressures not to officialise the introduction of a labour migration policy, while it could resolve the labour shortages. This ambivalent attitude continued as the primary policy for labour migration until it introduced the ITS in 1991.


Closing the back-door and opening a side-door

The 'back-door' policy did not sustain for long. First, there were employers’ constant demands for a stable supply of migrant workforce. Second, the media was increasingly concerned about the irregular migration and often raised controversial issues such as ‘their negative impacts on the labour market’, ‘crime’ and ‘cultural influence’ (see Kim, 1989a, Yonhap, 1992). Employer associations such as Korea Federation of Small and Medium Businesses (KFSB) repeatedly claimed that the ‘foreign workforce is the only solution for the manpower shortage’; while trade unions opposed it for ‘the protection of low-waged national workers’ (Seol, 1999, pp. 421-422). The government was also divided: while the Ministries of Trade and Industry, and Construction were supportive to the small and medium businesses’ claim, the Ministries of Labour, Justice, Economic Planning, Health and Society opposed it for the reasons of immigration control or
labour market protection. The government was in a dilemma between the employer’s labour demand and the social impacts of immigration.

The strategic choice of the South Korean government was a ‘side-door’ policy (Castles et al., 2012, p. 132). Instead of introducing a fully-fledged labour migration scheme, the government’s temporary expedient was to appropriate the already-existing ‘training’ visa system (Article 9 of the Enforcement Decree of Immigration Control Act, as amended in 1984. Until the 1980s, the number of migrants who held this visa was meagre: for example, 894 migrants in 1989, majority of whom were from developed countries like Japan (Korea Immigration Service, 1961-2017).

By manipulating this visa system in the name of the ‘Industrial Trainee System’ in 1991, the government allowed a small number of South Korean medium-sized companies, which already had overseas investment, to bring their overseas employees to the headquarters in South Korea for training purposes. The next year, it expanded the programme to allow other SMEs without overseas investment to hire industrial trainees. In 1993, the government significantly expanded the programme and commissioned the employer organisation KFSB to operate it. The period allowed for ‘training’ was initially restricted to three months, but was extended to one year in 1991 and again to two years in 1993.

The ITS was a ‘side-door’ policy. The government used hypocritical language to disguise the real purpose of the policy. It was clear that the scheme aimed at supplying low-wage foreign workforces and reducing irregular migrants (Seol, 1999, p. 431). However, the government disguised the nature of the programme as if it aimed at the skill transfer to and the international cooperation with developing countries. The government rule on the ITS stated the purpose of the scheme was the ‘reinforcement of the cooperation with developing countries about industrial technology’ (Small and Medium Business Administration, 1996, Article 1). This was merely political rhetoric based on a ‘migration optimist’ assumption that labour migration would stimulate growth both in origin and destination countries (Castles et al., 2014, p. 70). The rule had no other substantial provision for the implementation of the ‘international cooperation’ or the skill transfer. Moreover, the ‘migration optimist’ assumption was far from the reality. The diminished small manufacturers were not capable of offering skill transfers by the nature of their low-skilled work. Some returned migrants testified they had learnt some business and labour management skills, which they used for running their own business back in their home country. However, according to a former migrant rights activists, CHM, whom I interviewed (RP_14), the ‘management skills’ were not more than how to impose on their employees the exploitative working conditions, long work hours and low wages they had witnessed. Despite the misleading
title, the ITS was not a training scheme or even a policy of international cooperation for development.

The government had two reasons for using the ambiguous language. First, as Seol (1999, p. 425) argued, the government wanted to avoid the political controversies over introducing labour migration. By branding the actual migrant workers as ‘trainees’, the government believed it would minimise their impacts on both the labour market and the society. Second, I particularly take notice that the government also wanted to justify the systematic discrimination against the migrant workers by branding them as ‘trainees.’ By defining their actual labour as ‘training’, the government justified the restrictions on the migrant workers’ fundamental labour rights, which were available to South Korean workers by law.

Below four examples reveal the ITS’s deceptive and discriminatory nature. They also substantiate that the ITS was devised for employers to maximise profits by lowering labour costs and ensuring an absolute control over labour.

First, the ‘trainee’ was not entitled to minimum wage, retirement payment, protection from overdue wages, paid leave and maternity leave (Hwang, 2011). By restricting the right to wage and welfare, the SME employers were able to maintain low labour costs. The government set the average wage of the ‘trainees’ as low as half of that of domestic workers. It in effect ‘subsidised’ the SME employers by discrimination against migrant workers (Seol, 1999, pp. 426-438). The government introduced some modifications only after facing the severe resistances of civil society and the pressure of the judiciary, as will be discussed in the next section.

Second, the government deprived the migrant workers of the right to choose a job. It prohibited them from seeking a new job after being placed with an employer. The restricted employment made the workers vulnerable to exploitative working conditions, degrading treatments or even violence. Despite the abusive conditions, ‘foreign trainees’ had to stick with their employer by immigration law. The only alternative was ‘running away’ from the employer, taking the risk of being punished by law. This policy, however, benefited the employers by ensuring stable retention of the workforce. Moreover, by confining the ‘trainees’ to a designated employer, the government intended to prevent the migrant workers access to the labour market and eventually a possible wage increase.

Third, by defining the migrant workers’ employment as a ‘training period’, the government justified the institutionalisation of short- and fixed-term contracts. The fixed-term contract was
not yet a general practice in the early 1990s, although there were rising debates over the flexibilisation of employment as a part of neoliberalisation (see Chapter 5). The government's initiatives to introduce a flexibilisation policy had faced severe resistance from the militant labour unions of local workers. However, it was easily imposed on migrant workers in the name of a 'training period'. Migrant workers with short- and fixed-term training contracts were not ready to organise a union or resist the policy. Moreover, the mainstream South Korean labour movement largely overlooked the flexibilisation process in labour migration policy, which was a precursor to a full-scale imposition on local workers. The fixed-term contract allowed employers to maintain low labour costs by replacing a current employee with a new and cheap one, instead of raising the wages of the former. It also reinforced employers' control over the workers, because a high turnover of employees makes it even more difficult to organise a union to protect themselves.

Fourth, the brand of 'training' scheme also helped the government maintain its no-settlement principle. The government claimed the 'trainees' would return to their home after they acquired the necessary 'skills' and contributed to the industry of their home country. This claim justified the temporary nature of the labour migration scheme and eventually established it as a norm of labour migration policy. These approaches are a continuation of the exclusionary and discriminatory immigration policies of the previous governments, as reviewed in Chapter 4. Moreover, the prohibition of the settlement also contributed to employers' control over workers. Without having a prospect for settlement or long-term stay, it was not easy for workers to think about organising a union against the inadequate wages and working conditions. Consequently, the employer was again able to maintain low labour costs.

The ITS shows how the South Korean government served employers' profits by formulating a pro-employer immigration policy. The ITS also shows how the government conflated the pro-employer policy with its nationalist ideology. The government claimed the discriminatory and exclusionary labour migration policies were for the benefit of 'nationals' who were also employers; it eventually made the public take for granted that the employers' profit equates the national interest. However, the government had almost no consideration of the fundamental human rights of workers. This approach, in the end, generated negative impacts on the society and the sustainability of the pseudo-temporary labour migration system itself.
Failure of the ‘side-door’ scheme

An outcome of the discriminatory and exclusionary labour migration policy was extreme exploitation of the ‘trainees’, who had no legal protection. The long working hours, low wages, assault or harassment, overdue wages, and poor working conditions were commonplace (Cho, 1995, Lee, 1994, Park, 1993, Park, 1995, Seol, 1997, 1999). Moreover, the high placement fee, which was often increased by corrupt recruitment agencies and brokers, worsened the vulnerability of the migrant workers. Many workers relied on high-interest loans to pay the migration cost; consequently, they were in a condition similar to ‘indentured labour’. Exploitative working conditions, which had fuelled the rapid industrialisation and economic growth under authoritarian rule in the 1970s and the 1980s, were revived for migrant workers in the 1990s and the 2000s. This time, it was to prolong the lives of the fading-out industrial sectors and to fuel neoliberal transformations.

However, the exploitation of migrant workers became the source of the programme’s own destruction. The industrial trainees’ survival strategy was to render themselves undocumented. The ‘trainees’ under extremely exploitive working conditions abandoned designated workplaces and found better-paid jobs, taking the risk of visa-cancellation, arrest and deportation. Employers often preferred the undocumented but more experienced workers over newly-arrived and inexperienced trainees. The employers did not mind paying higher wages to the undocumented workers; thus, ironically, the irregular migrant workers enjoyed higher wages than the legal trainees (Seol, 1999, pp. 173-178). Eventually, the undocumented migrants’ wages doubled that of the trainees with valid visa status (see Figure 6-1).

The exploitative working conditions and increasing irregular migration became growing concerns of society. The undocumented migrant workers began to appear in the public sphere through a series of protests (see Chapter 9). South Korean civil society groups also actively organised actions to support them and to call for the abolition of the ITS (see Chapter 8). The judiciary responded to the efforts of the civil society groups. The Supreme Court ruled the government had to recognise the ‘worker-ness’ of the industrial trainees; and later, the Constitutional Court commented the ‘unconstitutionality’ of the ITS (Hwang, 2011). It also decided that labour law protected migrant workers regardless their immigration status, stating ‘their work is not illegal even though their immigration status may be illegal’ (Lee, 2002d, pp. 51-52).
Due to the pressures from civil society and the judiciary, the South Korean government introduced several complementary measures for the protection of migrant workers. The Ministry of Labor (1995) introduced a guideline on the protection and management of the trainees, which stipulated employers’ obligations to pay the legal minimum wages to trainees, trainees’ entitlements to the industrial accident compensation, medical insurance and protection from forced labour, violence, overdue wages and long working hours. As a political compromise against the calls for the abolition of the ITS, it also amended the ITS to permit employers to hire the trainees for another year in a ‘worker status’ after two years of the training period. It also renamed the ITS to the Training and Employment System in 1998. The two-year-training and one-year-employment principle changed to one-year-training and two-year-employment in 2002.

The institutional changes, however, failed to bring about significant improvement in practice. It was often reported that the employers continued to ignore the rules and, especially, to take advantage of the vulnerable status of undocumented workers (Seol et al., 2002). The Training and Employment System was often criticised by civil society as a mere ‘disguised form of the ITS’ (Kim, 2010c, pp. 96-97). Debates over the reform of labour migration policy were, however, swamped by the occurrence of the 1997 Asian Financial Crisis. The exploitative ‘side-door’ policy continued until the end of 2006.

The ITS was a typical example of failed migration policy. As Castles (2004b, p. 207) defined, the failed policy did ‘not achieve its stated objective’. The ostensible purpose of this policy, ‘the cooperation with developing countries for industrial technology’ was never touched in the course of implementing the policy. Even when both the government and the civil society evaluated the ITS, the deceptive aspect of this claim of purpose was never discussed.

This ‘side-door’ policy also failed in its actual purposes. It failed in reducing the number of undocumented migrants. The imposition of exploitative working conditions adversely facilitated increasing their number. The policy also failed in maintaining low wages. The free undocumented migrant workers dominated the labour market in the 3D industries; consequently, they raised the wage of migrant workers because the employers voluntarily paid higher wages to these workers.

The case of the ITS shows that migration policy oriented toward economic interests only is inevitably blind to the social ‘embeddedness’ of the migratory process (Castles, 2010, p. 1570). Its consequences were a failure in accommodating its social impacts and, consequently, failure in achieving its economic goal as well.
**Contextualising the pseudo-temporary labour migration schemes in neoliberal transformations**

The ITS was first introduced in 1991 and remained until the end of 2006. It survived for three years even after a new temporary labour migration scheme was introduced in 2004. Why did the South Korean government retain the failed immigration policy for 16 years despite the continuous oppositions and challenges since the early stage of the introduction?

Seol and Skrentny (2004, p. 507) answer this question from the political economic perspective of 'client politics'. The South Korean government intentionally, rather than mistakenly, introduced the 'side-door' policy to serve its key clients, the employers of SMEs. Lee (2008b, p. 121) takes this a step further and argues that, considering how the employers’ interest group, KFSB, manipulated the policy process using its political influences, the politics of the ITS was beyond the level of 'client politics'. She argues it rather exemplifies how 'the state gives up its raison d’être: the coordination of the public interest and cost.' She also explained, applying a neo-institutional approach, the retention of the policy was an outcome of 'the power struggles between government agencies to take leadership in immigration policy formulation', which also delayed the introduction of an alternative policy (Lee, 2008b, p. 123). The Ministry of Justice and the Ministry of Labor, which are respectively in charge of visa policy and labour market policy, competed particularly hard for a bigger share of power in the area of migration policy implementation.

On top of these explanations, I pay particular attention to how the ITS functioned as leverage to accelerate the process of neoliberalisation in South Korea. I argue the ITS contributed to the process of neoliberal restructuring both in the employment system and the industrial system of South Korea. This functionality enabled the ITS to survive throughout neoliberalisation and post-industrialisation.

First, the ITS was instrumental in facilitating the introduction of the neoliberal employment system in South Korea. As discussed earlier, employment under the ITS was precarious and exploitative. It was indeed a typical example of the neoliberal employment system. The fixed-term contracts were a workforce management strategy to maximise profits by imposing workers to conform to the exploitative working conditions. The strategy was especially effective in the less-skilled sectors, where the workers’ experiences and long-term commitment were less required. Moreover, the ITS was rather a fusion of the neoliberal labour system and the old labour system.
It maintained the ‘barrack-like control’ of the workers by branding the workers as ‘trainees’ and their work as ‘training’ as well as the ‘immobile labour market’.

The fixed-term contract was not a general practice of employment by the time when the ITS was introduced. The South Korean government had sought to integrate its economy into the neoliberal global economy, for example, by actively participating in the Uruguay Round negotiations in 1986–1994. There were also the employers’ growing demands for the flexibilisation of employment. In the area of labour market transformation, the neoliberal initiatives faced stiff oppositions. The transition from the ‘old employment system’ to the neoliberal system was put on hold by the militant labour unions. However, the ‘1987 employment system’, which was an achievement of democratisation and labour rights movement, failed to stretch toward SMEs. The enterprise-based unionisation driven by the workers of large-firms was an obstacle for the SME workers to organise a union. The divided labour movement resulted in the segmentation of the labour market (see Chapter 5).

Through the ITS, the South Korean government rather easily introduced the neoliberal labour system in the SMEs, which was a shadow area of the South Korean labour market. Little chance for workers to unionise generated little possibility to mobilise any resistances against the temporary and fixed-term employment of migrant workers. Moreover, by branding migrant workers as ‘foreign trainees’, the ITS uprooted any possibility to build solidarity for a union between the migrant workers and local workers. In turn, this situation reinforced the labour market segmentation and eventually became a stepping-stone for expanding the neoliberal employment system throughout the society.

Second, the pseudo-temporary labour migration scheme also contributed to the neoliberal restructuring process of South Korea’s industrial system. Seol (1999, p. 423) argues that the ITS was a ‘political choice’ against South Korea’s general economic trends: the neoliberal restructuring process preferred letting the ‘fading-out’ industries wither away over subsidising their perpetuation. In contrast, I argue the unequal and hierarchical relationship between the SMEs in the ‘fading-out’ industries and the growing transnational corporations should be taken into consideration. As discussed in Chapter 5, the SMEs were dependent on the unequal contractual relations with the chaebols. They produced parts of a final product from high-cost materials and supplied them to the large-firms at competitively low prices. The production of the low-price products relied heavily on the low wages and poor working conditions of workers. Neoliberal restructuring was to ensure such a hierarchical chain of production, not to lay off the fading-out industries. The cheap workforce of unfree migrant workers in poor working condition
was essential to sustain the neoliberal production system. Migrant workers are at the bottom of the exploitation pyramid.

Therefore, the ITS was a pseudo-temporary labour migration scheme that was introduced to ensure the installation of neoliberal employment and production systems. This is why the ITS was broadly supported by the business groups of both SMEs and large firms and continued for 16 years despite the oppositions of civil society and the judiciary.

The government’s active intervention was instrumental in the introduction of the neoliberal pseudo-temporary labour migration programme. The government devised the ITS and intentionally appropriated the existing training visa system to supply low-wage migrant workforce. Through the ITS, it introduced the temporary and fixed-term employment system in the South Korean labour market. This is an example of the neoliberal state (Harvey, 2005) that implements a neoliberalisation project (see Chapter 2). This government policy was oriented to the maximisation of employers’ profits, but it ignored the fact that migration is socially embedded. The ITS was a failed migration policy (Castles, 2004b) in the sense that it did not achieve the stated objectives. However, it made significant contributions to accelerating the neoliberalisation of the South Korean employment and industrial systems.

Also, it is important to take notice of the problems of ‘temporariness’ inherent in the ITS. The introduction of the pseudo-temporary labour migration scheme contributed to institutionalising the ‘temporary labour migration’, which involved the ‘commodification of labour migration’ (Rosewarne, 2010, p. 99). The government treated the trainees as an ‘expendable resource’ or ‘disposable labour’ (Amnesty International, 2009) with no concern about the protection of the migrant workers.

The ‘commodification of labour migration’ is an integral part of the global neoliberalisation process. One of its significant outcomes is the creation of the ‘new class of global workers’ (Rosewarne, 2010, p. 105), for whom an extremely insecure life deprived of any social protections is a common characteristic. In the South Korean context, the ‘commodification of labour’ was relatively easily institutionalised in the SMEs and 3D sector through the pseudo-temporary labour migration scheme. Later, it broadly proliferated throughout the society through the neoliberalisation process.
Institutionalising temporary labour migration policy: Employment Permit System (2004–present)

Contested proposals for an alternative labour migration policy

Throughout the period of the ‘side-door’ labour migration policy, the heated debates over the reform of labour migration policy continued among the government, politicians, civil society, trade unions and the business sector. The first round of debates, which emerged at the early period of the ITS, ended up with no change in the policy due to the severe oppositions from businesses. The second round resumed after the economic crisis and was concluded with the introduction of the Employment Permit System (EPS) in 2004. This section begins with a review of how the debates developed. It analyses the related legislative and legal documents, as well as news reports.

The first round of the debates was triggered by a series of migrant workers’ protests against exploitative working conditions under the ITS (see Chapter 9). In 1995, the Ministry of Labor, which is responsible for the implementation of labour standards, responded to the increasing public concerns about the conditions and protests of migrants. It proposed a new temporary labour migration scheme with three main aims: to officialise the employment of temporary migrant workers, to recognise their labour rights, and to regulate the recruitment process by direct operations. As reported by major newspapers, the Ministry of Labor prepared the Bill of Act on the Employment and Management of Foreign Workers (see Kim, 1995). Politicians and civil society groups actively engaged in the process of legislation. In 1996, both the ruling conservatives, New Korea Party (Lee, 1996) and the opposition liberals, National Congress for New Politics (Bang, 1996) proposed separate bills for a temporary labour migration scheme. Two civil society groups, the Joint Committee of Migrant Workers in Korea (JCMK) (Park, 1996) and the Catholic Church (Kim, 1996b), also formally submitted the Petitions for Legislation, mainly for the protection of migrant workers, in the same year. While the political parties’ proposals were broadly similar to the government’s plan for the EPS, the JCMK distinctively claimed the ‘Work Permit System’ (WPS).

A major difference between the proposals of the government and the civil society was the level of migrant workers’ access to the South Korea labour market. While the EPS permits employers to select migrant workers, the WPS permits migrant workers to seek a job in the South Korean labour market. It was a matter of whether to confine migrant workers within a segmented part of
the labour market or to give them free access to the labour market. In reality, however, there was some confusion about the term ‘work permit’. Although political parties often used the term in their Bills, they meant the permission for migrant workers to be selected and employed by an employer, which is ‘employment permit’ according to the definitions of the government and civil society. Civil society’s claim of ‘work permit’ was the permission for migrant workers to choose an employer.

Another significant difference was that the WPS formally provided pathways to transfer the temporary status of workers to a permanent settlement status. Since one of the principles of the South Korean government was the prohibition of settlement, the EPS made it clear that no extension of the contract was available.

However, all the efforts for a new temporary labour migration scheme fell flat. The opposition from business groups, especially of the KFSB, was strong enough to block all the initiatives. The business-oriented government agencies such as Ministry of Trade and Industry also insisted the retention of the ITS (see Chang, 1995). The government repeatedly changed its position and sought to mitigate the business groups’ opposition (see Kim, 1997); in the end, it never formally submitted the bill for the EPS to the legislature. As Seol and Skrentny (2004) argued, the South Korean government’s failure in the reformation of the labour migration policy is attributed to its inclination to the small and medium businesses and ‘client politics’ (Freeman, 1995, p. 886).

All the bills and proposals of political parties and civil society groups were never seriously discussed at the National Assembly until they were all discarded by the termination of the Assembly’s term in 2000. Upon the occurrence of the 1997 Asian Financial Crisis, the discussion on the reform of labour migration policy all disappeared from public discourse. Instead, the government made only minor changes in the ITS as a political compromise. Trainees who had completed their two-year training period were permitted to transfer their status to the employees and also to work for another year. It renamed the system as the Training and Employment System in 1998. The two-year-training and one-year-employment principle changed to one-year-training and two-year-employment in 2002. However, the civil society broadly criticised this new system as a mere ‘disguised form of the ITS’ (Kim, 2010c, pp. 96-97), because there was no change in the vulnerable status of ‘foreign trainees’.

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Introducing a fully-fledged temporary labour migration scheme

The second round of debates resumed in 2000 when the South Korean economic indices began to recover from the shock of the 1997 Economic Crisis. It was again initiated by the civil society’s initiatives: a report issued by the JCMK played the crucial role in raising awareness and triggering political debates on migrant rights. The report, titled White Paper on Human Rights Conditions of Foreign Industrial Technical Trainees: a Report on the Reality of Human Rights Violations (Joint Committee for Migrant Workers in Korea, 2000), was the first one of its kind that comprehensively investigated the conditions of migrant workers. When the report was released in March 2000, it drew only limited attention from the public (e.g. Choi, 2000a). Instead, it caught the attention of the President Kim Dae Jung who had proclaimed himself ‘human rights President’. By order of the President, the liberal government party (New Millennium Democratic Party, formerly National Congress for New Politics) immediately re-launched the preparation for the bill of the EPS (see Kim, 2000, Maeil Business Newspaper, 2000a).

The Ministry of Labor also actively pursued the introduction of the EPS again. As articulated in its report on the Plan for the Introduction of Employment Permit System, the Ministry’s rationales for the introduction of the EPS were:

- migrant workers’ entitlement to labour rights would not increase labour costs because the wage levels are decided by workers’ productivity;
- it would not increase industrial disputes because the migrant workers would still be controlled by their short-term contracts;
- the EPS would decrease the undocumented migrants;
- the system would secure the prohibition of the long-term residence of the migrants (Lim and Seol, 2000, pp. 112-131).

The initiatives for the EPS were broadly supported by the public; for example, a survey showed 67.8 percent of the public supported its introduction (Lim and Seol, 2000, p. 120) and the media also expressed its support through editorial articles (e.g. Kookmin Ilbo, 2000, Maeil Business Newspaper, 2000b). However, the opposition from the business sector seriously delayed the process again. Business associations, including the KFSB and the Federation of Korean Industries, the association of chaebols and large business, publicly opposed the EPS on the grounds that it may increase labour cost (see Chug, 2000). There were also oppositions within the government: both the Ministry of Justice, which was in charge of the implementation of the ITS, and the Small
and Medium Business Administration, which represented the interest of the KFSB, opposed the EPS (see Choi, 2000b).

While the government’s official submission of the bill of EPS was again delayed, civil society groups and trade unions pushed forward the introduction of a new labour migration scheme. The JCMK again submitted the Petition for Legislation to the National Assembly in 2000 with the broad support of religious, human rights and civil society groups (Lee, 2000). On the contrary to the government’s proposal of the EPS, the JCMK re-claimed the WPS and the pathway to settlement. It also added new provisions that specified the workers’ right to change their jobs after the end of every one-year-term contract (Article 13(5) of Lee, 2000).

Trade unions were also actively engaged in the debates. The right-wing-oriented FKTU was in ‘policy-coalition’ with the liberal government party and supported the government proposal of EPS (Article 14 of Lee, 2002c). The progressively-oriented KCTU supported civil society’s proposal of the WPS (Dan, 2002). It is significant that both unions additionally proposed less or no regulations on the workers’ right to choose a job. Despite its importance, neither the government nor civil society was serious about the right to free choice of a job during the second round of debates.

The government bodies never reached an agreement among themselves on the government proposal for the new labour migration policy. Instead, the majority New Millennium Party finally tabled the bill for the EPS for debate at the National Assembly in November 2002 (Lee, 2002a). The bill mostly followed the proposals of the Ministry of Labor without the sober reflection of the civil society’s or trade union’s proposals. The Bill proposed employers be permitted to make one-year fixed-term employment contract for a migrant worker, which could be renewed up to three years (Article 7). As a measure of protection for the migrant workers, the Bill proposed the workers could change their employer, only when the current employer was in breach of the employment contract, especially in relation to wage and working conditions (Article 15). The recruitment of migrant workers was, according to the bill, to be operated exclusively by a public or governmental agency. This provision aimed at the prevention of corrupt recruitment process and illegal brokers, which were the source of significant financial burden for migrant workers (Article 6). The bill also proposed the Committee for the Policy on Foreign Human Resources be established in a tripartite model with equal participation of the representatives of workers, employers and the government (Article 3). The bill also proposed the ITS to be abolished immediately (Article 3 of Addenda).
The oppositions of businesses were persistent. The KFSB and other business groups had already submitted a counter-petition immediately after the JCMK’s petition for the WPS (Kim, 2001b). They again submitted another petition against the ruling party’s bill in February 2003 when the bill was on the table of the National Assembly (Kim, 2003f). Although the KFSB apparently claimed their opposition was for the protection of the SMEs, it was broadly perceived that the interest group aimed to maintain the privilege they had earned through managing the ITS, for example, the collection of monthly fees from the workers. It was even argued the Federation ignored the opinions of actual SME owners for the benefit of the Federation’s secretariat (Seol, 2000b).

Consequently, the business groups were increasingly split. The beneficiaries of the ITS severely opposed the EPS bill; for example, the KFSB organised a massive rally against the EPS in April 2003 according to a newspaper report (Lee, 2003b). However, other SME owners, who had been isolated from the ITS and relied on undocumented workers, welcomed the plan for the EPS. Another newspaper reported the latter criticised that the KFSB was a ‘mere interest group’ of a small number of employers and failed to represent most other small enterprises (Kim, 2003a).

Under the pressure of both civil society and businesses, the National Assembly discussed the revision of the original bill to accommodate the demands of both sides. The Committee in charge of the consideration of the bill proposed an alternative bill, including three major revisions (Chairperson of Environment and Labor Committee, 2003). First, the government proposed the ITS continue to operate in parallel even after the introduction of EPS, as a conciliation measure for the KFSB (Article 3 of Addenda in the original Bill was deleted, see Lee, 2002a). Second, it introduced a provision on the financial support for the organisation providing consultations or education to migrant workers after negotiations with some of the leaders of the JCMK (Article 24). Third, it gave up the tripartite model for the governance of the policy; instead, the Committee for the Policy on Foreign Human Resources was now composed of only government officials (Article 4). The revised bill for the EPS was welcomed by business groups, although the KFSB was rather reluctant to accept it, as reported by a business paper (see Lee and Hong, 2003). The bill was a second best option for civil society. Some leaders of the JCMK welcomed it, but other groups strongly opposed the ‘reformist’ approach (see Chapter 8).

The three revisions were political inducements to bring the debate to a conclusion. However, they left negative legacies. First, the parallel operations of the EPS and the ITS caused serious confusion for migrant workers both in origin and destination countries, for the governments of origin countries, and for employers. Second, the financial support for non-government
organisation contributed to splitting the pro-migrant organisations and weakening their political leverage. Third, the withdrawal of the tri-party governance model and the watering-down of the Committee’s role eventually contributed to the government’s domination of the decision-making process, which was in line with the employers’ demands.

After all, the National Assembly adopted the revised bill of the EPS on 31 July 2003. The Act on the Employment, etc. of Foreign Workers (Act on the EPS) was officially legislated on 16 August 2003 and entered into force on 17 August 2004. However, the two rounds of debates were somewhat swamped by the tensions between the civil society group’s appeal for human rights protection and the SMEs’ claims of wage-burden. The focuses were whether the minimum labour rights should be granted to the migrant workers. Importantly, I argue they failed in discussing the long-term social implications of the temporary labour migration scheme. The contested issues, which the debates failed to consider, are discussed below.

**Missed out issues and continuing discontent**

Although the debates over an alternative labour migration policy failed to cover the policy’s social implications, the proposals of the government, political parties, the civil society and trade unions still showed outstanding and distinctive concerns on this matter. The main issues were whether to allow pathways to settlement, how far to restrict the right to choose a job, how to control the growing corruption in migration industries and, more fundamentally, whether the temporary labour migration system would be sustainable. Although these issues failed to attract the public’s attention and to be seriously discussed during the debates, they became the core problems of the temporary labour migration scheme when it entered into force.

The first and the most distinctive difference between the proposals of the government and political parties, and that of civil society groups, was whether they would allow the possibility of migrants’ long-term residence or settlement. Both the conservative government (see Article 16 of Lee, 1996) and liberal opposition party (see Article 15 of Bang, 1996) argued the settlement of migrant workers should be strictly prevented; thus, the labour migration programme should ensure, whether under a ‘work permit’ or ‘employment permit’, the permit would not be renewable longer than three years.

In contrast, the civil society groups proposed the pathway to the settlement of migrant workers. The JCMK’s petition explicitly proposed the workers should have a one-year ‘general work
permit’ renewable up to five years without limitation. Then, they would be entitled to have a ‘special work permit’ which does not require renewal (see Article 4 of Lee, 2000, Park, 1996). The ‘special work permit’ practically grants permanent residence to the migrant workers. If we take into account the Nationality Act (Article 5), it also opened the possibility to apply for South Korean nationality. The JCMK’s draft bill was the only initiative that challenged the exclusionary immigration policy and broke through the principles of temporary migration and no-settlement. This was the most distinctive aspect of the JCMK’s claim of the WPS.

In contrast, the civil society groups were particularly concerned about the ‘rotation’ or circular migration principle. They argued the government’s proposal of the principle would not be sustainable in the long term, as seen in the failed case of German Gastarbeiter system (e.g. Park, 2000). They warned it would result in a constant increase of unauthorised migrants and consequent human rights violations. However, this concern was never reflected in the legislation. Instead, the government only reaffirmed the principles of ‘temporary migration’ and the prevention of settlement. The temporary migrant workers were permitted to one-year fixed-term contracts up to three years (Article 9 and 18 of Act on the EPS of 2003). This issue became controversial later in two ways: first, the discrimination against non-co-ethnic migrant workers in comparison with the preferential policy for migrant workers of Korean ethnicity; second, the continued subjugation of migrant workers on the grounds of their temporary and vulnerable status.

Also, I note that all the bills and petitions of both the government and the civil society commonly proposed the one-year fixed-term employment contract for migrant workers. As discussed earlier, the short- and fixed-term employment contracts were not yet a common employment practice in the South Korean labour market. The government’s initiatives to legislate the ‘flexibilisation of labour’ were severely opposed by the labour movement. However, the problem of the one-year fixed-term contracts, which is one of the critical elements of the neoliberal labour market, was never questioned during the debates on labour migration policy. Since the debates were overly concentrated on the inhumane and degrading treatment of migrant workers under the ITS, there was no room for considering this issue. Eventually, all the proposals for the temporary labour migration policy, in effect, endorsed the legislation, that formally introduced the fixed-term and non-regular employment practice in the South Korean employment system.

The second issue was whether to allow the migrant workers to change jobs while they stayed in South Korea. The civil society groups notably argued that the prohibition of changing jobs was the primary source of human rights violations under the ITS. It forced the trainees to be
subjugated to employers and also to accept the extremely poor working conditions and unequal labour relations. Thus, the availability of ‘job-change’ was a critical agenda for civil society. During the first round of debates, the ruling conservative party’s bill limited the right to change jobs to only very exceptional cases like the closure of the company due to the failure of the business (see Article 15 of Lee, 1996). The ‘job-change’ was, indeed, broadly considered as a measure to protect migrant workers from human rights violations at work: the bills and petitions of both government (see Article 19 under Chapter 4, Bang, 1996) and civil society located the relevant provision under the chapter on the protection of workers (see Article 13 under Chapter 3, Lee, 2000, Park, 1996).

After the second round of debates, the Act on the EPS concluded to permit the migrant workers to change jobs in cases where employment could not continue due to the fault of the employer as proposed by the government and civil society (Article 25). The conditions were:

- when an employer cancels or refuses to renew an employment contract;
- when employment cannot continue due to the closure of a business, etc.;
- when an employer’s employment permit is cancelled due to the breach of an employment contract, labour standards or immigration law.

However, the Act imposed a further restriction by limiting the number of job-changes up to three times only for three years of the employment period. This restriction became a highly controversial problem later (see Chapter 7).

I argue all the proposals of the government and the civil society groups commonly presupposed migrant workers deserve a certain level of restriction on their right to a free choice of job. Although the JCMK’s draft bill opened the possibility of the migrant workers’ full access to the labour market after acquiring the ‘special work permit’ (Article 4 of Lee, 2000, Park, 1996), it still presumed the restriction on job choices was inevitable for the first five years before the special permit. The restriction was justified in the name of ‘the principle of complementarity to national labour market’ (Lim and Seol, 2000, p. 109) or the protection of national workers. The government claimed if migrant workers were allowed to change jobs freely, it would lower the general wage level and damage the local workers’ jobs.

However, this restriction is a problematic violation of migrant workers’ rights. The restriction on the right to choose a job fundamentally obstructs the access to job-seeking activities for a better wage and working conditions. This is against the ‘right to work, to free choice of employment, to
just and favourable conditions of work', as enshrined in the Universal Declaration of Human Rights (Article 23(1)). Moreover, it is inevitable that migrant workers have limited access to the information on employers, working conditions or job-market conditions, while they are in an overseas recruitment process. Most often, they have access to appropriate information only after arrival in the destination country. Thus, if migrant workers are not allowed to have a job other than what was decided during the overseas recruitment process, it is highly probable that they would not be satisfied with the wage or working conditions they find. Nevertheless, temporary migrant workers still tended to have less access to the labour market of the destination country than local workers due to the limitation of language skills, personal networks and other conditions.

A severe challenge against this presupposition was made by trade unions. The FKTU's draft bill took a step further than the JCMK's bill to add the 'significantly low wage' as grounds for applying to change jobs (Article 18(5), Lee, 2002c). The KCTU, in rivalry with the FKTU, went even further: its draft bill proposed the guarantee of unlimited changes of jobs for all migrant workers (Article 18, Dan, 2002). It is significant that both trade unions claimed the equal labour rights for migrant workers because these attitudes reveal that local workers perceived the government's claims of protecting local workers were not more than political rhetoric. They perceived the restrictions of migrant workers' mobility would only benefit employers by maintaining low wages and poor working conditions, and eventually would affect their jobs in negative ways.

The third issue was about the regulation of the migration industry. The question was whether employer organisations were allowed to get involved in the placement process in the South Korean context. This sensitive issue was related to the employers' association, KFSB's corruption in the course of operating the ITS. The chain of corruption, linked from the KFSB to the central and local government, recruitment agencies and local brokers in origin countries, was one of the root causes of the high placement fees, which in turn led to the irregularisation of the trainees. During the first round of debate, the conservative party proposed to allow the employers to continue to get involved in the recruitment process in origin countries (Article 9, Lee, 1996). However, both the liberal party (Article 11, Bang, 1996) and the JCMK (Article 5, Lee, 2000, Park, 1996) proposed the governmental or public agencies should be commissioned exclusively to operate the recruitment process. The JCMK's draft bill took a step further and proposed the placement cost should be borne by employers in line with an ILO (International Labour
The corruption of the KFSB was broadly known to the South Korean society: some of its leaders and staff members were even prosecuted. Thus, among the proposers of the alternative labour migration policy, there was a consensus that the migration industry needed to be controlled. During the second round of debates, all proposals of the government and the civil society specified that private agencies should be excluded from the placement process. Finally, the adopted Act on the EPS prohibited the private agencies’ involvement in the placement process (Article 9). This was, however, the primary source of the KFSB’s discontent. Consequently, the government compromised with the business group by allowing the ITS to continue to operate in parallel with the EPS.

Finally, it is also significant that the former West Germany’s failed case of guest worker system was hardly discussed in the course of the legislation of the EPS. At the preparatory stage for the legislation, the Ministry of Labor already conducted a comprehensive study of four selected cases of temporary labour migration policy: that of Taiwan, Singapore, Hong Kong and Germany (Lim and Seol, 2000, pp. 33-96). The authors of this policy paper recognised that the failure of German system was due to ‘humanitarian permission of family accompany, permission of special work permit for five years or longer’ and ‘the breakdown of “rotation” principle’, which led to ‘the settlement of foreign workers’. Then, they emphasised, having learnt from the German experience, the other three countries prevented the possibility of migrant workers’ settlement by preventing them from access free mobility within the labour market. Thus, they argued the prevention of foreigners’ settlement is ‘not a matter of human rights violation but the exercise of a state’s legitimate sovereignty’ (Lim and Seol, 2000, p. 110).

The South Korean government’s policy principle resonates with the analysis of Castles et al. (2014, p.156) on the popularity of temporary labour migration in Asian countries. As discussed in Chapter 2, the South Korean government, like many other Asian governments, sought to ‘control migration strictly’ and to limit migrants’ rights. It also saw labour migration as ‘a temporary necessity, which should not lead to permanent settlement or to changes in the culture and identity’. South Korean employers wanted ‘low-skilled workers to meet immediate labour needs’ rather than considered its long-term effects. The matched intentions of the governments and the employers reinforced the idea that the failure of West German guest worker system would not happen in South Korea.

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9 Article 4, Annex II of Convention concerning Migration for Employment, revised 1949 (ILO Convention No. 97).
The principle of temporary migration was hardly challenged by any government agency or even by civil society in the course of the debates over introduction of the EPS. They rather paid attentions on how the restrictive temporary labour migration schemes has functioned in the newly industrialising East Asian countries, although they were aware the similar policy had already turned out to be incompatible with the European democratic societies during the post-war economic boom (Castles, 1986). There were significant differences between the newly industrialising East Asian countries and the European societies, particularly in the level of democratisation and authoritarianism, the status of welfare state and the political leverage of trade unions. Seol and Skrentny (2009, p. 578) also argued the less migrant settlement in East Asian countries are ‘because of the lack of regional institutions pushing for family reunification rights, an elite political culture that still maintains the assumptions and repertoires of a “developmental state”, where rights may be sacrificed for economic growth and order, and migrant perceptions of greater immigration control in Asia’. Having observed the cases of Taiwan, Hong Kong and Singapore, South Korean policy-makers anticipated that the principle of ‘rotation’ and a strict control over undocumented migrants would maintain the South Korean model of temporary labour migration scheme and the European experiences would not apply to East Asian countries.

These four issues were not publicly debated during the legislation process for the EPS, but rather patched up by the political compromises between the government, civil society groups and business groups. These issues, however, continued to be the primary sources of discontent of both workers and employers about the EPS throughout the next ten years. The government continued to modify the EPS to incorporate the demands of employers and the civil society. The next chapter examines how the EPS had modified and also analyses what their nature and impacts were.

**Conclusion**

This chapter began with the question on the South Korean migration policy: ‘What was the policy process of the South Korean temporary labour migration scheme?’ To answer the question, I reviewed the development of labour migration policy in three stages: the periods of the ‘back-door policy’, the ‘pseudo-temporary labour migration scheme’, and the ‘formal temporary labour migration scheme’. Analysing the government’s policies at each stage, I examined the nexus of political and economic factors in the formulation of the policies. I then argued the introduction of
the temporary labour migration schemes was a part of neoliberal transformations of employment and production systems, characterised by flexibilisation and precarisation. Also, the government played the leading role in the transformations, while civil society and businesses were also deeply engaged in the process.

This chapter also analysed the political and economic rationales underlying the South Korean government’s labour migration policies at each stage. During the first stage (1987–1991), the government’s relaxation of border controls triggered the irregular migration in the context of South Korea’s changing labour market. The government’s response was a ‘back-door’ policy. The government was apparently hesitant to introduce a labour migration scheme. It was concerned about the ongoing neoliberal restructuring of the industries as well as the social prejudices against low-skilled workers and people from developing countries. However, the government could not totally ignore the still-existing labour demand of the small and medium enterprises in the manufacturing sectors. Consequently, its strategic choice was to tacitly condone the irregular migration by opening the ‘back-door’.

The second stage of ‘pseudo-temporary labour migration’ policy (1991–2004) is characterised by the expediential implementation of the policy. Against the increasing pressures of irregular migration, the government introduced the Industrial Trainee System to introduce actual migrant workers with the deceptive name of trainees. It was again a strategic choice of the government on the grounds of the same rationales as those of the first stage. However, this scheme was a ‘pseudo-temporary labour migration policy’ in the sense that it significantly functioned to settle down the neoliberal employment system as well as the neoliberal hierarchy of the industrial system. In the midst of the heated contests between the employers and the pro-migrant civil society groups, this ‘side-door’ policy was maintained for more than a decade during the critical period of the neoliberal transformation of society.

The third stage begins with the introduction of the formal temporary labour migration scheme, EPS, in 2004. Despite some meaningful improvements in the protection of basic labour rights of migrant workers, I argued that this policy had substantially the same function as the previous policy to contribute to officialising and fixating the neoliberal industrial and employment system.

Throughout the development of the temporary labour migration policies, I identify that there were two underlying principles: temporary or ‘non-regular’ employment of migrant workers and prevention of migrants’ settlement.
The first principle, the temporary or ‘non-regular’ employment, not only underlies the whole development of the South Korean labour migration policy but also transforms the labour market and eventually the whole society. The flexibilisation of employment is a core neoliberal strategy to maximise capitalist accumulation, which was also the case for the South Korean bourgeoisie, both the large firms and SMEs. They relied on state power to alter the legal mechanisms and to normalise the flexible and precarious employment system, as seen in the government’s persistent initiatives to change labour laws. This process reflects the government’s nature as the ‘neoliberal state’ (Harvey, 2005, p. 64) and exemplifies how it operates. The temporary labour migration scheme was a strategy for the government to pursue the ‘regulation of the labour market through migration’ (Bauder, 2011, p. 41). It was a more controllable model of labour supply than other options, like promoting women’s labour force participation (Lee, 1997, pp. 358-361).

The second principle, the prevention of migrants’ settlement, has also been firmly established throughout the development of the South Korean labour migration policy. As discussed earlier, the South Korean government has maintained this approach from even before the industrialisation period. However, the government has recently loosened the restriction particularly on the migrants of Korean origin. This is related to the exclusionary nationalist politics based on the deep-rooted governance ideology of ‘ethnic nationalism as a key organizing principle of Korean society’ (Shin, 2010a, p. 16).

The nature of the South Korean government as a ‘neoliberal’ and ‘ethnic-nationalist’ state becomes even more apparent after it introduced the formal temporary labour migration scheme. As the process of its introduction already showed in this chapter, the EPS was designed to supply particular types of labour forces, low- or middle-skilled, to a specific area of the labour market for a limited period. Since the labour supply programme was designed and governed by the government, the EPS is a typical non-market-oriented mechanism. It is also an employer-driven system, considering it aims at serving the demand-side of the labour market of the host country. In addition, the special treatment of ethnically Korean migrants within the frame of the EPS shows its ethnic-nationalist aspect. The next chapter is devoted to the full-fledged analysis of the rationales and governing mechanisms of the EPS.
Chapter 7  South Korean temporary labour migration scheme as a part of neoliberal transformation: a critical policy analysis

This chapter continues to examine the second research question of this thesis: ‘What was the policy process of the South Korean temporary labour migration scheme and what are the rationales and governing mechanism of its operation?’ As the previous chapter discussed the first half of the question, this chapter focuses on the second half.

The first section analyses the rationales behind the South Korean government’s introduction of the temporary labour migration scheme. It identifies two aspects of the EPS that reveal the government’s rationales. First, the EPS was modified throughout the last decade to meet employers’ demands. Second, it has taken economic advantage of the temporarily returned diaspora. Then, I also analyse how the policy principles of the EPS has been compromised with employers’ demands. I argue the EPS is an employer-driven and government-run temporary labour migration scheme.

The second section explores how the government was able to settle down the temporary labour migration system as the primary labour migration scheme as well as the source of low-skilled labour. It identifies five governing mechanisms that contributed to the continuation of the EPS both within and outside the system. The restriction of job-choice was the key mechanism within the system that intended to satisfy employers’ demands for low-wage workers. The deportation, the duplicitous entitlement of social security, and the paternalistic ‘aid'-oriented ‘multicultural’ policy also made significant contributions from outside the system by supporting the controls of migrant workers. The discourse of national interest has also been frequently used to justify the disadvantage and hazardous working conditions of both local and migrant workers.
Rationales of the South Korean temporary labour migration scheme

Tailoring the programme to employers’ demands

As the *Act on the Employment, etc. of Foreign Workers* (Act on the EPS) entered into force, the EPS officially launched in August 2004. Soon after, the EPS faced severe challenges from both civil society groups and employers. The workers and civil society groups continued to claim the restrictions on changing jobs should be withdrawn. A pro-migrant organisations’ association, Migrant Rights Network (MNR) (2005) questioned the transparency of its recruitment process (see also Kim, 2005a, Lee, 2005c). The employers of SMEs also complained about the complicated, slow and expensive recruitment processes. They claimed the EPS should give way to the ITS (see Jang, 2005). Since the old scheme was still in place even after the introduction of the new one, the EPS was destined to compete with the ITS. As responses to the challenges, the government took immediate and repeated modifications of the scheme in a way favourable for the employers but without consideration of migrant workers’ demands (Choi, 2005). Since then, it continued to modify the policy in line with employers’ demands.

The most significant and controversial change was the gradual extensions of the employment period. The EPS initially permitted migrant workers to be employed in South Korea up to three years. After the workers left the country, they were not allowed to come back for employment within one year (Article 18, Act on the EPS as enacted in 2003). These initial rules were to prevent the migrant workers from settling down in the country. On the other hand, the intensified labour-market segmentation between large corporations and the SMEs generated a constant labour shortage of low-skilled jobs. For the South Korean government, short-term temporary migration seemed to be a promising source of workforce for the SMEs, which would also address the unbalanced labour market conditions. However, employers were not in demand for the short-term and temporary workforce, but instead were in struggles with long-term and constant labour-shortage. Consequently, they continuously requested the government to extend the employment period of migrant workers.

However, it has to be noted that the extension of employment period was still on the basis of temporary migration that prevents migrant workers from any access to transferring to a permanent residence or accompanying family members. As Castles et al. (2014, pp. 256-257) argue, the employment of migrants on a temporary basis benefitted employers by ‘enhancing … control [over workers] and reducing demands for better wages and conditions’. Both South
Korean employers and the government sought the stable supply of easily-controllable workforce. Thus, the EPS has developed toward a long-term temporary labour migration system.

Less than a year after the EPS was launched, the government permitted employers to re-hire migrant workers for another three years, when the workers completed their three-year employment period and had a one-month break in their origin country before the new contract. In 2009, the government permitted migrant workers to extend the employment period up to four years and ten months without a break. In 2012, the government again allowed employers to re-hire migrant workers for another four years and ten months after the first term, if the workers had a three-month break in their home country. This time, there was a condition: the worker should be considered as a ‘faithful worker’ (Ma, 2014, p. 91). After ten years, since the EPS does not prohibit re-application for recruitment, if a migrant worker re-applies and is re-selected by an employer, he or she may extend the employment period almost indefinitely under the condition of taking a three-month break every four years and ten months. However, considering high competition in origin countries, re-application is not always expected to be successful. Also, this extension of the employment period without stable residential status only prolongs the ‘temporaryness’ of migrant workers ‘indefinitely’ (see Figure 7-1).

Figure 7-1 Gradually extended employment periods

<table>
<thead>
<tr>
<th>Year</th>
<th>Employment Period</th>
<th>Break</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>3 years</td>
<td>3 years</td>
</tr>
<tr>
<td>2009</td>
<td>4 years 10 months</td>
<td>3 years</td>
</tr>
<tr>
<td>2012</td>
<td>4 years 10 months</td>
<td>4 years 10 months</td>
</tr>
</tbody>
</table>

Re-application
Although the South Korean government permitted low-skilled migrant workers to work in the country for almost ten years, it continued to prohibit them from settling in the country. The rules on the four-year and ten-month period and the three-month break are an explicit expression of the government's intention to prevent any legal possibility of settlement. The *Nationality Act* provides access to naturalisation to the foreigners who have lived in the country for five consecutive years (Article 5). Thus, the four-year and ten-month period was the maximum the government could allow employers to hire migrant workers without granting any access to second employment contract was a trick of the government to satisfy the employers’ demand for citizenship. The requirement of staying overseas for one or three months to be eligible for the long-term employees as well as to prevent migrant workers' settlement. Hence, migrant workers in South Korea are now expected to commit themselves to providing workforces with uncertain long-term temporary status but without any access to pathways to permanent residence.

The prolongation of temporary migration is a highly problematic and unsustainable policy. As the *Nationality Act* already suggested, five years is a long period for a migrant enough to settle down in the destination society and to have a sense of belonging to the country as much as the citizens. When the migrant workers begin their second term of employment, they are already well adjusted to the destination society, especially if they are recognised as a ‘faithful worker’. After the end of the second term, they will be even more settled in South Korean society, while having lost their bases of life in their origin country. If the government persists in adhering to the principle of temporary labour migration, it will inevitably lead to the increase of unauthorised settlement of migrants by the end of the second term. As a senior government official (RP_40) that I interviewed admitted, the ‘faithful worker’ scheme is only a short-sighted temporary measure.

The long-term temporary migration policy is even more problematic when its social impacts are taken into account. The EPS strictly prohibits migrant workers from accompanying family members to South Korea as a measure of preventing their settlement. This rule also applies to the ‘faithful worker’. The prolonged separation from family generates not only the breach of international human rights standards (Choi, 2013a, pp. 445-447) but also has negative impacts on the physical and mental health of the worker and his or her community in both origin and destination. For example, an undocumented worker who had been away from his family for more than ten years had suffered severe depression, which also affected his physical health, according to an observation of my research participant LY (RP_12), an activist clergyperson. Both academics (e.g. Choi, 2013a) and civil society groups (e.g. Migration Policy Forum, 2014) seriously
questioned the legality of the no-accompanied-family policy. However, the government has not taken any measures to change this, although it acknowledged the social impact of long-term temporary migration is a significant consideration (Ma, 2014, pp. 122-123).

The notion of the ‘faithful worker’ was designed to reinforce the employers’ control over migrant workers, particularly regarding the restriction of the right to change jobs. The ‘faithful worker’ scheme requires the workers to stay employed by a single employer without any change for four years and ten months unless they experienced serious violations of labour standards or closure of the company (Article 18-2, Act on the EPS as amended on 28 January 2014). Then, they may be permitted to re-enter the country for another term. This measure obliges temporary migrant workers to conform to their employer and give up their right to seek better working conditions or wages. It eventually assists the employers with more close control over migrant workers, while it only increases the risk of labour rights violations for the workers. Migrant workers were ambivalent about this policy. They did not openly oppose this scheme because they may have an opportunity to legitimately work and live in the country for a longer period. However, they were not fully supportive of the scheme either because they were concerned about employers’ strengthened authority to influence their future. Some workers used this opportunity to continue their activism in trade unions or migrant rights organisations, which became an important contribution to the migrant rights movement in South Korea (see Chapter 9).

Even before the ‘faithful worker’ scheme, the South Korean government had already designed the regulations restricting job changes as a measure to strengthen employers’ control over migrant workers. The original Act on the EPS had regulated the contract period not to exceed one year. This rule gave employers the authority to decide whether they would renew the employment contract of a migrant worker (Article 9(3), Act on the EPS as enacted on 16 August 2003). It was a measure to assist employers in having control over workers’ performance. As a government-commissioned report envisaged, the government also expected the short-term contract would reduce the ‘industrial dispute’ by compelling the workers to be submissive to their employers (Lim and Seol, 2000, p. 115).

Contrary to the expectations of the government and employers, migrant workers took this opportunity to seek better jobs after the termination of the one-year contract. Employers had to put more effort to retain the workers. In 2009, the government introduced a new rule to permit employers to make the employment contract period up to three years (Article 9(3), Act on the EPS as amended on 9 October 2009). It was a reflection of employers’ demands for a stable supply and retention of the migrant workforce. However, paradoxically, there was widespread
discontent among migrant workers about the imposition of a longer-period contract. They preferred the shorter-term contracts, which enabled them to seek better jobs after the first year, as mentioned in Chapter 1 and as newspaper reports also confirmed (see Hong, 2009, Shin, 2009). This case contradicts the neoliberal trend of flexible employment, which had been legislated and was rampant in the South Korean labour market since the late 1990s. It implies the clear segmentation between the labour market of migrant workers and local workers. The employment of migrant workers in South Korea relied on the old inflexible employment system rather than on the neoliberal system based on flexibility.

Employers’ persistent pressures led the government to introduce an even blunter measure to restrict the job changes. In 2012, the Ministry of Employment and Labor (2012) announced that migrant workers would not be allowed to do job-seeking activities other than to have five job interviews as arranged by the government office. Although the government claimed this was a measure to prevent brokers’ involvement in the recruitment process, migrant workers perceived this as a mere excuse to justify its actual intention: to regulate even further migrant workers’ opportunity to seek a better job. The consequent resistance of workers was fierce, as mentioned in Chapter 1. The ten-year-long discontent burst out. At a rally of migrant workers I attended for participatory observation (PO_40), they again shouted the same slogan that was used against the ITS more than fifteen years ago: ‘migrant workers are not slaves’ (see Chapter 9).

The modifications of the EPS between 2004 and 2014 were mostly oriented towards maximising employers’ profits and ensuring employers’ control over migrant workers. The consequences were restrictions of migrant workers’ labour rights, including the right to seek better working conditions and wages. The modification prioritising the principle of the labour market demand eventually distorted the implementation of other goals of the policy. The problems of faltering principles of the EPS will be discussed later.

Lee (2008b, p. 108) argues the South Korean policy followed global trends of ‘the convergence of migration policy toward the expansion and inclusion’. Although I acknowledge the policy has developed toward the protection of migrants’ basic rights, I argue the seemingly expansive and inclusive policy development remains to reinforce and prolong the fundamentally exclusionary nature of temporary labour migration policy.

I also argue the underlying principle of the EPS is to maximise the employers’ profits at the cost of other social values. Although the government propagates the principles of the EPS harmonised with each other, the continuous modifications of the scheme show the other values have been
compromised to prioritise employers’ demands. Thus, I argue the EPS has to be understood as a part of the neoliberal state-capital nexus that state largely serves the interest of the businesses. However, it does not mean the businesses had strong power enough to dominate the state policy to shape the overall direction of labour market restructuring. The case of the EPS shows the temporary labour migration policy was an outcome of fluid combinations of the interactions among the key actors in a society: the state, chaebols, SMEs, trade unions, political parties and civil society groups. The development of the South Korean temporary labour migration policy is an example of the convergence toward ‘the global resurrection of temporary labour migration’ (Castles, 2006, Castles and Ozkul, 2014, Rosewarne, 2010, Wickramasekara, 2010), which coincides with the process of global neoliberal transformations.

**Taking economic advantage from temporarily returned diaspora**

Among the low-skilled migrant workers in South Korea, the majority have been the temporarily returning diaspora, also known as ‘co-ethnic’ migrants (Lee, 2010, p. 559). Most of them are the descendants of economic migrants or political refugees who moved to China and Russia before or during the colonial period (see Chapter 4). They were one of the first migrant groups who arrived in the late 1980s (Seol, 1999). As the end of 2016, the ‘co-ethnic’ workers made almost half of all low-skilled migrant workers in South Korea (see Chapter 5). They are under the diaspora stream of the EPS, Visit and Work System (VWS). This stream is officially categorised as a part of the EPS but practically operates independently. Unlike other migrant workers, they are entitled to free access to the labour market (i.e. free job choices) and have pathways to long-term settlement. This subsection examines how the preferential treatment policy for the ‘co-ethnic’ workers has developed and what this implies for the South Korean temporary labour migration policy.

<table>
<thead>
<tr>
<th>Total</th>
<th>China (ethnic Korean)</th>
<th>United States</th>
<th>The Philippines</th>
<th>Bangladesh</th>
<th>China (non-Korean)</th>
</tr>
</thead>
<tbody>
<tr>
<td>30,889</td>
<td>22,128</td>
<td>2,647</td>
<td>1,334</td>
<td>912</td>
<td>736</td>
</tr>
</tbody>
</table>

*Source: Korea Immigration Service (1961-2017).*
During the anti-communist and developmental authoritarian regimes, the government either ignored the presence of the diasporas, especially those in China and the Soviet Union, or denounced their efforts for democratisation movement as ‘threats to the state’s security’, especially those in the United States and Europe. Although the 1992 Los Angeles riots triggered concerns to protect the diaspora, the government still had no serious diaspora policy at that stage. It was after the 1997 Financial Crisis that the South Korean government took a diaspora policy into account.

The focus was to invite the diaspora, particularly in the developed countries, as potential investors for their homeland economy (Lee, 2011b). On the other hand, a growing number of Chinese with Korean ethnicity arrived in the country, after the South Korean government established a diplomatic relationship with China in 1992. Often known as Joseonjok, they arrived to visit their relatives, but eventually stayed for longer periods to seek job opportunities (Lee, 2010). They became the major source of irregular migration: they made 71.6 percent of total unauthorised migrants in 1992 (see Table 7-1).

How to deal with these economically very different but ethnically related two groups of migrants was a challenging issue for the South Korean government. The policy debates focused on their visa status. The government introduced the Act on Immigration and Legal Status of Overseas Koreans (Act on Overseas Koreans) on 2 September 1999, which provided the ‘overseas Korean’ with a privileged immigration status that permitted a three-year stay, without restrictions on renewals. It also entitled the diaspora to the same level of economic rights as South Korean nationals: the right to freely engage in economic activities and in real estate, financial and foreign exchange transactions (Article 10, 11 and 12).

This law defined the ‘overseas Korean’ or Korean diaspora as those who lost their Korean nationality after the Republic of Korea was founded in 1948 (Article 3, the Enforcement Decree of Act on Overseas Korean as legislated on 27 November 1999). It eventually excluded the diaspora in China (Joseonjok) or the former Soviet countries (Koryo Saram). The government’s apparent intention was to avoid potential diplomatic pressures from the Chinese government, which was concerned about its citizens of an ethnic-minority background having the sense of belonging to their motherland state (see Goh, 1999). However, the government was indeed more concerned about the probable influx and settlement of Joseonjok migrants, who were considered to be job-seekers in the low-skilled sectors. This definition was designed to deter ethnic Koreans in less-developed countries from settling in South Korea. It faced severe resistance from the Joseonjok migrant workers and their supporters (see Kim, 1999) and was eventually ruled to be
unconstitutional and discriminatory by the Constitutional Court in 2001 (Constitutional Court, 2001).

In accordance with the Constitutional Court’s ruling of 20 November 2001, the Act was revised in 2004. The revised Act included the overseas Koreans who emigrated before the foundation of the Republic of Korea to include the diaspora in China and the former Soviet countries (Article 2(2), Act on Overseas Koreans as partly amended on 5 March 2004) and their second generation descendants (Article 3 of the Enforcement Decree of Act on of Overseas Korean as partly amended on 20 November 2003). However, the government still sought to control the temporary return of those from the diasporas in developing countries by regulating the visa issuance. The enforcement rule of the Act reconfirmed that the ‘economic activities’, permitted to the ‘overseas Korean’, does not include ‘simple and manual work’ or low-skilled jobs. Moreover, it required those who hold such nationality as having high tendency of ‘illegal overstay’ (i.e. China, Uzbekistan, Kazakhstan, Ukraine, Kyrgyzstan and Tajikistan) to submit the complicated supporting documents for their visa application to prove they would not engage in the low-skilled work while staying in South Korea (Attached Table 5 of Article 76(2) of the Enforcement Rule of Immigration Control Act as partly amended on 23 August 2004). This policy was still criticised by the Joseonjok migrants and their supporters for being discriminatory against diasporas in developing countries (see Cho, 2004).

Both the original and revised Acts exhibit the South Korean government’s principles on the diaspora policy. First, the low-skilled workers had to be controlled regardless of their ‘co-ethnicity’. Second, the diasporas from developing countries had to be controlled because they tended to become undocumented low-skilled workers. The government’s diaspora policy is in line with its temporary labour migration policy, which strictly controls the number and the period of stay of low-skilled workers. This policy is based on the assumption that the low-skilled workers have a high tendency of irregular migration and that the migrants from developing countries are potential irregular migrants. Thus, for the South Korean government, the control of the low-skilled and irregular migration outweighs the provision of the entitlement to the diaspora having ‘co-ethnicity’.

Despite the South Korean government’s restrictive and discriminatory policy, the inflows of Joseonjok migrants have rapidly grown. The Joseonjok communities in their origin country, especially in the Three North-eastern Provinces of China, Liaoning, Jilin and Heilongjiang, experienced marginalisation from the rapidly industrialising Chinese economy (Lee and Jin, 2007). The consequent transformation of the communities accelerated the out-migration of
Joseonjok to their neighbouring motherland (Kwon and Park, 2004). The Joseonjok workers, who have fewer language barriers, were welcomed by South Korean employers who had been under a constant labour shortage in low-skilled jobs. However, a commentator also argued the diaspora workers were often considered to be less ‘docile’ and less conforming to employers’ demands; consequently, less preferred by some employers (Lee, 2010).

The South Korean government sought to control the already prevalent employment practice of the Joseonjok by introducing a labour migration scheme specialised for temporarily returning diaspora. In 2002, it introduced the Employment Management System, which allowed Joseonjok migrants in China to be invited by their South Korean relatives and to engage in low-skilled jobs for two years. The change of job was permitted within designated sectors: the service and construction sectors. In 2003, the government incorporated this diaspora programme into the EPS by inserting a ‘special case’ provision in the Bill of Act on the EPS at the last minute of the debates over the legislation (Article 12). The law exceptionally permitted the ‘co-ethnic’ migrant workers to change their jobs freely and also to work in the service sector where other migrant workers were not allowed.

The temporary return scheme for overseas Koreans developed toward including more ethnic Koreans and offering more pathways to long-term residence or settlement. In 2007, the government allowed work permits to the descendants of overseas Koreans having no relatives of South Korean nationality. It also extended the period of stay for the VWS to four years and ten months in line with the change of the EPS. After the termination of the Visit and Work visa (H-2 visa), the workers were allowed to apply for a second visa after they returned to their home country if the total number of the visa issuances did not reach the ceiling set up by the government (Heo, 2011). The government also granted the same immigration status as of the overseas Koreans from developed countries, namely Overseas Korean visa (F-4), if those from developing countries acquired a certified technical qualification. As a news report pointed out, settlement migration had already become a general trend for Joseonjok migrants (In, 2015).

Also, the South Korean government’s diaspora policy developed toward meeting the employers’ labour demands, as the VWS, diaspora stream of the EPS, exemplifies. There were debates among academics about the nature of this scheme. Lee (2010, pp. 583-585) argues the preferential labour migration policy is an ‘affirmative action’ in favour of the migrant workers with Korean ethnicity or ‘ex-citizens’ and compensation for the historical disadvantages they suffered in the past. On the contrary, Kim (2008b, p. 576) argues it is an expression of ‘illiberal direction’ of the government policy, which is based on ‘ethnic nationalism’. I argued, in Chapter 4, ethnic
nationalism was the grounds of the exclusionary and discriminatory origins of the South Korean immigration policy. In this sense, Kim's (2008b) argument is meaningful because the ideology of the authoritarian and industrialisation period still operates as a primary principle of temporary labour migration programme in neoliberal era of South Korea.

While both arguments analysed the diaspora labour migration scheme from the perspectives of diaspora policy, I argue the policy developed toward a direction to satisfy employers’ long-term and constant demand for a low-waged and low- or middle-skilled workforce. As discussed earlier, the EPS was designed to address the constant labour shortage in the low-skilled and low-wage sectors. As Figure 7-2 shows the migrant workers under the diaspora stream of the EPS, i.e. the VWS, has made more than half of the total low-skilled migrant workers, most of the time since the VWS was introduced. Overseas Koreans from developing countries had been the primary source of the low-skilled migrant workforce. It shows the policy for diasporas was primarily the policy for workforce supply in reality.

Figure 7-2 Workers in general stream and diaspora stream of the EPS

![Bar chart showing workers in general stream (E-9 visa) and workers in diaspora stream (H-2 visa) from 2007 to 2016.]

The development of policy for the last two decades also shows that changes in the diaspora stream of the EPS tended to be a precursor to changes in the general stream. The former extended the period of stay in 2007, while the latter followed it in 2012. The former allowed a pathway toward a long-term residence in 2011; the latter immediately followed it the next year (i.e. ‘faithful worker’ scheme). The significant differentiation is whether the workers had free access to the labour market, including the right to change their jobs freely and whether they had pathways to settlement (i.e. ‘Overseas Korean’ visa). The South Korean temporary labour migration scheme tended to change toward the long-term and settlement-oriented one. The development of policy shows the sustainability of the temporary migration principle is highly sceptical.

**Compromised principles and prioritised employers needs**

When the EPS entered into force, the South Korean government announced the five principles of the policy:

- ‘complementarity’ that the EPS permits employment of migrant workers only in the sectors which experience labour shortages in low-skilled jobs;
- ‘transparency’ of the recruitment process, which is ensured by the government agencies managing the EPS;
- ‘temporary migration’ that the EPS prohibits migrant workers’ settlement;
- ‘no discrimination’ against migrant workers; and
- ‘alignment with firms’ needs’ that supply of migrant workforce should comply with the market demand (Ma, 2014, p. 105).

These principles were the government’s response to the claims of civil society and employers during the debates over the introduction of the new scheme.

The government claimed it had adhered to the set of principles to ensure a ‘balance and harmonisation’ among the interests of local workers, migrant workers and employers, as my research participant who was a government official (RP_40) reiterated. However, a close examination of the scheme’s development reveals it evolved towards prioritising one principle over the rest: the compliance to the employers’ demands. This subsection analyses how the modification of the EPS over the last ten years affected the implementations of the original principles of the EPS.
First, the ‘complementary’ principle was ignored in the name of ‘deregulation’. As a measure to secure the ‘complementarity’ principle and to protect local workers from possible job-losses, the EPS required employers to put prior efforts to recruit local workers before hiring migrant workers. It also set an upper limit for the number of recruitable migrant workers for a company. However, these measures were soon lifted away by employers’ demands. The government announced its rationale was ‘deregulation’ and ‘convenience for employers’ (Lee, 2005a). When the EPS was introduced, it initially required the employers who was interested in migrant workers to make efforts to recruit local workers for one month (Article 2, Enforcement Rule of Act on the EPS as enacted on 30 April 2004). The required period was soon reduced to three to seven days (Article 2, Enforcement Rule of Act on the EPS as amended on 12 March 2005). Later, the ‘prior efforts’ rule became a mere formality for employers who were ready to hire migrant workers. Also, the original EPS law limited the number of employed migrant workers to less than 50 percent of local workers. This regulation was soon lifted away too. The measures to protect local workers gradually faded away.

There has been no known study on whether the original regulations had any positive implication or the withdrawal of them had any negative implication for the protection of local workers. It is also controversial whether the EPS workers replaced or complemented the local workforces (e.g. Kang et al., 2011). However, there have been increasing complaints of local workers, especially in construction sectors, where the workers believe migrants have taken away their jobs and dropped the average wage level down. Moreover, a recent study shows there were significant signs that migrant workers replaced local construction workers space (e.g. Koo, 2014). Contrary to the government’s claims, the ‘complementarity’ principle was not taken seriously as a priority issue, but, in practice, the profits of employers were.

Second, the ‘transparency’ principle was also compromised since the government introduced privatisation and outsourced parts of the EPS. As a measure of ensuring the ‘transparency’ of the recruitment and migration processes, the government initially appointed a government-affiliated agency, Human Resource Development Service of Korea to monopolise the processes. Under the ITS, the government had observed the sequence of corruptions in the recruitment process under the ITS, rising migration cost, and consequently increasing unauthorised overstays. Thus, it assumed the problem would be resolved if a government agency directly operated and controlled the processes. While commentators appreciated that this measure contributed to the transparency of the EPS (e.g. Lee, 2014c), some civil society groups questioned the excessive
trusts on the transparency of the government agencies, especially of some origin countries (Migrant Rights Network, 2006).

During the initial stage of the EPS, recruitment and placement were entirely operated by the government agency both in origin and destination countries. As a result, private migration agencies had no room to get involved in the processes. However, the employers’ agencies, such as KFSB, persistently claimed they would have to take part in the processes. The government finally withdrew the principle. As a compromise for introducing the EPS, the government agreed the KFSB would continue to run the ITS in parallel with the EPS. The ITS survived another three years after the EPS was introduced. This situation caused significant confusions for those intending to become migrant workers, which, in turn, generated opportunities for mushrooming brokers and migration industries in the origin countries (Kim et al., 2007, Migrant Rights Network, 2006). When the ITS was abolished in 2006, the government agreed to outsource parts of the EPS management to the KFSB and other employers’ agencies, despite the civil society’s concerns (see Noh, 2006). The original Act on the EPS (as amended on 30 December 2005) limited the involvement of employer agencies in the operation of the EPS to the process related to the employer-side (Article 9(2)). However, the Act, amended on 9 October 2009, expanded the scope of employer agencies’ involvement to cover those related to migrant workers-side (Article 27-2). Despite stiff oppositions from civil society groups (see Choi, 2008) and the concerns of academics (e.g. Seol, 2008), the migration businesses are now back in the process of the South Korean temporary labour migration scheme.

These policy changes were in line with the global trends of privatisation and outsourcing, which had also predominantly operated throughout the South Korean government. Outsourcing was particularly risky with regard to the ‘transparency’ of the temporary labour migration scheme in South Korea if the experiences of the ITS are taken into account. The government embraced the persistent demand of the employers’ organisations in the name of ‘business friendly’ policy or enhancing ‘national competitiveness’ (Ministry of Labor et al, 2008, p. 19). However, it failed to take appropriate considerations on growing concerns of the revitalised migration industry and corruption, as civil society groups criticised (e.g. Joint Committee for Migrant and Labor Movement in Korea, 2008).

Third, the sustainability of the ‘temporary migration’ principle is highly doubted. As examined earlier, the government gradually extended the period of employment up to almost ten years upon the request of employers. The government still claims in public it adheres to the principles of ‘temporary migration’ and ‘rotation’ or circular migration for ‘unskilled workers’. However, it
also admits the necessity of the extended employment period as a way of retaining 'skilled workers' (Ma, 2014, p. 109). The government is trapped in a self-contradiction. It sought to prevent the settlement of 'unskilled' workers by adopting the 'temporary migration' policy; at the same time, it actively encourages 'skilled or professional' migrants to settle in the country (Immigration Policy Commission, 2012). The government eventually realised the 'unskilled' workers had learnt skills over the period of their employment in South Korea and became skilled or semi-skilled workers. However, the government did not recognise the initially 'unskilled' migrant workers as currently skilled migrants. Instead of encouraging them to settle, the government took impediment measures only: it extended and prolonged temporary migration. Many migrant workers have been almost permanently temporary migrants.

Fourth, the EPS has fundamental and systematic constraints in implementing the ‘no discrimination’ principle. The Act on the EPS (as amended on 9 October 2009) declares 'no employer shall unfairly give discriminatory treatment to a foreign worker on the ground that he or she is a foreign worker’ (Article 22). Migrant workers are entitled to fair and safe working conditions, minimum wage, health insurance and other labour rights by law. This principle was an achievement of civil society groups’ efforts to improve migrant workers’ working conditions. Since the public was broadly concerned about the issues of human rights violations, the government also paid significant attention to this issue. As a part of implementing the principle, the government claimed it conducted labour inspections on over 3,000 companies over 10,000 times every year (Ma, 2014, p. 109), although it is not known whether they were for monitoring working conditions or searching for unauthorised migrant workers in practice.

However, the declaration of this principle, in effect, disguises the fundamentally discriminatory nature of the EPS. The rules on the restrictions on job-change and the prohibition of the permanent employment contract are the operational mechanisms to ensure cost-effectiveness of the temporary labour migration scheme. These rules impose critical constraints on migrant workers' bargaining power and consequently compel them to be submissive to employers. Migrant workers are compelled to accept a lower wage and poorer working conditions than local workers in the same job. The discriminatory treatment of migrant workers also contributes to discrimination among workers. Like the majority of local workers with a non-regular employment contract in South Korea, migrant workers are excluded from labour unions. There are only rare cases where migrant workers were included in the company-based trade union (Kim et al., 2013c). Reportedly, some migrant workers even suffered violence or harassment by
local workers. The EPS is not only responsible for the unequal wage levels and working conditions for migrant workers but also contributes to splitting unions and weakening worker's solidarity.

The government sought to reduce even the minimum level of entitlement that they had initially provided as a token of anti-discrimination measure. South Korean law provides migrant workers are also entitled to an equal minimum wage, although it recognises no rights to equal wages. As a way of retreating from the minimum wage principle, however, the government allowed employers to withdraw the provision of free accommodation and meals to migrant employees. Although it had been a common practice since the ITS period and even the industrialisation period, the government claimed the practice was an ‘irrational’ burden for employers and an obstacle to enhancing ‘national competitiveness’ (Ministry of Labor et al., 2008, p. 9). Since 2009, employers are not expected to provide accommodation or meals to the migrant employees but may deduct the cost out of the wages (Annexed Form 6, the Enforcement Rule of the Act on the EPS, as amended on 8 July 2009). The consequence was the decrease of migrant workers’ actual wages. Although the government claimed this measure would save 20.8 billion Korean Won per year, the South Korean civil society denounced the claim as a mere justification for paying migrant workers lower than the minimum wage standards in practice (Cheonhong, 2010). The saving for employers meant only losses for workers.

The government also sought to reduce the migrant workers’ wages by extending the probation period during which employers may pay lower than the minimum wage (Ministry of Labor et al., 2008, p. 9), although it failed in legislation. These cases exemplify that the priority of the government and employers was to reduce labour costs by employing migrant workers, not to protect them from discrimination.

As discussed earlier, the preferential treatment of ‘co-ethnic’ migrant workers is also controversial. It has been debated whether the diaspora stream of the EPS is an ‘affirmative action’ for historically disadvantaged people (Lee, 2010, pp. 583-585) or discrimination based on ‘ethnicity’ (Kim, 2008b, p. 576). There were also controversies over a temporary amnesty programme for unauthorised ‘co-ethnic’ migrants of 2011. The government claimed the programme aimed at ‘redressing difficulties’ experienced by the migrants with Korean ethnicity from a ‘humanitarian’ perspective (see Bae, 2012). However, civil society groups denounced this programme as ‘racial discrimination against non-diaspora migrant’ and called for amnesty for all undocumented migrants without discrimination (Lee, 2012d). An independent state agency, the National Human Rights Commission of Korea (2013, p. 701) also recommended the Ministry of
Justice to ensure not to discriminate against the non-diaspora foreigners, with the support of the civil society.

While the four other principles of the EPS have been faltering through the series of modifications, the principle of ‘alignment with firms’ needs’ or complying employers’ demands has been firmly upheld over a decade. The government has never introduced a measure that might cause any damage to employers’ profits. The four other principles have been compromised to ensure the full implementation of this principle for employers. The EPS has supplied a migrant workforce at a low wage to ensure the maximum profit of employers, however, at the cost of compromising the ‘complementarity’ principle for local workers. It eventually allowed the problematic employers’ organisation to get involved in the operation of the EPS at the cost of damaging the principles of ‘transparency’ and operation by the government. The repeated extensions of the employment period threatened the very foundation of the scheme, the ‘temporary migration’ principle. Despite the relative improvement in workers’ rights, the ‘no discrimination’ principle has been systematically ignored. Now, the paramount principle of the EPS is to satisfy employers’ demands for low-wage workers, who willingly conform to employers’ labour control, whether low-skilled or semi-skilled, and who willingly endure poor working conditions whether legitimate or not.

**Governing mechanisms of the temporary labour migration scheme and their outcomes**

**Unfree choice of job and wage gaps**

As discussed earlier, the South Korean temporary labour migration programme, EPS, is designed to supply a low-wage workforce to SMEs. The SMEs are in hierarchical subcontract relationships with large firms and transnational corporations and also in tough competition with other SMEs. The government’s low-exchange-rate policy, which favours large exporting firms, generated a severe pressure of material costs for the SMEs importing materials and supplying semi-products or parts to large domestic firms. A possible survival strategy for the SMEs was to reduce labour cost. However, the high wage level of local workers, partly resulting from the growth of trade unions, is another pressure. Their survival strategy was to maintain the low labour cost by employing a low-waged migrant workforce. Therefore, to maintain the low level of migrant workers’ wages was the fundamental purpose of the EPS. According to a survey, migrant workers
are paid 50 percent less than local workers in general and 7 to 36 percent less than the local workers having the same level of ‘human capital’ (Cho, 2010).

The core mechanism that maintains the low wage is the restrictions on job-change. As discussed earlier, the EPS has persistently sought to prevent migrant workers’ free access to the South Korean labour market but to confine the workers within the segmented labour market for migrants. As seen from the ‘faithful worker’ scheme, the South Korean government consistently encouraged migrant workers to adhere to the same employer for an extended period. Consequently, the supply price of labour was not decided by the market but fixed to the lowest level allowed by labour law, minimum wage. The EPS functioned as a state machine to regulate the price of labour in favour of employers.

The migrant workers with Korean ethnicity were exempt from the restrictions, partly due to employment practice which had been in place before the introduction of the EPS, but mostly as a result of the consistent resistance of the workers and their supporters as well as the ‘ethnic-nationalist’ approach of the South Korean immigration policy. Consequently, the ethnically Korean migrant workers under the diaspora stream of the EPS, Visit and Work System (VWS) were paid more than the non-Korean-ethnic workers under the general stream. According to a survey commissioned by the government, the total monthly wage of Joseonjok migrant workers under the VWS was 12.3 percent higher than that of the workers under the EPS (Chung et al., 2013, p. 347). Although the report interprets the wage differentials as being caused by the ‘employer’s expectation of higher productivity and efficiency considering their language capacity and cultural similarity’, I argue this wage differential is rather caused by the different level of access to the labour market. Due to a freer access to the labour market, the VWS workers may have a higher level of bargaining power than the general EPS workers. This wage disparity confirms my argument that the EPS’s restriction of job-change functions to maintain the low level of wages of migrant workers.

**Deportation and managing irregular migrants**

Throughout the legislation and implementation of the temporary labour migration scheme, the issue of ‘illegal sojourner’ or over-stayers was at the centre of both the South Korean government’s and the civil society’s concerns. The ideal outcome of the ‘rotation system’ of the temporary labour migration would be that migrant workers voluntarily leave the country after their employment period and new arrivals fill the jobs-vacancies. The ‘rotation’, however, has
never worked as the policy-makers anticipated. In practice, the governing mechanism that maintained the ‘rotation’ was deportation. Throughout the implementation of the temporary labour migration scheme, the immigration authority consistently enforced repressive campaigns of ‘crackdown’ against irregular migrants. Deportation was indeed a pivotal measure to maintain the system of temporary migration. The outcome was often hazardous to the migrants.

The first round of an ‘amnesty’ policy was implemented during the period of the ITS. As a result of the failed ITS, the number of irregular migrants had grown and reached overwhelming levels. The proportion of irregular migrants reached half of whole migrant population in 1996 and continued to grow up to 62 percent in 2002 (see Figure 7-3). The government repeatedly offered conciliatory measures to reduce the number in 1992, 1997 and 2002. It offered the migrants the ‘gratuitous period’ from four months to one year before they had to leave the country, during which the ‘immigration penalty is exempted’ for both workers and employers (Seol, 2005b). Although the schemes generated some illusory short-term effects on the immigration statistics, the actual number of irregular migrants never decreased because after the irregular migrants took the additionally granted period, they simply continued to overstay. There have been consistent demands from the long-term migrant workers, whether regular or not, who have both work-experience and adaptability to poor working environments. On the supply side, many workers still wanted to work for a longer period for various reasons.

The second round was before the introduction of the EPS. How to deal with a large number of irregular migrants was a pressing challenge for the government. Irregular migrants who outnumbered regular workers were an obvious obstacle to a full introduction of the new temporary labour migration scheme because the essential requirement for the scheme was to make sure the workers return home when their fixed-term employment contract terminated.

The government’s strategy was to incorporate the irregular workers into the new labour migration scheme. Before the introduction of the EPS, the government offered them work permits valid up to two extra years, depending on the period they had spent without a valid visa (see Table 7-2). The basic condition was that they had to report their whereabouts to the immigration authority. This measure was in line with the government’s general principle of settlement-prevention. The government granted a longer extra employment period to irregular migrants who had stayed in South Korea for a shorter period, while it forced those who had stayed a longer period to leave the country. The workers who had stayed a longer period settled in South Korean society better. They also had more working experiences and a higher level of skills than the workers who had stayed a shorter period.
This is a typical example of a ‘disembedded migration policy’. The government concentrated on controlling the workforce of migrants but ignored all other social aspects of migration (see Chapter 2). This is also a self-contradiction for the South Korean immigration policy to claim that it controls low-skilled migrants and promotes highly-skilled migrants.

This scheme contributed to a short-term reduction of irregular migration. Almost half of the irregular migrants either acquired legal status or left the country for the opportunity to return. The number of irregular migrants was at the peak in 2002, but it dropped by half in the next year. However, the effect did not last long. When the two years of extra employment period ended, the number again increased to the two-thirds of the peak number, which continued throughout the EPS period (see Figure 7-3). New arrivals of irregular migrants outnumbered the decrease of existing migrant workers. Moreover, many of those who were legalised again turned into irregular status after the amnesty period (Seol, 2005b).

However, it was immigration raids and deportations that the government relied on as its primary strategy to reduce irregular migrant populations. As soon as the amnesty programme finalised at the end of 2003, the government operated a series of extensive crackdown campaigns in parallel with the implementation of the EPS. The campaigns were often in the form of joint operations between the immigration authority, the labour supervision agency and the police. The number of deportations dramatically increased in 2004 and remained at a high levels throughout the implementation of the EPS (see Figure 7-4).

<table>
<thead>
<tr>
<th>Irregular migrant's periods of stay including the period of legal stay</th>
<th>Entitlements</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than three years</td>
<td>Permission to be employed for two years or less</td>
<td>With employer’s agreement</td>
</tr>
<tr>
<td>Three years or longer but less than four years</td>
<td>Permission to be employed no longer than 5 years including the period of previous stay</td>
<td>After voluntarily leave and return</td>
</tr>
<tr>
<td>Four years or longer</td>
<td>- No permission to be employed, - Exemption from immigration penalty</td>
<td>If voluntarily leave the country within ‘voluntary return period’</td>
</tr>
</tbody>
</table>

*Source: Addenda Article 2 of the Act on the EPS of 2003.*
Figure 7-3 Irregular migrants among immigrant population, 1987–2004

Sources: Korea Immigration Service (1988-2010) and Seol (2005b).

Figure 7-4 Deportations, 1987–2013

Contrary to the government’s claim that the reduction of irregular migration is one of the significant achievements of the EPS (Ma, 2014, p. 99), I argue it was managed by the regular operations of immigration raids and deportations. As the immigration authority and labour ministry publicly admitted, the control and deportation of irregular migrants was the essential mechanism for the 'stable operation of the EPS' (see Sun, 2004).

The enforcement of immigration raids and deportations was often hazardous to the life and health of migrant workers. It often involved repressive crackdowns, violence and even uses of weapons like stun guns or Taser guns, which sometimes led to severe injuries or even the death of the migrants being searched (see Choi and Kim, 2007). The legality of these repressive operations was often questioned. Although the arrest of irregular migrants constitutes the limitation of personal liberty in practice, South Korean laws considers it as an administrative process and requires no arrest warrant to be issued by the court. Human rights lawyer, Jung (2011), argues these operations are a violation of international human rights laws and the Constitution of South Korea.

Arrested irregular migrants often experienced degrading and inhumane treatments in the processing centres before deportation (Seol et al., 2005a). Some even died in detention due to health deterioration or accidents. A fire at Yeosu Immigration Detention Centre on 11 February 2007 was the most disastrous accident, where ten migrant detainees died, and another 17 were seriously injured. Civil society groups denounced the poor conditions and inappropriate management of the detention centres (see Choi and Park, 2007). According to the pro-migrant activist group, Migration Policy Forum (2014), at least 22 migrants were killed by falling accidents or heart attacks during the crack-down operations or the fire in detention.

The immigration raids often targeted the leaders of migrant communities or migrants' trade union. Between 2005 and 2008, the first three presidents of the Migrant Trade Union were all arrested and deported in a row (Amnesty International, 2009). The fourth was refused to re-enter the country after a short trip to his home country even though he had a valid visa (see Park, 2012c). The targeted deportations had significantly negative impacts on migrant activists and migrant communities (see Chapter 8).

Despite the oppressive attitudes, a complete removal of irregular migrants was considered neither realistic nor beneficial. The government instead sought to maintain a manageable number of irregular migrants, because it recognised them as a reservoir of the disposable low-skilled labour force. The government even sought to figure out the ‘optimum size’ of the irregular
migrant population (Ha et al., 2014), although an academic pointed out this concept is not compatible with immigration laws in principle (Seol, 2005b, pp. 26-27). Since the EPS was introduced, irregular migrants have made a significant addition to low-skilled migrant workforce. Their number remained around 200,000 throughout the period and about 40 percent addition to the number of the EPS workers with valid visa since 2008 (see Figure 7-5). The government maintains this seemingly ‘optimum size’ of irregular migrants by regular and occasional operations of immigration raids and deportations.

These additional workforces are extremely precarious, flexible and disposable in the labour market. Irregular migrants are more easily controllable than local workers or authorised migrant workers because they are under constant pressure from immigration rules. During economic downturns, these workforces are even more disposable. For example, between 1997 and 1998, the number of irregular migrants suddenly dropped without a significant rise of deportations (see Figure 7-3 and Figure 7-4). Almost 33 percent of irregular migrants simply disappeared from the South Korean labour market during the economic crisis. The financial crisis was also used as an excuse for ‘strict control’ (Lee, 2008c) of irregular migrants, as Figure 7-4 shows the number of deportations leapt between 2007 and 2009. This case also exemplifies immigration law functioned as a supplementary measure to ensure the operation of temporary labour migration scheme.

*Figure 7-5 Low-skilled migrant workers with valid visa and irregular migrants, 2003–2016*

*Source: Korea Immigration Service (1961-2017).*
Immigration rules, however, sometimes stop functioning to the advantage of employers. The government was relatively generous toward employers for hiring irregular migrants, despite the lesson that the most effective strategy for controlling irregular migration is the punishment of the employers (Castles et al., 2012). The *Immigration Control Act* stipulates that the workers who are employed without permission and the employers who hire such workers are equally punished (Article 94). In practice, the enforcement of the law is often more generous toward the employers in violation of the law than the workers. According to immigration statistics between 2003 and 2007, the rates of the migrant workers punished in violation of the law (Article 17(1), 18(1), (2) and (4), 20, 21(1), 24(1) and (2) and 25) among all migrant workers are always higher than those of the employers punished in violation of the same Act (Article 18(3), 19(1) and (2) and 21(2)) among all SME employers (see Figure 7-6).

*Figure 7-6 Punishments of migrant workers and employers by immigration law, 2003–2007*

Deportation has been a primary governing mechanism to maintain the temporary labour migration policy in South Korea. The government strictly and oppressively implemented immigration raids and deportations to ensure the installation of the EPS. However, it also sought to maintain a manageable level of irregular migrants for the supply of flexible and disposable workforces. The immigration law functioned or sometimes did not function for the same purpose. Therefore, I argue the extremely flexible, easily replaceable and disposable, and reserved workforces, which were generated and maintained by the EPS, are typical examples of neoliberal employment system. I also argue the South Korean government’s use of force is also a common practice of neoliberal states to maintain the neoliberal system, as seen in many other countries (see Harvey, 2005, Plant, 2010).

**Inadequate and duplicitous entitlement of social security**

Since the EPS was introduced, there have been some improvements in the protection of migrant workers. The Act on the EPS paved the way for migrant workers’ access to the South Korean social security system, by recognising them as a ‘worker’ in legal terms (Article 2). Since the Labor Standards Act of South Korea recognises the universal entitlement of workers’ rights, it explicitly prohibits any discrimination based on nationality or social status (Article 6). Migrant workers are now eligible for the same social insurance schemes as entitled to South Korean workers: employment insurance scheme and industrial accident compensation insurance scheme. They are also entitled to the same social insurances as all South Korean nationals: national health insurance (Article 14, the Act on the EPS) and the national pension (Article 126, the National Pension Act). Also, the Act on the EPS requires employers and migrant workers to join four other insurance schemes specialised for migrant workers. Employers are liable for the retirement allowance insurance (Article 13), and wage guaranty insurance (Article 23) and workers have to participate in return-preparation insurance (Article 15) and injury insurance (Article 23). As Seol (1999, p. 443) noted, the migrant workers’ entitlement to the first four major social insurances was an achievement of the workers and pro-migrant activists who had been on a series of protests during the ITS period (see Chapter 9), despite some flaws in implementations in practice. However, the last four insurances specialised for migrant workers and employers are somewhat duplicitous. They are designed for the control of migrant workers rather than for their welfare. I argue the social security schemes for migrant workers also function as a governing mechanism of the temporary labour migration scheme.
First, the national employment insurance never applies to migrant workers in practice. This scheme is compulsory for all workers and employers of South Korean nationality. The workers and employers are supposed to share the insurance payment equally. Following the labour law's principle of universal entitlement, the *Employment Insurance Act* does not discriminate against the workers of other nationalities when they want to join the scheme (Article 1). However, the Enforcement Decree subordinate to the Act allows their employers to be exempt from the application of the law (Article 3). The government argues migrant workers may still join this insurance if their employers voluntarily agree with it on the basis of the *Act on the Collection of Premium, etc. of Employment Insurance and Industrial Accident Compensation Insurance* (Act on the Collection of the Insurance). However, employers hardly share the burden of payment in practice when it is not compulsory. Migrant workers have little chance to be protected by the South Korean employment insurance. This is an example of South Korean government's superficial attitude toward social security for migrant workers.

The superficial entitlement to and the actual exclusion from employment insurance results in the precarious livings of migrant workers during unemployed periods as well as reinforces subordination to employers. As mentioned earlier, migrant workers are often highly dependent on their employers, especially for accommodation. If workers leave their company at the end of the contract, due to employer’s fault or without permission, they also lose the accommodation offered by the employer. If they cannot find a new employer within three months, they are supposed to leave the country or may face deportation (Article 25, Act on the EPS). It is a difficult decision for migrant workers to spend several weeks seeking a new employer without income and accommodation and also to take the risk of deportation. Some workers still take the risk with the help of friends or pro-migrant organisations providing free shelter. As a result, the provision of temporary shelters and assistance in job-seeking often become the priority task of pro-migrant organisations. For example, *KI* (RP_08), a former film maker, wanted to set up a media education centre for migrant worker, but his organisation eventually became a popular shelter for Cambodian workers from all over the country. However, many workers give up such efforts and accept poor working conditions and low wages. Therefore, the exemption from employment insurance in effect contributes to employers’ control over migrant workers.

Second, the national industrial accident compensation scheme is another example that shows the discrepancy between the principle of universal entitlement and the reality of migrant workers. The Article 5 of the *Industrial Accident Compensation Insurance Act* and the Article 5 of the Act on the Collection of the Insurance reconfirm that all workers are entitled to industrial accident
compensation, and employers are responsible for the full payment of the insurance. A study shows migrant workers are exposed to a significantly higher risk of industrial accidents than South Korean national workers (Lee et al., 2008). However, another study shows approximately 30 per cent of them were still not covered by the compensation scheme or not aware whether they were covered by the scheme (Chung et al., 2013). Another study suggests a significant number of industrial accidents that involved migrant workers were not even reported to the labour authority; consequently, they had only inadequate treatment (Park, 2012a). This situation was caused by the workers' precarious visa status or ignorance about the scheme and employers' concealment of the case.

Although irregular migrants are also entitled to the national industrial accident compensation scheme, they are hardly protected by the scheme because they are not in a condition to report an accident for compensation. The Immigration Control Act is responsible for rendering the labour standards ineffective for irregular migrants. When the labour authority receives an application for compensation from an irregular migrant, it is obliged to notify the fact to the immigration authority. Thus, as soon as an irregular migrant seeks compensation for the industrial accident, he or she is known to the immigration authority. The government officials' ‘obligation to notify’ (Article 84) under immigration law has been broadly criticised for rendering most migrant-protection measures useless for irregular migrants (e.g. Kim et al., 2013a). Irregular migrant workers are mostly compelled to give up an application for compensation and to put up with many disadvantages in order not to be known to the immigration authority. This precarious condition of irregular migrants eventually contributes to weaker bargaining power, low wages and poor working conditions.

On the other hand, the insurance schemes specialised for migrant workers are more duplicitous than favourable for migrant workers. The retirement allowance scheme tailored for migrant workers is one such example. According to the Labour Standards Act (Article 34) and the Guarantee of Workers’ Retirement Benefit Act, all workers in South Korea are entitled to retirement allowance as a part of their wages, and their employers should establish a system to pay the allowances. Since labour law does not discriminate workers based on their nationalities, migrant workers are also entitled to the same benefit. However, the South Korean government manipulated the retirement allowance scheme for migrant workers into a deposit system to ensure their access after their employment period. The Act on the EPS stipulates employers should join the retirement insurance scheme ‘in preparation for the payment of retirement benefits to the foreign worker when he/she leaves the Republic of Korea’. It names the scheme as
‘insurance policy for departure guaranty, etc.’ It also states this insurance policy for migrant workers substitutes ‘a retirement allowance system’ for local workers (Article 13). These legal provisions reveal the South Korean government’s intention.

In 2014, the government’s intention became even more explicit. It amended the Act on the EPS (as amended on 28 January 2014) to make the allowance to be paid ‘only after’ the workers have left the country (Article 13). The proposer of the amendment intended to prevent the workers from ‘disappearing’ and becoming irregular migrants after they received the allowance, according to a news report (Park, 2014a). However, it practically deprives the irregular migrants of their right to the retirement allowance, which is a part of their wage. In practice, 21,968 workers failed to claim the retirement allowance due to their irregular migrant status in 2013. The amount of money that the insurance company earned from it reached 17.5 billion Koran Won (approximately 17.5 million US Dollar) in 2013 (see Yoo, 2013). Migrant workers and their supporters opposed this change because they were concerned it would only worsen the already prevalent practices of delay, reduction or failure in its payment (see Chung, 2014b). Moreover, this policy has an effect on discouraging the workers from looking for a better job, because after they change a job it often becomes difficult to claim the retirement allowance from the previous employer.

Another duplicitous policy is the return preparation bond. The Act on the EPS requires migrant workers to purchase ‘an insurance policy or a trust deed to cover expenses necessary for their return to home country’ as soon as they are employed (Article 15). This bond amounts to the price of the workers’ flight ticket to return to home. Contrary to the government’s claim that this policy is to support migrant workers’ return, labour lawyer Yoon (2014) argues this bond is a form of ‘forced saving imposed by the government’. The Labor Standard Act of South Korea prohibits ‘forced saving’ (Article 22). The redemption of this bond is even more problematic in reality. Many migrant workers are unaware how to redeem the bond or consider the bond as a part of migration cost or tax. They often fail to claim back the bond when they return: there were more than 35,623 cases as such and the amount of unclaimed bond reached almost 14.7 billion Korean Won (approximately 14.7 million US Dollar) in 2013 (see Yoo, 2013). This is another case that shows the South Korean government disguises its intention to control migrant workers in the name of welfare.

The government often claims the seemingly improved migrant workers’ access to social security is an achievement of the EPS (e.g. Ma, 2014). However, I argue the migrant workers’ entitlements to the labour standards, and social security, is the state’s responsibility as stipulated in domestic
and international laws, not an achievement of a temporary labour migration scheme. Moreover, the exterior improvements of social security under the EPS are still inadequate for the needs of migrant workers or even duplicitous about its original aims. Some of the seemingly social security schemes function for strengthening the control over migrant workers rather than protect migrant workers’ welfare.

**Paternalistic ‘assistance’ discourse and downgraded human rights notion in ‘multicultural’ policies**

The South Korean government has been reluctant to accept the state’s responsibility to ensure migrant workers’ entitlement to labour standards and social security. Instead, it promoted the paternalistic ‘assistance for foreigners’ discourse in the context of the problematic ‘Korean style multiculturalism as welfare policy without citizenship’ (Kim, 2011e, p. 211). Although the assistance-oriented policy played a certain role in temporarily meeting the needs of migrant workers, its principal effect was to justify the exclusion from their legally binding entitlement to social security. The government also often adopted the language of ‘human rights protection for foreigners’ when it addressed employers’ violations of labour laws. However, the discourse of ‘human rights protection’ without the entitlement of rights yielded ‘downgrading’ the notion of human rights from the entitlement of legally binding fundamental rights to the provision of a charitable service. I argue South Korean laws and policies proliferated the paternalistic discourse in society as well as functioned as a mechanism to strengthen the implementation of the temporary labour migration scheme.

The Act on the EPS has two articles on the government services for migrant workers. Article 21 on ‘Projects related to Foreign Workers’ provides that the Ministry of Employment and Labor shall ‘undertake projects for the promotion of services for foreign workers’ and ‘the efficient management of their employment’. Then, it lists the examples of the services. Most of the examples are oriented toward the ‘efficient management of their employment’ such as ‘support for entry and departure’, ‘training’, ‘cooperation with public agencies’, ‘public relations’ and ‘computer system for the employment management’. Two other items are related to welfare services: ‘counselling service’ and services for ‘adaptation’ and ‘awareness of Korean culture’. However, the law clarifies the services are provided in the form of ‘projects’, which implies the government considers the welfare services as a discretionary authority, not a legally binding responsibility.
Article 24 on ‘Subsidization to Organizations, etc. related to Foreign Workers’ is even more explicit about the discretionary nature of the service provision: it states ‘the State may, within budgetary limits, partially subsidise’ the institution or organisation that provides counselling and training services to migrant workers. In other words, a migrant worker may or may not be eligible for such services depending on the political or economic situation. They are not entitled to them as a rights-holder. This article was added at the last moment of the legislation process as a result of negotiation with some pro-migrant activists. However, the process was not transparent, which caused conflicts among organisations (see Chapter 8).

Although the government has put a significant amount of resources into service provisions, the quality of the services is often in question. In 2016, the Ministry of Employment and Labor (2015) allocated 2.6 billion Korean Won (approximately 2.6 million US Dollars) to a project related to migrant workers and another 10.3 billion Korean Won to subsidise service provider organisations. The former was mostly spent on training and assistance programmes for migrant workers or employers. The latter was used for operating Foreign Workforce Support Centres (eight major and 31 local centres) and the Foreign Workforce Counselling Centre. The Ministry implemented the whole budget by outsourcing all the operations to its affiliated public agency, Human Resources Development Service of Korea, which again subcontracts the operations of each Centre to NGOs experienced in service provision.

It is often questioned, especially by pro-migrant activists, whether this government-funded service provision helps to enhance migrant workers’ living and working conditions and to promote pro-migrant civil society groups, or strengthens their subordination to the government. The top-down and bureaucratic approach of subsidisation required the service providers to standardise their services and quantify the outcomes. The annual reports of major Foreign Workforce Support Centres exemplify the standardisation and quantification (Incheon Foreign Workforce Support Center, n.d., Korea Foreign Workforce Support Center, 2014). They set up the target numbers of their performances for activities such as phone calls, training sessions and cultural events, as agreed with the donor, the government. Then, they present the rate of accomplishment. The NGOs eventually restrict their functions to delivering the standardised services in minimum quality to accomplish the outcomes at maximum quantity. Consequently, the service providers were often compelled to focus on one-off counselling and events-for-show without building long-term relations with migrant workers. Throughout my field studies, pro-migrant and migrant activists often testified that many migrant workers were disappointed by the services of the government-sponsored organisations but expressed stronger trust and
attachment to independent pro-migrant organisations. They argued the workers often felt as though they were being treated like a ‘unit of workforce’ not a ‘worker’ or a person, noting the government symbolically named the organisations as ‘Foreign Workforce Support Centre’ (RP_07, RP_14, RP_18).

The government’s service-provision-oriented policy eventually functioned as a governing mechanism to maintain the current temporary labour migration system. The institutionalisation of service provision to migrant workers eventually rendered the scope of pro-migrant organisations’ activities limited to resolving some immediate difficulties faced by migrant workers. The government-sponsored organisations no more addressed the fundamental problems inherent in the temporary labour migration scheme. Their services were one-sided, top-down and individualistic rather than inclusionary, participatory and community-oriented. They tended to objectify the migrant workers as passive beneficiaries rather than subjectify them as rights-holders or claimants of entitlements.

This policy had significant implications for the workers and the South Korean civil society. After the EPS was introduced, many migrant workers became relatively satisfied, in the short term, with a more stable visa status, more service providers and less extreme working conditions than before. They became no more critical about the government rules but conformed it them, compromising with inequality and unfairness. Instead, they became more obsessed with short-term economic interest. A migrant activist, that I interviewed, cynically commented on this: ‘Their mind was blown’ (RP_32). At least for the first several years, migrant workers under the EPS neither questioned nor challenged the long-term implications of the temporary labour migration scheme. As my research participant CHM (RP_14), former director of a pro-migrant organisation commented, the organisations were divided and antagonistic to each other, especially on the issues of whether to collaborate with the government-driven service provision project or not (see Chapter 8). The government policy efficiently conciliated the potential critical discourses against the temporary labour migration policy.

It is meaningful to analyse the South Korean government’s policy on migrants’ labour rights and the rights to social security in the context of the paternalistic and discretionary approach prevalent in its general migration policy. In 2007, the government introduced a legal frame for immigration policy in the form of the Framework Act on Treatment of Foreigners Residing in the Republic of Korea. The Act aims at providing general guidelines overarching other legislation and policies on immigration. The law provides the legal definition of ‘foreigners in Korea’, general
principles on the 'treatment of foreigners' and administrative system for implementation of the policies (Article 2, Chapter 2 and 3, the Act as amended on 10 February 2012).

The law is, however, problematic in at least three aspects. First, the law officialises the discriminatory and layered levels of service provisions to different categories of migrants. It categorises migrants as 'marriage migrants', 'migrants holding permanent residency', 'refugees', 'migrants acquired South Korean nationality', 'professional or skilled migrant workers' and 'former Korean nationals'. Then, it specifies the layered sets of 'treatments' for each category (Article 12 and 17). Low-skilled temporary migrant workers with a valid visa are not under any specific migrant category; thus, they are only eligible for the minimum services available for all 'foreigners in Korea' (Article 10 and 11). The discrimination is even worse for irregular migrants. The defining clause of the law explicitly excludes irregular migrants from the domain of immigration policy at all (Hwang, 2011). It defines 'foreigners in Korea' as those who 'legally stay in Korea' only (Article 2). Second, the law officialises the government's discretionary power on the entitlement of migrants. Instead of stipulating the rights of migrants, it prescribes the government 'may' or 'shall endeavour' to offer the 'treatments' to migrants. Third, the law eventually downgrades the notion of 'human rights'. It only presents 'human rights' as an offer that the government 'shall endeavour to take necessary measures [...] to safeguard'. This is the denial of the entitlement that migrants may claim as enshrined in the international human rights laws. It is also the neglect of the state's obligation, stipulated by the Constitution of the Republic of Korea, to abide by international law and also to guarantee the status of foreigners 'as prescribed by the international law' (Article 6).

The government's discretionary service-oriented approach is prevalent throughout the South Korean immigration policy. For example, the Framework Act grants a seemingly privileged status to the specially-categorised marriage migrants. However, it only provides that the government still 'may offer' social services to the migrants. I does not entitle them to the right to access social security. The legal frame that specifies the services for marriage migrants, Multicultural Family Support Act, also confirms such approach: all the services are provided to marriage migrants as a matter of 'support', not of rights or entitlement (Article 6, the Act as amended on 2 March 2016). Moreover, the aid-oriented policy on marriage migrants is camouflaged by the language of 'multicultural family', which overlaps with the debates on multicultural society in South Korea. As Kim (2011e, p. 205) critically argued, the government's approach proliferates the problematic notion of 'Korean multiculturalism as welfare policy without citizenship' (Kim, 2011e, p. 205).
The service-oriented policy of the South Korean government has negative implications for the rights of migrants. While the ‘paternalistic’ approach sets in throughout the government policy, it has refused to recognise migrant workers as having ‘rational, contractual or politically equal relations’ with non-migrants (Shim, 2007, p. 41). While the government ‘treated’ migrant workers with patronising and individualised charities, it never recognised the active and collective claims of organised migrant workers. The civil society was not an exception. The language of human rights was often equated with the patronising charity, which drove pro-migrant activists to give up the potential political power of the term (e.g. Gray, 2007).

In this regard, LYA (RP_10), director of a pro-migrant organisation, still recognises the potential of human rights language. Her statement during my interview offers an insight into the discussion of the rights of migrants:

Human rights language can respond to the challenges that are not covered by the claims of labour rights. A migrant worker is not only a worker but also a migrant who has various needs of and entitlements to other than labour.

**Exclusionary nationalist politics**

Nationalist politics is also one of the governing mechanisms. The government has often used the languages of the ‘national economy’ and the ‘Korean nation (Hanminjok)’ to justify the introduction of the temporary labour migration policy. When the law on the EPS was introduced, the government declared the ultimate purpose of the scheme was the ‘smooth supply of human resources and balanced development of the national economy’ (Article 1, Act on the EPS of 2003). As discussed in Chapter 6, there were significant disagreements about the official introduction of temporary migrant workers among the SMEs, large firms and trade unions, depending on their position in the economy. However, the language of the ‘national economy’ nullified all the conflicts of interests.

The government has constantly used ‘foreign workers’ as the official term for migrant workers. This term implies a migrant worker is a ‘foreign’ and external entity that may be temporarily used to meet the needs of the ‘national economy’ and be disposed of afterwards. They can never become a member of the ‘national’. On the contrary, many pro-migrant organisations moved from the term ‘foreign workers’ to ‘migrant workers’ after they reflected on the implication of the terms. However, the government went in the opposite direction. It increasingly changed the term
‘foreign workers’ to ‘foreign workforce’, reflecting employers’ interests. For example, the government-affiliated ‘Foreign Workers’ Support Centres were all renamed ‘Foreign Workforce’ Support Centres in 2011. The government agency in charge of the management of these Centres argued it was ‘to develop and manage the projects to support employers’ (Human Resource Development Service of Korea, 2011, p. 69). This shows the government’s rationale behind the service provision to migrant workers is to meet the demands of ‘national employers’. The term ‘workforce’ also dehumanises migrant workers, considering them only as a unit of production. As a result, it justifies the exclusion of migrants from the entitlements that are enjoyed by the citizens.

On the other hand, the language of the ‘Korean nation’ was often used to justify the introduction of migrant workers of Korean origin from developing countries. For example, government-published promotional material advertises one of the aims of the Visit and Work System as promoting ‘the sense of fellowship of Korean nation’ among the diaspora (Ministry of Employment and Labour, n.d.). The diaspora stream of the EPS was claimed to be an affirmative action to redress discrimination against the diaspora from developing countries. As I argued earlier, however, it is clear that this programme took economic advantage of these diasporas. The promotion of the ‘Korean nation’ is only an example of mobilising ethnic nationalism to meet the employers’ demands for a low-wage workforce.

I also argue mobilising nationalism to justify temporary labour migration policy is a risky strategy, taking into account its social impacts. This strategy arguably contributed to the rise of racism and xenophobia in South Korean society. The frame of the national employer and the foreign workforce, as portrayed by government policy, often reproduces employers’ racist attitudes toward their employees and also self-justifies the low wages, inadequate working conditions, and even violent treatment. For example, according to one of my research participants, KI (RP_08), who is pro-migrant activist, he often experienced awkward situations when he complained against South Korean employers on behalf of migrant workers because some employers expressed that they felt betrayed by him. The employers often said, ‘You are a Korean. How can a Korean support foreigners and reproach the people of the same nationality?’

It is also observed that recently emerging xenophobic groups often mobilise nationalist sentiments against the social service provision to migrants. On a leaflet distributed that I collected during my participatory observation of a xenophobic group’s event (PO_08), it is stated that ‘they are foreigners who came to South Korea to supply workforce, not to enjoy welfare’. It is even more problematic that the government takes the xenophobic groups’ claims into account when designing the national plan for immigration policy. For example, the 2nd Basic Plan for Immigration
Policy 2013–2017 recognises the rise of ‘anti-multiculturalist sentiment’ and the claims of ‘balanced policy toward foreigners’ in the public. Then, it states, following the same logic of the xenophobic groups, ‘uneven support measures tilting heavily toward multicultural families have fuelled this public discontent’ (Immigration Policy Commission, 2012, p. 20). It is hard to deny the government’s responsibility for the recent rise of xenophobia in the South Korean society.

Conclusion

This chapter examined my research question: ‘what are the rationales and governing mechanism of the operation of the EPS?’ In the first section, I examined how the EPS has been modified to meet employers’ demands including the introduction of the diaspora stream. I also showed how the government had ignored the declared principles of the EPS to adhere to one of the principles. Then, I argued the paramount principle is to satisfy employers’ demands for low labour cost.

After all, the sustainability of the South Korean version of the temporary labour migration scheme is questionable. As European countries experienced in the middle of the 20th century, the temporary labour migration scheme is not a sustainable solution for the long-term demand of labour, especially if the labour demand derives from demographic conditions (Castles, 1986). The recent development of the South Korean temporary labour migration scheme, which repeatedly prolongs the workers’ migration period, is seen as the prelude to its future. The temporary labour migration scheme, sustained by prolonging the temporariness, later becomes the source of the newly ignited resistances of migrants.

In the second section, I identified the five governing mechanisms that the government employed to operate the EPS. First, the principle of ‘cost-effectiveness’ of employing migrant workers is maintained by the restrictions on the job choice. Second, the ‘temporariness’ of labour migration is largely managed by the enforcement of deportation. Third, the social insurances provided to migrant workers are either inadequate for migrants or designed to control the workers. Fourth, the unequal treatment of the temporary migrant workers is overlaid by the paternalist service provisions and the discourses of ‘assistance for foreigners’ that, in practice, exclude migrants from the entitlement of citizenship and universal human rights. Fifth, the exclusion of migrant workers is justified by a nationalist political agenda like protection of the national interest, the national employers and the national workers.
Although the governing mechanisms effectively functioned to maintain the temporary labour migration scheme, their consequences were hazardous to the workers and society. The unfree employment conditions resulted in seriously deteriorating working conditions. As repeatedly criticised by human rights organisations, the restriction on the choice of job is one of the root causes of unfair, degrading and humiliating working conditions (Amnesty International, 2009, 2014). A South Korean civil society group condemned it as reaching the level of 'contemporary forms of slavery' (see Kim, 2014c). The series of deportations were criticised even by a state agency, the National Human Rights Commission of Korea (NHRCK), for being responsible for inhuman or degrading treatment and the deterioration of the rights to the liberty and personal security (see Seol et al., 2005a).

The analysis of the rationales and governing mechanisms of the EPS reveals the nature of the temporary labour migration policy. A migrant worker is considered as a unit of production or a commodity, rather than a person who has potentials to bring different culture, history and thoughts and to build new social and human relations with both host and home societies. The temporary labour migration scheme, as a part of the neoliberal project, commodifies migrant workers and eventually disembeds migration from society. As Polanyi (2001) observed, the perils of the disembedded economy of 19th century Europe, and many contemporary scholars identified the globalised form of the disembeddedness in our time (see Chapter 2), the neoliberal project of commodification and disembedding brings about hazardous outcomes in the society.

How migrant workers experienced the consequences of the EPS is presented in the next chapter. It is also examined how the migrant workers developed their resistance against the consequences.
Chapter 8  Migrant workers’ experience and resistance

This and the next chapters examine the dimension of social movement to answer my third research question: ‘what are migrant workers’ experiences of the scheme and in what way have they engaged with the policy process, especially in connection with South Korean social movements?’ This chapter examines the experience and resistance of migrant workers with the focus on how they challenged the introduction of the South Korean temporary labour migration scheme.

It begins with a brief description of migrant workers’ experiences under the South Korean temporary labour migration policy. I illustrate two symbolic events that represent the workers’ experiences under South Korea’s two temporary migration policies: the pseudo temporary labour migration policy, ITS between 1991 and 2006, and the institutionalised temporary labour migration scheme, EPS from 2004 to the present. This topic has been extensively investigated by scholars (e.g. Lee, 1997, Seol, 1999), NGOs (e.g. Amnesty International, 2003, Joint Committee for Migrant Workers in Korea, 2000) and an independent government agency, the NHRCK (e.g. Seol et al., 2002). Thus, I also review some significant outcomes of these investigations.

The second and the third sections examine how the migrant workers’ resistances emerged and developed throughout the 1990s and the early 2000s. Early forms of resistance were desperate expressions of individuals’ grievances. Soon, it developed toward collective actions at workplaces and eventually against the government’s repressive deportation and temporary labour migration policies. The workers on strikes had to take risks both of being fired and of losing an opportunity to work in South Korea at all. Despite the extremely precarious conditions, they were able to sporadically organise collective actions and protests against employers’ unfair treatment and the government’s repressive immigration policy throughout the 1990s.

In the early 2000s, migrant workers began to organise large-scale and long-term protests against the South Korean government’s labour migration policy. The workers’ resistance peaked in 2003. After the formal introduction of the EPS in 2004, however, migration workers’ collective actions rapidly decreased until they re-emerged in 2012. By examining the development of migrants’
resistance, I pay particular attention to how migrant workers have changed their strategies as the South Korean government's policies evolved.

Throughout the events, South Korean pro-migrant activists made significant contributions to the mobilisations, organisations and negotiations for the protesters. However, it was still the migrant workers and their self-organised struggles that triggered the social movements for and of migrant workers.

A few studies described the details of key resistances and examined their social significances (e.g. Seol, 2003). I seek to advance these studies by examining the claims of migrant workers and identifying the subjectivity of the workers in the social movements. I also pay attention to the emerging sense of transnational solidarity among migrant workers through the series of strikes at workplaces, which were a background of the nation-wide collective actions afterwards.

Throughout this and the next chapters, I also seek to engage with the theoretical aspects as I discussed in Chapter 2. I take into account the three main characteristics of the social movement, 'confictual relations', 'dense informal networks', and 'collective identity' as defined by Della Porta and Diani (2006, p. 23). I also pay attention to the migrants' condition that they are 'politically disfranchised' from the state they reside (Castles et al., 2014, p. 296) and to the notion of the 'radical potential of immigrant protests' (Tyler and Marciniak, 2013, pp. 149-150). Finally, Polanyi's (2001 [1944]) concept of the protective countermovement is taken into account throughout the chapter to analyse the social movements for and of migrants in the context of neoliberal transformations in South Korea.

Migrant workers' experiences at work and living

'Severed hand' and 'delayed pay'

A major South Korean newspaper, Hankyoreh, reported a tribute concert was staged in Seoul for the 20th anniversary of Park No Hae's poem, 'the Dawn of labour' (see Chapter 4) on 10 February 2004 (Seo, 2004). His poems had been made into folk songs and sung by workers and students in the 1990s, and this time, they were remade as Korean classical, rock or hip-hop styles by popular South Korean singers.
The concert was well appreciated by the public (Kim, 2004b). However, a labour movement activist expressed his concern that the ‘reminiscence’ of the past conditions might lead to the ignorance of the present problems, especially those of the ‘non-regular workers’ (Lee, 2004b). After the democratisation and the growth of trade unions, the extremely poor working conditions, the overdue wages, and the injuries at work were broadly considered as the stories of Chun Tae Il’s and Park No Hae’s time. However, their past stories were still the present reality for migrant workers, even after two decades.

Among the singers at the concert, there appeared an unknown band named ‘Stop Crackdown’. They sang a poem by Park No Hae, for which they wrote the music.

The grave of hand

In tears,
holding the severed and bleeding hand,
I was taken to the hospital on the cargo bed of a Titan [truck].
The boss’s good car doesn’t like me in working clothes.
The boss’s white hands don’t like me stained with oil.
My hand was jammed in the machine. I picked up the still-beating hand,
wrapped it up in a plastic bag and held it in my arms.
Like a madman, I wandered the street with no end,
the street shining in the beautiful spring sunlight.
In tears, now I’ll bury
the hand, cut off by the press machine.
Until the working hands come alive in joyful movements,
I’ll bury it in tears, bury it in tears.
The severed hand in my arms has got chilly cold.
I washed the bluish hand in soju,
buried it in a sunny place by the factory wall,
oh, oh, for the blood and sweat of the workers.
(Written by Park No Hae, 1984. Sung by Stop Crackdown in 2004.)

Stop Crackdown is a migrant band, organised by undocumented workers from Nepal, Myanmar and Indonesia and a Korean member. It was formed in 2004 in the midst of the sit-in protests of undocumented workers against the government’s plan of immigration raids and deportations ahead of the introduction of the EPS. According to an essay written by Lee Ran Ju, a pro-migrant
activist who supported the band, they selected this poem for the concert because 'the working conditions in 1984 are not different from the lives of migrant workers in 2004' (Lee, 2009, pp. 196-197). They said 'The grave of hand’ might sound like a reminiscence of the past for South Koreans, but it was the reality for the present undocumented workers in the same place.

This band wrote another song.

Payday

Today is my payday. / My heart is beating.
Payment has been delayed for a long time. / They are going to pay only now.
My precious family, / my beloved parents,
now I am going to make you / happy with my own hands.
Oh, boss, hello. / Oh, boss, pay me my salary.
My dreams and hopes are from / the small but precious my salary.
Some time ago, with white envelopes, / my [Korean] colleagues went home.
They patted my shoulder / and said don’t worry.
Only after midnight, / my work finishes.
My salary is not paid in an envelope, / anyway, I couldn’t see it again today.
When will a good day come to me? / Oh, boss, don’t be like this.
Please pay my salary; it’s been delayed for a long time.
I can stand you swearing at me. / But, just pay me my salary.
(Written by Soe Moe Thu and Minod Moktan, 2004. Sung by Stop Crackdown.)

The ‘severed hand’ and ‘delayed pay’ were not an exceptional experience of the band members. The first news reports on migrant workers, a few years after the migrant workers appeared in the South Korean society, were about their injuries, violence and exploitative working conditions (e.g. Kim, 1992a, Lee, 1992). As a result of the introduction of the ITS, the arrivals of migrant workers rapidly grew. The pseudo-temporary labour migration scheme, however, only engendered the precarious status of ‘industrial trainees’ and deteriorated their inhumane working and living conditions. According to a report by the coalition of South Korean pro-migrant organisations, JCMK (2000), human rights violations were a common practice at migrant workers’ workplaces. Employers confiscated workers’ passports and often confined them to their dormitories. Workers often suffered physical, verbal or sexual violence, deduction of wages for forced savings or industrial injuries. However, no compensation was paid.
A survey conducted by the NHRCK (Seol et al., 2002) reports the average working hours of migrant workers was much longer than the national average in 2002 and even longer than in 1986 when the figure was the highest since 1980. Almost one-third of migrant workers that replied to the survey reported that they experienced work-related injuries and two-thirds had contracted diseases. More than half of the migrant workers said the wages were not paid on time (see Table 8-1). Racial discrimination was prevalent (Amnesty International, 2003).

**Low wages and dangerous work**

After the EPS was introduced, the South Korean government and affiliated research institutions repeatedly announced the human rights conditions of migrant workers had significantly improved (e.g. Lee, 2012e, Lee, 2014b). They argued the EPS notably contributed to making the recruitment processes transparent and, consequently, to lowering migrant workers’ financial burdens. Their surveys showed both workers and employers were relatively satisfied with the EPS.

On the contrary, pro-migrant organisations reported that the poor and dangerous working conditions, physical and verbal abuses, and discriminations persisted at temporary migrants’ workplaces (Migrant Rights Network, 2006, 2008, 2010). A government-sponsored survey

<table>
<thead>
<tr>
<th>Working hours</th>
<th>Hours</th>
<th>Working conditions</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Migrant workers</td>
<td>63.7</td>
<td>Experience of delayed payment</td>
<td>51.4</td>
</tr>
<tr>
<td>National average</td>
<td>48.2</td>
<td>Work-related injuries</td>
<td>32.2</td>
</tr>
<tr>
<td>National average (1986)</td>
<td>54.5</td>
<td>Work-related disease</td>
<td>60.0</td>
</tr>
</tbody>
</table>

*Source: Seol et al. (2002, pp. 70, 97, 142, 149), Statistics Korea (2017), and Koo (2001, p. 49).*

<table>
<thead>
<tr>
<th>Average monthly wages (Korean Won)</th>
<th>Working hours (per week)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Migrant workers at SMEs</td>
<td>1,550,000</td>
</tr>
<tr>
<td>Local workers at SMEs</td>
<td>1,950,000</td>
</tr>
</tbody>
</table>

*Source: Chung et al. (2013, pp. 167, 172), Statistics Korea (2017) and Organization for Economic Co-operation and Development (2017).*
(Chung et al., 2013) also shows there were significant differences in wages and working hours between migrant and local workers. Migrant employees of SMEs in the manufacturing sector were paid 20 percent less than their local counterpart in 2013 (see Table 8-2). The working hours of migrant workers at SMEs were 46 percent longer than those of average South Korean workers in the same year.

Many migrant workers have been newly employed in the agricultural and fishery sectors under the EPS since the early 2010s. They also reportedly suffered long working hours and extremely poor working conditions (Oh et al., 2012). They are often provided with very unhygienic and unsafe accommodation by employers while many female workers are afraid of sexual, verbal and physical abuses. Pro-migrant organisations argue the employers of these sectors are often less informed about labour laws and less supported by the government, which intensifies the unfair treatment of migrant workers (Kim et al., 2013b). Due to the remote locations of workplaces and accommodation, their poor working and living conditions have not been well-known to the government, the media and even to pro-migrant activists.

Pro-migrant organisations argue the primary source of migrant workers’ poor working conditions is the restriction against changing jobs imposed by the EPS. The right to seek a job with better working condition or payment is a vital source of bargaining power for workers when they negotiate with employers. According to a 2011 survey of a coalition of pro-migrant organisations (Migration Policy Forum, 2014), 76 percent of migrant workers wanted to change their workplaces within three years of their arrival. The aforementioned government-sponsored survey (Chung et al., 2013, p. 192) reported that 73.8 percent of migrant workers had difficulties in changing jobs.

There is also a growing concern on mental health of migrant workers. The media and pro-migrant activists argue the restricted freedom of work and consequently unsafe conditions are partly responsible for the issues of poor mental health, as a recent suicide case showed an extreme example. On 7 August 2017, 27-year-old, Keshav Shrestha, was found dead on the rooftop of dormitory building attached to a factory in Cheongju. He had worked at this machine-part factory since he left Nepal a year and four months earlier. A major newspaper, Kyunghyang Shinmun, reported he left a message:

Hello, all. Today, I am saying goodbye to the world. The reason why I leave this world is my health problem. I couldn’t sleep. Treatments didn’t help. It was too hard for me to
spend time like this. So, I request you to allow me to leave the world. My company was stressful, so I wanted to work at another factory. But, I couldn’t. I wanted to visit Nepal for treatment, but I couldn’t. I have 3.2 million won [approximately 3,200 US Dollars] left. I wish you would send this money to my wife and sister at home (Lee, 2017).

The government's repressive operations of deportation have also been a significant threat to migrant workers' health and life. As discussed earlier, deportations have repeatedly been used as a governing mechanism to sustain the temporary labour migration policy. Repressive operations, however, very often entail dangerous situations for migrant workers such as the death of workers in the course of 'crackdown' operations. The conditions of detention facilities are also poor and dangerous, as an extreme example of the 2007 Fire Accident at Yeosu Immigration Detention Center showed (see Chapter 7).

The 'severed hand', 'delayed pay', low-wage, long working hours, poor working conditions, precariousness, depression and risk of death represent many migrant workers' experiences in South Korea. One ostensible purpose of the temporary labour migration policy in South Korea was to protect migrant workers' human rights, as the Act on the EPS stipulates. Reportedly, the employers' perpetuation of extreme human rights violations have certainly decreased in manufacturing sectors. However, they are still prevalent in the sectors newly employing migrant workers, i.e. agricultural and fishery sectors. It is notable that the government operations of the governing mechanisms to sustain temporary labour migration policy, i.e. deportations and the restrictions on the free choice of jobs, have adverse effects on migrant workers' health, rights and lives.

The South Korean cases show how the outcomes of a temporary labour migrations scheme may intensify 'commodification of labour' (Polanyi, 2001 [1944], Rosewarne, 2010, p. 103). Migrant workers are not considered as rights-holders or members of human society but as units of production. The government and its labour laws are prevalently ignored or have failed to protect migrant workers. This is also an example of how the temporary labour migration scheme can 'undermine the rule of law and the welfare state in liberal-democratic societies' (Castles, 2006, p. 760, Lenard, 2012).
Rise of migrant workers’ resistance

From grievances to resistance

In the early 1990s, migrant workers began to express their grievances and resentment against exploitative conditions, since the conditions had worsened beyond the level they could stand. A small number of desperate migrant workers made still passive and self-tormenting appeals. After a few years, however, migrant workers’ collective actions grew to be proactive and organised, challenging the South Korean government’s labour migration policy.

Three significant protests sprouted the social movements for migrant workers’ rights in South Korea: the suicide of a migrant worker in 1993, the sit-in strike of 11 undocumented workers in 1994, and the sit-in strike of 13 industrial trainees in 1995. After these protests drew nation-wide attention, migrant workers continued to strike at local workplaces throughout the 1990s and the early 2000s.

The first incident was the suicide of a 39-year-old Joseonjok (Chinese nationals with Korean ethnicity) migrant worker, Im Ho, on 9 November 1993. Newspaper Hankyoreh reports he arrived at South Korea with a visitor’s visa valid for one month. He worked hard at construction sites and earned six million Korean Won (approximately 6,000 US Dollars) in a year. When he sent two million Won to his family in China, he excitedly wrote to his wife that the hard time would end soon. Later, he lost two million Won after being involved in a swindle. He still hoped that he would go back to China and buy a business car with the remaining two million Won. When he voluntarily reported his overstays to go back to China, Seoul Immigration Office charged him 1.8 million Won. When he bought a ferry ticket to China, he was left with 120,000 Won and no hope. He had his last dinner with a friend. He drank as much as he wanted for the first time in Korea. Then, he jumped down from a ten-metre-high motorway with the ferry ticket and a 10,000 Won note in his pocket (The Hankyoreh, 1993). The incident occurred only several months after the government increased the penalty for an ‘illegal stay’ tenfold, as ‘a measure of controlling irregular migration’ (Seol, 2003, pp. 250-251). If the government had not increased the penalty or had not charged him, Im Ho could still have saved 1.8 million Won and been able to go back home.

Suicide by jumping or self-immolation were the most desperate forms of resistance for students, workers and activists during the authoritarian periods in South Korea. The news of a migrant
worker's suicide reminded South Korean social movement activists of the tragic memories of their past resistance. The former director of a pro-migrant organisation, YH (RP_05), remembered during my interview that she and her colleagues immediately sensed the incident was a form of resistance to the excessive immigration penalty. Faith-based organisations, such as the Foreign Workers' Refuge and the Jubilee Mission Fellowship, promptly organised a protest rally to denounce the government's penalty policy. In front of the Seoul Immigration Office, the participants called for 'the prohibition of slavery-like labour and the abolition of penalty law' (Im, 1993). This protest is significant as the first-ever protest against the South Korean government's immigration policy.

On 10 January 1994, two months after the suicide, eleven undocumented migrant workers from Nepal, Bangladesh and Ethiopia went into a sit-in strike at a hall of the then influential NGO, Citizens' Coalition for Economic Justice (CCEJ). They testified about the extremely exploitative working conditions and unfair treatment that they had suffered in South Korea. According to Hankyoreh's report, 26-year-old Nava Raj, one of the strikers, had worked for two companies in Gimpo since 1991. At the first one, he was locked up in a workshop and forced to work twenty hours a day. At the second one, he had to work with an injection-moulding machine but with no safety device. One day, the machine dragged in his right arm and crushed his shoulder. His employer gave him only minimal treatment and forced him to continue to work with his other arm. He received no compensation or medical expenses from the employer (Park, 1994a). Most other strike-participants had suffered similar injuries but received no compensation or even no wages.

These cases were related to the change of a government rule. In September 1992, the South Korean government ruled undocumented workers were not entitled to the protection of the Industrial Accident Compensation Insurance Act and the Labor Standard Act (Seol, 2003, p. 252). Undocumented workers, who had already been outside any legal protection in practice, became officially excluded from it. Pro-migrant lawyers immediately challenged the government's new rule. The Seoul High Court decided, on 26 November and 3 December 1993, the changes to the rule did not abide by the law, but the Ministry of Labour again appealed against these decisions in the Supreme Court (Seol, 2005a, pp. 84-85).

The strike participants had still very passive attitudes. They appealed to humanity, charity and sympathy for 'people from poor countries'. They were neither able to articulate their complaints nor to claim their rights. On the 'letter of plea', they stated:
Although we are illegal workers, we are human beings having blood and emotion like you. We know many Koreans suffered in overseas lands when Korea was poor in the past. We wish you would remember the feelings, understand our conditions and accept us as human beings and neighbour, as we are from poor countries (Amjad and Thapa, 1995).

It was the South Korean NGOs, including pro-migrant groups, which articulated the migrant workers' claims. The representatives of the CCEJ claimed, on behalf of the workers, 'the legal guarantee for minimum humane treatments including payment of overdue wages, medical treatment and compensation for industrial injuries by national law' (Park, 1994a). They also organised a coalition, the Joint Task Force for Foreign Workers, in the participation of citizen's movement organisations, religious groups and labour movement organisations to continue and intensify their actions against the government. The migrant workers' sit-in strikes lasted 29 days. The government finally accepted their claims and decided to include undocumented workers in the Industrial Accident Insurance Scheme. The Ministry of Labour withdrew the appeals against the High Court's decision on 7 February 1994 (Seol, 2005a, p. 85).

This sit-in strike has a historical significance for the social movement of and for migrant workers in South Korea. It was the first collective action organised by migrants in modern South Korean society (Yang, 2011, p. 25). The outcome of this protest was also the first achievement for the status of migrant workers (Seol, 2003, p. 225).

I also note that the experience of the strike made significant contributions to empowering migrant workers. The experience of the sit-in strike made the workers confident about raising their voices against the unfair treatment. Manjo Thapa was one of the participants of the sit-in protest. According to my research participant YH’s (RP_05) recollection, she had lost three fingers when her hands were rolled into a leather-pressing machine. After the protests, she was able to receive compensation and overdue wages. Then, she had to return to Nepal because her visa expired. Her activism continued after she returned to her home country. She was aware that many Nepalese workers returned home without having redress for industrial injuries, unlike her. She found 25 such cases in a year and managed to help eight of them receive compensation. Later, she also worked for a migrant workers department at a national union, the General Federation of Nepalese Trade Unions (Yang, 2011). The experiences of the sit-in strike motivated her to go beyond claiming her rights and dedicate herself to supporting other workers in similar conditions.
Articulating problems and claiming human rights

As the ITS was designed for, the migrant workers with industrial trainee status were in difficult positions to organise any collective actions against their employers or the government. Since the labour laws did not protect workers with so-called ‘trainee’ status, the employers could easily fire the workers. Once the workers were dismissed from the company, they lost visa and legal status and were eventually deported. The threats of dismissal or of being reported to immigration authorities were employers’ most often-used strategies to control the migrant workers (Seol, 2003). Despite these hard conditions, a small number of workers began to claim their rights.

On 9 January 1995, a year after the previous strike, another 13 migrant workers, all from Nepal, went into sit-in strikes in front of Myung-dong Cathedral, a symbolic site of the South Korean democratisation movement. The workers wore iron chains on their bodies and shouted ‘We are human beings, not animals!’; ‘Don’t treat us like animals!’; ‘We are not slaves!’; ‘Don’t beat us, please!’; ‘Pay us our wages!’ (Park, 2002c, Seol, 2003, p. 257). They were ‘industrial trainees’, who had arrived when the KFSB launched the ITS in May 1994. According to newspaper Kyunghyang Shinmun’s report, they had hoped to learn industrial technology and earn 400 US dollars a month, as they had been told they would by the recruitment agency. However, the reality turned out to be long working hours, physical violence, and only a half of the promised wage, which they never received anyway. They were even told their two colleagues were sexually assaulted by a factory manager (Kyung, 1995). They could not stand all these situations. They ran away to the Cathedral.

As reported in monthly magazine Mal, the workers discerned their experience was not an isolated incident, but a part of the systematic problems that were not only tacitly condoned but actually ‘supported’ by the South Korean government. In the ‘letter of thirteen workers’ plea to Korean people’ drafted by one of the participants, Thanesor Banjade, they articulated the problems:

We met the people who consider us less important than the product that we produced. We also understood this situation is systematically supported by the Korean government [...] We also realised if we leave the factory designated by the Korean government, the police and the recruitment agency will chase us. Then, the Korean society would name us runaways (Banjade, 1995, p. 121).

Unlike the previous protests, they also clearly presented their claims. The employer should:

- provide adequate industrial training to trainees as initially promised, and
• pay adequate wages for long working hours;

and, the recruitment agency should:

• stop withholding their wages,
• stop violence,
• stop confiscating passports, and
• stop deceptive recruitment advertisements;

and, also appealed to South Korean people and the government to help them:

• ‘take back their basic human rights and stolen wages’ (Banjade, 1995, p. 121).

It is significant that the migrant workers used the language of ‘human rights’ as grounds for their claims for the rights that they had not been entitled to by the positive laws of South Korea. They claimed ‘human’ rights, which are supposed to be held by all human beings. Also, they discerned that South Korean law had not considered them as rights-holders. I argue this case exemplifies the ‘radical potential of immigrant protests’ in Tyler and Marciniak’s (2013, pp. 149-150) sense. Those undocumented workers were ‘disenfranchised by the states in which they resided’ and ‘outside of politics in normative sense’. Thus, the thirteen ‘industrial trainees’ were able to act ‘in ways that allow them to (temporarily) constitute themselves as political subjects’ by adopting ‘being human’ as the ground of their claims.

Their protests aimed beyond the redress of their own problems. They questioned whether it was legitimate that the government tacitly condoned the employers who appropriated the training programme and exploited migrant workers. When the government and employers offered the workers individual redresses for the confiscated passports and the overdue wages on condition that they would stop the strike, the workers refused (Yonhap News, 1995c). Instead, they demanded ‘fundamental improvements of the foreign industrial training scheme’ (Yoo and Lee, 1995). During the nine days of sit-in protests, their claims had become systematic and fundamental: they claimed that the government should ensure foreign industrial trainees to be entitled to the same legal protection as South Korean workers are entitled to; the adequate wages beyond the level of minimum wage; and also the right to freely make employment contracts with employers. They also revealed the ITS was never an industrial training programme, but a temporary employment scheme in practice. They eventually argued ‘the ITS should be abolished’
(Yonhap News, 1995a). The migrant workers’ protests rapidly developed from claims of individual redresses toward a social movement for institutional changes of a social system.

Pro-migrant organisations, including the Foreign Workers’ Refuge and the Association for Foreign Workers’ Human Rights, immediately joined the sit-in protest (see Chapter 9). They organised a Joint Committee for the Protection of Foreign Industrial Trainees’ Human Rights in coalition with other NGOs and trade unions. They mobilised pro-migrant activists to support the sit-in protests and protect the workers from arrest and deportation. The Joint Committee also proactively engaged in negotiations between the workers, the government, and the employer. The local NGOs took a step further than the migrant workers: they demanded the Minister of Labor make an official public apology and to recognise the failed ITS as a ‘contemporary forms of slavery’ (Yonhap News, 1995e).

As days went on, however, pressures on the workers continued to increase. The South Korean government warned them of deportations. The Nepalese Embassy also repeatedly urged them to stop the protest. After nine days, the migrant workers decided to stop the strike and accepted the South Korean government’s offers:

- they would receive the overdue wages;
- the payment would be made directly to them;
- their passports would be returned;
- their workplaces would be reassigned;
- they would receive adequate wages and compensations for injury or death (Yonhap News, 1995b).

However, their core claim was never accepted by the government: they still could not be equally treated as South Korean workers but remained with the status of trainees.

The migrant workers’ protest of 1995 produced significant resonances in the society. The conditions of migrant workers and their claims drew the widespread attention of the public and the media. On 1 March 1995, the Ministry of Labor announced the industrial trainees would be entitled to join the major national insurance schemes like Industrial Accident Compensation Insurance and National Health Insurance. Also, the trainees would be partly protected by the Labor Standard Act: the provisions on the prohibition of forced labour and violence, the payment of wages and the working hours (Seol, 2003, pp. 258-259). From 1 July 1995, the trainees were entitled to the protection of the Minimum Wage Act: they were to be paid no less than the standard
minimum wage for local workers. The migrant workers’ protest served as a stepping-stone for the changes to the ITS, although the outcome was not enough to satisfy the workers’ claims.

However, the aftermath of the protest was painful for the individual protesters. All the workers were reassigned to new companies to avoid the violence and poor working conditions. However, they only found the working conditions were still same. As they envisaged during the protest, the extreme working conditions did not disappear without fundamental changes in the ITS. According to a human rights issues-specialised independent paper, Human Rights Daily, the workers refused to work with the new companies and left them. They stayed at a shelter provided by the Foreign Workers’ Refuge. The Ministry of Justice charged them for ‘having broken away’ from the designated company. Navaraz Puel left the new company because the employer confiscated his passport again. He was arrested by immigration officers and deported to Nepal on 11 March. Jiban Bazagai, who was also staying at the same shelter, was arrested by eight immigration officers on 20 March and deported two days later. Thanesor Banjade was also forcefully arrested on 24 March (SARANGBANG-Group for Human Rights, 1995). The government eventually deported all the strike-participants and prohibited them from re-entering the country. Since then, the government has continued to use the deportation of migrant leaders as a typical strategy to repress the migrant workers’ protests and their organisations (see Chapter 9).

The pro-migrant activists were no exception. According to a major news agency, Yonhap News, the Ministry of Labor accused the director of the Foreign Workers’ Refuge, Kim Jae-Oh, for ‘having collected the information on the victims of the ITS who had returned to Nepal’ and ‘having incited the workers to organise the sit-in strike’ in breach of labour laws. The Public Prosecutors’ Office summoned and investigated him. The Prosecutors’ Office stated they might have prosecuted Kim Jae-Oh ‘for the violation of the Act on Assembly and Demonstration and also for the concealment of offenders’. However, they eventually decided not to prosecute him due to ‘the sympathetic sentiments of the public and other reasons’ (Yonhap News, 1995d). The South Korean government had often announced unfounded allegations and took legal actions against social movement activists, and eventually retracted them. It had been a typical strategy to de-motivate the activists and to repress the movements throughout the 1990s and the 2000s. This strategy did not always intimidate the experienced activists. Nevertheless, the South Korean government’s individualised repressions on migrant protesters and pro-migrant activists had influenced them to be reluctant to organise nation-wide collective action until the end of the 1990s.
Protests at workplaces and growing transnational solidarity

Being inspired by a series of protests, migrant workers’ struggles developed in two directions. On the one hand, migrant workers sporadically organised strikes at workplaces throughout the country. Instead of an organised collective action against the government’s labour migration policy, the workers complained to their employers and called for adequate working and living conditions at their workplaces. On the other hand, pro-migrant activists organised a nation-wide coalition to abolish the ‘side-door’ temporary labour migration policy, ITC, and migrant workers also participated in it. This section focuses on the first movements that were mostly initiated by migrant workers. The latter will be discussed in the next section.

In August 1995, more than 300 workers of industrial trainee status at a shoemaking company in Gimhae went on strike for seven days. They claimed their wages should be increased and vacation bonus should be paid. Their claim was partly accepted by the employer. In the same month, about 100 workers, who used to be employees of the Philippine and China branches of a South Korean textile company, were dispatched to their headquarters in Gumi. They went on strike for two days to demand the rise of wages and improvement of meals provided (Seol, 1999, pp. 277-278). Industrial trainees at an electric company in Damyang went on strikes on 19 October 1999 and 19 February 2001. They demanded the employer should pay the wages directly to the workers, not to their recruitment agency. They also claimed payment for overtime work, meals and daily necessities, as they had agreed in their ‘training’ contract (Park, 2002c). On 19 October 2011, the industrial trainees at a tyre company in Yangsan also went on strike and demanded the employer should abide by the ‘training’ contract (Seol, 2003).

The collective actions of these workers were explosions of their accumulated discontents, as Seol (2003, pp. 261-262) noted. Their demands were no more than for their employers’ compliance with their employment contracts, which was already unfair under the pseudo-temporary labour migration policy, ITS. They were not yet imaginative or proactive enough to challenge the government policy, which was the ground for their poor working conditions.

As the strikes of ‘industrial trainees’ increased, they began to build a sense of workers’ solidarity. They organised strikes in solidarity with their colleague workers, not for their benefit. On 21 March 2002, Yar, an ‘industrial trainee’ at a paper box company in Shiheung, requested compassionate leave to attend his brother’s funeral back in Pakistan. The employer’s response was ‘if you want to go, leave the company.’ Then, he immediately dismissed Yar and his three colleagues. In a fury, ten other colleague migrant workers went on strike. The strike lasted 21
days until the employer agreed to cancel the dismissals and to allow Yar to leave. All fourteen workers were eventually transferred to other workplaces.

Migrant workers on strike also extended their sense of solidarity toward a transnational level. On 21 January 2002, 99 undocumented migrant workers at a furniture company in Pocheon went on strike. Unlike the previous strikes, which were often organised by the workers of same origin country, this strike manifested as a transnational solidarity of migrant workers from nine different origin countries. Their demand was just the payment of two months of overdue wages. Extremely poor working conditions were not even an issue for the workers, even though they had suffered long work hours: 14.5 hours for a weekday, 9.5 hours for a weekend and one day off per month. Verbal abuse from managers and poor living conditions, like a crowded and dirty dormitory, were even no issues that they raised (Lee, 2003d, pp. 194-197).

When they were determined to begin a strike, the language barriers were not an issue among the workers from Uzbekistan, Russia, Iran, Rumania, the Philippines, Nigeria, Moldova, Thailand and Mongolia. They were not intimidated by their employer’s threat to report them to the immigration authority. The real challenge for the workers was the employer’s attempts to divide the unity among the workers. Lee Ran Ju, the former director of Bucheon Foreign Worker’s House, who assisted the workers from the first day upon their request, vividly describes the employer’s persistent attempts to break down the workers’ efforts to maintain the unity:

The CEO ordered every word of his speech to be translated. [...] "You don’t have all the same claim. Only 30 percent of you claim the full payment [of the unpaid wages]. They incited the rest of you. You will work if you receive a one-month wage. The inciters have made the atmosphere rough, so you are not able to present other opinions. We can remove those who have to be removed, and we can take only those who want to continue to work.”

He even ranted,

"It would be hard for you to speak genuinely in front of many other people because you mind others. Let’s talk one by one about each one’s claim."

What is this? He was trying to use even blunter and mean the strategy of division. [...] Then, Mr Dmitri shouted.

"Where is money, there is work. No money, no work!"

His voice was loud and resonant. The workers, who had been icily watching it, started to make a commotion. Those who had held back their voices finally burst out.

"No!" / “We are all the same.” / “Talk here together. No separately.”

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The strike drew nation-wide attention from the media and pro-migrant activists. They added pressure on the local government and the regional labour office, the police and the immigration authority. The employer was under pressure from these governmental agencies. After four days of the strike, the employer finally agreed to pay the full amount of overdue wages. The workers returned to the work only after they received the actual wages. The process of this strike was also filmed by an independent filmmaker and pro-migrant activist, Kim Ichan, under the title of ‘Going Together’ (2003b). This documentary film is often presented as a symbolic event of transnational solidarity of migrant workers in South Korea.

As illustrated above, migrant workers’ protests against the exploitative working and living conditions had developed from passive to proactive and organised ones throughout the 1990s. The workers’ perceptions of the cause of their conditions also developed from an individual grievance to the systematic problems of the government’s labour migration policy. These cases exemplify the rise of migrant workers’ self-recognition, self-expression and self-organisation for the social movements of migrant in South Korea.

**Migrant associations in resistance**

On the other hand, migrants formed their own organisations to help each other. Self-support organisations were typically in the form of ethnic communities or hometown associations. The communities are diverse in their objectives and forms. Although their primary role is to provide welfare services to their members, some organisations were more interested in political activities on the issues of both homelands and destination country.

The early migrant associations were mostly religious communities. For example, Sampaguita Philippines Community was the first recorded association of migrant workers in South Korea, organised by Filipino clergypersons and undocumented workers in 1992 (Seol, 2003). This community had begun as a parishioner group at a Catholic Nunnery in Seoul. However, it developed into a self-support association of migrant workers, with the support of a pro-migrant organisation, the Association for Foreign Workers’ Human Rights. Its members organised social meetings and helped each other for legal, labour-related and other matters. Later, this community was integrated into the community of Filipino workers at Hyehwa-dong Catholic Church with the
sponsorship of Seoul Archdiocese of Catholic Church (Lee, 2003c, pp. 364-368). According to a report of the Embassy of the Republic of the Philippines in Seoul (2016), there were at least 33 religious organisations and 60 non-religious communities of Filipino migrants throughout the country in June 2016. The non-religious communities were organised in various forms, such as hometown associations (e.g. Cordillera Brotherhood Organization), local communities (e.g. Ansan Filipino Community), workers’ associations (e.g. Federation of Filipino Workers in Korea) or sports clubs (e.g. Legstrong Pinoy Bikers Club).

Some of the non-religious communities were particularly active in political or social actions. They actively raised their voices on the issues of both countries of origin and destination. KASAMMAKO (Unity of Filipino Migrant Workers in Korea) is an example. This organisation was formed in 1998 as the network of migrant workers’ groups that claimed to be ‘progressive Filipino organizations [...] fighting for the rights and welfare of [...] overseas compatriots’ (KASAMMAKO, 2016). The ordinary activities of this organisation are not different from those of other migrant communities: regular meetings, communications among members, and self-supporting (Kim, 2007a). However, its members are particularly active in the participation in the collective actions against South Korean government’s immigration policies. For example, they presented a public statement condemning the South Korean government’s detention and deportation policy when ten undocumented migrants were killed in a fire accident at Yeosu Detention Center in 2007. During my field research in 2012, KASAMMAKO’s flags, banners and members were found at almost every site of collective actions against the EPS (e.g. PO_07, PO_26 and PO_36), including the rally of 19 August 2012 (PO_31) that I illustrated in Chapter 1. The members also played leading roles at almost every meeting of migrant communities and pro-migrant organisations (e.g. PO_34 and PO_36) including preparatory meetings for the rallies (e.g. PO_27–30).

KASAMMAKO also organised occasional meetings with the Philippine Embassy in Seoul in cooperation with other Filipino communities, one of which I had a chance to attend as an observer (PO_41). They raised concerns about the Philippine government’s policies on overseas workers, like the embassy’s inadequate protection for Filipino workers or imposition of excessive tax on migrants. The organisation was also active in raising social awareness about political and social issues in the Philippines like extrajudicial killings, privatisation and anti-terrorism legislation (see KASAMMAKO, 2007).

The Nepalese community was also active in the actions for migrant workers’ rights. Nepalese workers formed Nepalese Consulting Committee (NCC) in 1992. The association provided labour law-related consultations and welfare services to its member workers. It also functioned as a
consulate until the Nepalese Embassy opened in 2007 (Kim, 2007a). The NCC’s members played leading roles at the sit-in strikes of migrant workers in 1995 and 2003, which called for the protection of migrant workers’ labour rights and the legalisation of undocumented workers. They also made the vital leadership and significant membership of Migrant Trade Union, established in 2005 (see Chapter 9). Other ethnic communities have also engaged with migrant workers’ resistance. Bangladeshi migrants and Myanmar migrants, especially refugees, were engaged in political activities toward their homelands (Kim, 2012b).

The associations of Chinese migrants with Korean ethnicity (Joseonjok) were a significant actor in the debates on the South Korean diaspora policy. Despite a large population and their relatively long immigration history, Joseonjok migrants had not been active in forming ethnic organisations until the mid-1990s. The first formal association was organised in 1995: the Association of Chinese Workers. This organisation actively initiated advocacy work for Joseonjok migrants: it publicly claimed long-term visas, equal treatment at work and the free choice of employment. It also actively participated in the movement for the abolishment of the ITS. However, the Association broke down after only a year because the leadership was targeted by the immigration authority and eventually deported. They were charged with ‘organising illegal organisation and protesting in solidarity with opposition groups’ (Lee, 2003c, p. 370). After the Association was incapacitated by the government, Joseonjok migrants were hardly able to organise a migrant community.

Instead, church-based pro-migrant groups took the lead of Joseonjok migrants’ struggles against the government’s unfair treatment. As discussed in Chapter 7, when the Act on the Immigration and Legal Status of Overseas Koreans (Act on Overseas Koreans) was introduced in 1999, it excluded the Korean diaspora from China and Post-Soviet states from the preferential treatment of former Korean citizens and their descendants. The discontented Joseonjok migrants, however, did not organise their own collective actions. They entrusted their fates to prominent South Korean pastors, by converting themselves to Christianity and joining the famous churches (see Chapter 9).

The Joseonjok Alliance was an exceptional case of Joseonjok migrants forming a self-support organisation. Joseonjok migrant, Yoo Bong Soon and Jin Bok Ja established this organisation in 2000, amidst the growing discontentment of Joseonjok migrants about the South Korean government’s unfair treatment. They began with sponsoring the victims of immigration fraud and their children. They also provided counselling to Joseonjok migrants in difficulties. However, they realised the repetitive redresses of the individual cases would not resolve the problems and
decided to join the struggles for the amendment of the Act on the Overseas Koreans (Dongbukah News, 2010). After the struggles, they continued to offer shelters and services to stranded Joseonjok workers. They also organised a credit union to provide financial services to them, although it is controversial whether this was compatible with South Korean finance-related laws (Kim, 2015).

As a result of the aggressive movements led by the churches, the South Korean government finally assured the Joseonjok migrants that they would enjoy a stable and long-term stay, would have free choice of jobs, and also amended the Act on Overseas Koreans in 2004. It also introduced the diaspora stream, VWS as a part of the EPS (see Chapter 7). After the stable status was secured, the self-supporting organisations of Joseonjok migrants mushroomed. The Returned Korean Union (Returned Korean Union, n.d.) and Han-maeum-hoe (One Soul Association) was organised in 2006. The Overseas Korean in Korea Association was established a year after (Overseas Koreans in Korea Association, n.d.).

The growth of Joseonjok migrants was contrary to the situations that migrant workers of other ethnicities encountered. Most ethnic communities in South Korea had difficulties in mobilising members, sustaining their associations and actively getting involved in migration politics. The temporary labour migration policy was the most significant obstacle. As trade unionist of migrant background, UR argues during my interview (RP_32),

The migrant community is indeed very difficult to sustain in Korea because most workers cannot stay longer than three or four years. Once a worker becomes an active member and takes up an important role in a community or movements, he has to return to home country. It makes things very unstable.

As in other countries (e.g. Castles, 1984, Jupp, 2002, Massey et al., 1994), ethnic communities made crucial grounds for the mobilisation of migrants’ collective actions in South Korea. As mentioned earlier, Filipino and Nepalese communities were particularly active in the movements challenging temporary labour migration policy, while the communities of Joseonjok were actively involved in diaspora policy. As South Korean studies suggest, the social networks of migrants from same origin country played a major factor that made self-support communities active in the migrants’ social movements (Lee, 2005b, Piao, 2011). This became even more obvious during the organised resistance against the introduction of the EPS, as will be discussed in Chapter 9.
Resistance to new temporary labour migration policy

Struggles against deportation operations

After the lengthy debates among the South Korean government, civil society, employers and trade unions, the National Assembly passed the Bill of the Act on the EPS in July 2003 (see Chapter 6). The first operations that the government undertook before the law went into effect in August 2004 were immigration raids and deportations. As I argued in Chapter 7, deportation is one of core governing mechanisms that the government enforced to ensure the functioning of the temporary labour migration scheme. It was a precondition for a successful introduction of the rotation-based temporary migration scheme to ‘sort out’ existing ‘illegal sojourners’ who had constituted a majority of the migrant population.

In 2003, the government announced a ‘legalisation measure’ in accordance with a supplementary provision on ‘Special Cases for Illegal Foreign Workers’. It selectively offered undocumented workers the opportunity to legally extend their stay (see Table 7-2, Chapter 7). A critical condition was that undocumented migrants should report to the immigration authority within three months of the ‘voluntary report period’. After the period, the government announced it would enforce ‘intensive crackdown operations’ against undocumented migrants who failed to report to the immigration authority.

More than 300,000 undocumented migrants faced a crossroad: whether to let the authority know their whereabouts by voluntarily reporting themselves and getting a legal permit to work for one or two more years, or to refuse the measure at all and remain undocumented as they had been. For those who had stayed for longer than three years without a visa, however, the government’s offer was not attractive enough: once they return to their home country, there would be no guarantee that they could come back to South Korea. Especially those who had stayed longer than five years and had somehow settled down in the country perceived that the government’s offer of ‘return without punishment’ was unfair and unacceptable (Lee, 2005b).

As the government-set deadline of ‘voluntary report period’ was approaching, the pressures on undocumented workers grew to a maximum level. At least eight migrant workers reportedly committed suicide in the month out of anxiety about deportation (Lee, 2005b, p. 77). However, a large number of undocumented workers, especially those who had already stayed for longer than three years and had no chance to acquire a work permit, still refused the voluntary report. Before
the government launched ‘intensive joint operation of crack-down’ on 17 November, almost 140,000 workers remained undocumented (Seol, 2005b, p. 16). Instead, many undocumented workers decided to hide in remote areas, lock themselves in their accommodation, or participate in protests against deportation.

When the government announced the plan of ‘voluntary report programme’ in July, pro-migrant organisations and migrant workers had already discussed how to respond to the deportation operation. They already had an experience of dealing with a similar voluntary return programme in the previous year. The government implemented it partly in preparation for the introduction of EPS and also as a gesture of strengthened security before 2002 FIFA World Cup co-hosted by South Korea and Japan (Castles et al., 2012, Seol, 2005a).

Undocumented migrant workers were affiliated with four different pro-migrant groups: the JCMK, the organisations which withdrew or were preparing to withdraw from the JCMK which later established the Migrant Rights Network (MRN), Seoul Joseonjok Church, and Equality Trade Union-Migrant’s Branch (ETU-MB). These four groups had significantly different approaches toward the government’s programme (see Chapter 9 for details of each organisation). The first two took a practical and realistic approach by leaving the decision whether to report to the authority or not up to individual undocumented workers (Park, 2005b). The last two took a hard-line approach by refusing the ‘temporary remedy’ and claiming ‘legalisation of all undocumented migrants’ (Lee, 2006). Nevertheless, many long-term undocumented migrants, who were excluded from the opportunity to extend their legal stay, had no choice but to join collective actions to protest the ‘temporary remedy’.

On the night of the last day of ‘voluntary report period’ (15 November 2003), undocumented migrant workers gathered to launch sit-in protests. Those who were affiliated with the JCMK sat together at Seoul Anglican Church. Joseonjok migrants gathered at Seoul Joseonjok Church and Seoul Foreign Workers and Diaspora House. The members and supporters of the ETU-MB set up protest camps in front of Myung-dong Cathedral. Many others gathered at other pro-migrant organisations throughout the country (Lee, 2005b). According to a newspaper article, the number of undocumented migrants who participated in the protests reached 5,700 throughout the country (Seo et al., 2003). For the undocumented migrants, the churches and pro-migrant organisations were safe places from the government’s ‘intensive crack-down operation’.

All the groups in the sit-in protests argued the forceful immigration raids should stop. However, each group had different standpoints on what the alternatives should be to the deportation of
undocumented migrants. First, the Joseonjok groups claimed legalisation of undocumented Joseonjok migrants on the ground of their ‘right to live in homeland’ and ‘diaspora statuses’. They proactively mobilised ‘the politics of ethnonationalism’ (see Chapter 7) and intentionally distinguished Joseonjok migrants from migrant workers of other ethnicities. The Seoul Joseonjok Church of Rev. Suh Kyung Suk was particularly radical to claim ‘reinstatement of citizenship’ and to encourage undocumented Joseonjok migrants to abandon their Chinese citizenship (Piao, 2011). Their strategy of mobilising ethnonationalism had an immediate effect: the President visited the Joseonjok sit-in protestors and promised ‘gradual solutions’ two weeks after they had launched the protest. Almost 2,400 undocumented Joseonjok migrants immediately wrapped up the sit-in protest, according to an online news report (Yeo and Im, 2003).

Second, the JCMK and other migrant support organisations also called to ‘stop deportation’ and ‘legalise all undocumented migrant workers’. These groups had partly accepted the ‘voluntary report programme’ and left whether to participate in it up to migrant workers’ individual decisions. Neither did they oppose the newly introduced temporary labour migration scheme, EPS. They had advocated the ‘Work Permit System (WPS)’, which recognised the migrant workers’ right to change their job. However, by the time the Bill of the Act on the EPS was passed by the National Assembly, they turned to accept it as a second best option and a way of abolishing the old pseudo-temporary labour migration scheme, ITS (see Chapter 6). When the government proposed a guarantee that the undocumented workers who participated in the ‘voluntary report programme’ would be able to come back through the EPS, these groups also accepted this proposal and discontinued the sit-in protests in January and February 2004 (Lee, 2005b). Then, migrant workers who joined these groups had to decide whether they would leave the country voluntarily with the uncertain guarantee to come back or remain undocumented.

The third group, the members and supporters of ETU-MB, Nepalese Corps of Struggle, and a member of the MRN, Korean Migrant Human Rights Center, was the most uncompromising. In addition to ‘legalisation of all undocumented migrant workers’, they continued to refuse the EPS and continued to call for the WPS (Yeo and Im, 2003). The protestors of this group, who staged their protests at the front yard of Myung-dong Cathedral, never accepted the government’s appeasement policy of voluntary return, because they believed they had worked hard in South Korea and were entitled to a work permit and basic labour rights. As the documentary film, The undocumented is documented, directed by independent filmmaker Joo Hyun Sook (2004) illustrates, Bhidu, an undocumented migrant activist of the ETU-MB, was arrested by the police.
while he was attending the ‘National Rally of Non-regular Workers’ on 26 October 2003. He expressed his strong convictions:

[Bhidu was suppressed by several riot policemen and screamed.] I have rights. I have right to speak. When are you going to stop arresting us? I can speak of my rights, even though you close my mouth. Do you wanna see a migrant worker dies? [...] You, your South Korean government is killing us. [He refused to be taken into a squad car.] My rights, I can speak of my rights on the land of South Korea. If I speak of my rights, you make my life this difficult. [...] My rights, I can speak of my rights in any country in the world (Joo, 2004, cited in Lee, 2005, p.37).

While all the other groups suspended the sit-in protests after they accepted the government’s offer of voluntary return, the ETU-MB and its 2,130 supporters publically announced ‘Undocumented migrant workers’ refusal of voluntary return’ on 10 February 2004 (Lee, 2005b, p.81). They continued the sit-in protest for 380 days with the support of a small number of South Korean social movement activists and trade unionists. However, they were isolated from larger migrant communities and migrant support organisations. The protest participants desperately sought to reach out to migrant communities at the risk of being arrested by the immigration police, instead of sitting in the protest campsite. The leaders of ETU-MB like Shamal Thapa, Huck, Khebi and Gupta were arrested and detained one by one; and they were eventually deported or forced to accept the ‘voluntary return’ (Lee, 2005b). The sit-in protests at Myung-dong Cathedral ended without a significant achievement in institutional changes.

However, it is notable that the protests at Myung-dong Cathedral in 2003 and 2004 had a significant influence on migrant workers, as commented by my research participants _JYS_ (RP_13) and _UR_ (RP_32), who were involved in the migrants’ trade union later. Bidhu’s desperate resistance and screams represent the migrant workers’ construction of identity as rights-holders, claimants to labour rights, non-regular workers and the principal agents of migrant-rights movements. Also, the ETU-MB was successful in raising the self-awareness as the working class and a member of trade union among the undocumented migrant workers.

Some of the workers who participated in the JCMK’s protests also realised their identity as the agent of movements of migrant workers. For example, the band _Stop Crackdown_, which I mentioned earlier in this chapter, was organised in the midst of the JCMK’s protests. They independently wrote and sung protest songs, which articulated their frustrations, identity and
claims in strong and simple tones. Their first song became the most famous one for migrant protesters:

What we want

Stop, stop, stop, crackdown.
Stop, stop, stop, crackdown.
Stop, stop, stop, crackdown.
We are labour; we want labour rights.
We are labour; we want labour rights.
(Written and sung by Stop Crackdown, 2003).

Declining migrant workers’ collective actions

After the new temporary labour migration scheme, EPS, entered into a full operation in August 2004, migrant workers’ collective actions drastically disappeared. Although pro-migrant activists occasionally organised protests against deportations, no collective action of migrant workers was organised in large scale for the following seven years.

I argue the decline of migrant workers’ collective actions substantiates that the EPS effectively accomplished the South Korean government’s rationales behind the temporary labour migration scheme. As discussed in Chapter 6 and 7, one of the primary justifications for introducing the EPS was to ‘prevent industrial disputes’ and ‘control migrant workers’ (Lim and Seol, 2000, pp. 112-131). The governing mechanisms of the EPS were particularly designed for this purpose and also efficiently functioned.

Deportation was an obvious apparatus to suppress the resistance of migrant workers. The social movements of migrants lost the most active members during and after the protests in 2002 and 2003. They were either arrested and forced to return to their home countries or incapacitated from organising further protests.

The EPS also brought about two major effects that prevented the protests of migrant workers: making obedient workers and incorporating pro-migrant organisations. I focus on the first one in this section and will discuss the second mechanism in the next chapter in relation to South Korean civil society’s engagement with the movement for migrant workers.
The operating approach of the EPS has the effect of making migrant workers obedient to the government and employers. While the number of undocumented migrants dropped by half in a year as a result of the intensive deportation operations and the ‘voluntary report programme’, the workplaces were rapidly filled by new migrant workers who arrived through the EPS. The new migrant workers tended to have rather different characteristics and identities from their predecessors. Migrant activist who participated in the sit-in protests in 2003, UR (RP_32), remembers, during my interview, they tended to be more conforming to authority but have less working-class identity than the undocumented workers under the ITS. He says:

The EPS workers are now different. They don’t care about labour rights. They only seek to earn as much money as possible in short time. They think they can go back home with a lot of money. They are selfish and absurd. They don’t have the idea of ‘We are labour’.

The EPS’s inter-governmental agreements between South Korea and origin states were designed to ensure the recruitment of migrant workers of ‘good character’. When the South Korean government negotiated with origin countries for the introduction of the EPS, it stressed the workers’ conformity to immigration regulations as the primary condition. It prioritised the origin countries from which citizens showed lower tendency to become undocumented in South Korea for the inter-governmental agreements. It also scrutinised whether the country’s ‘migration management system’ was strong enough to ensure its citizens returned home after the end of employment contract (International Organization for Migration, 2005, 2006). While the Philippines, Vietnam and Thailand were the first origin countries that the South Korean government agreed to receive migrant workers from under the EPS, Nepal, Bangladesh and Myanmar, the nationals of which showed a high rate of irregular migration, had to spend one to three more years to assure the South Korean government before any agreements were made.

The mandatory pre-departure orientation programme, which was a prerequisite to the origin state’s participation in the EPS, was often designed to train migrant workers to conform to the immigration rules of the destination country or the demand of employers. The MRN conducted on-site investigations in the origin countries of the EPS in cooperation with the NHRCK. According to its report, the pre-departure training failed to inform the prospective EPS workers of labour rights or legal protection, but primarily focused on the ‘conformity to immigration rules’, ‘submissive attitudes toward employers’ and ‘hard-work for more income’ (Kim et al., 2007). In some origin countries like Sri Lanka and Vietnam, the programmes even involved military-style camp-trainings, which were named ‘moral education’ but were indeed aimed at brainwashing migrant workers into giving up their labour rights (Migrant Rights Network, 2005). The migrant
workforces in South Korea were rapidly replaced by the workers from these new origin countries (Korea Immigration Service, 1961-2017).

**Migrant workers’ self-governed union in a new phase**

During the last stage of the sit-in protest at Myung-dong Cathedral, the remaining migrant workers and the members of the ETU-MB were placed under a significant pressure to wrap up the protests without any achievements. The participants agreed they would establish an independent union of migrant workers as a stepping-stone for continued struggles against deportation and employer-oriented temporary labour migration scheme. On 3 May 2005, the migrant workers and pro-migrant activists dissolved the ETU-MB and launched Seoul-Gyeonggi-Incheon Migrants’ Trade Union (MTU). By affiliating itself with the KCTU, the MTU sought to be different from the yellow unions and become a part of the South Korean labour movement.

The Inaugural Declaration of the MTU (2005) stresses that all migrant workers, regardless of their legal status, have to be recognised as ‘workers’ who are entitled to fundamental labour rights, rather than ‘foreigners’ whose status is arbitrarily regulated by immigration law. I argue this statement exemplifies, in Tyler and Marciniak’s term (2013, p. 148), the neo-Marxist strategy to mobilise ‘the category of “worker” to defetishize the figure of the “immigrant” or “illegal”’.

The MTU also argues the employer-oriented temporary labour migration scheme is inherently incompatible with labour rights because it restricts the workers’ right to choose a job. The Declaration explicitly states the Union’s claims:

- Stop the crackdown!
- Stop the repression of migrant workers!
- Legalize all undocumented migrant workers!
- Recognise the Migrants Trade Union!
- Replace the Employment Permit System with the Work Permit System! (see Chapter 6)
- Ensure the protection of migrant workers’ human and labour rights!

(Migrants’ Trade Union, 2005).

Not long after their establishment, the MTU encountered critical obstacles. First, the fact that the founding leaders and members were all undocumented migrants was such a fundamental
weakness of the MTU that it could not perform the basic functions of a trade union. The South Korean Ministry of Employment and Labour refused to recognise the MTU having an official status as a trade union. It argued the union organised by ‘illegal stayers’ could not have a legal status. The government’s repudiation paralysed the MTU from exercising the three major rights of workers as stipulated in the Constitution of the Republic of Korea: the right to organise, the right to collective bargaining and the right to collective action. If the MTU involved itself in a collective action of workers, the South Korean government accused its members of conducting ‘unlawful intervention’. On 25 June 2015, ten years after the MTU’s establishment, the Supreme Court finally decided migrant workers also had right to organise unions (Koo, 2015). The Ministry of Employment and Labour accepted the decision a year after with the condition that the MTU would not explicitly oppose the EPS and deportation.

Second, the union leaders were, as soon as elected, all targeted by the immigration authority, arrested and deported. The first chairperson, Anwar Hussein, was arrested only 20 days after the election. All his successors faced the same situations. The fifth chairperson, Michel Katuira, who was elected in July 2009, was the first chairperson having a valid visa as an EPS worker. Despite his legal status, the government again claimed his activities as a trade unionist were violations of immigration law and the Act on the EPS. It even sought to cancel his visa, however, due to the Court’s decision against the government on 2 March 2011, they were unsuccessful. Although Michel Katuira avoided deportation, he was eventually refused re-entry to the country when he returned from an overseas trip (Newsis, 2012).

Third, since the majority of members were undocumented workers who arrived during the period of the ITS, the MTU prioritised the interests of these workers. It was rather inactive about addressing the newly arising problems of new migrant workers under the EPS, which made the EPS workers indifferent to the union. The series of deportations of leadership also made the EPS workers reluctant to join the union. As stated by TT (RP_17), a migrant activist that I interviewed, ‘migrant workers knew the MTU helps them, but they were afraid of immigration authority’s attention when they actively participate.’

Despite these obstacles, the MTU persistently demanded the government’s recognition as an official union and protested against deportations. It also provided labour-related legal services to migrant workers and protested against employers’ unlawful labour management. The election of Michel Katuira in 2009 was a watershed in the MTU’s activities: it gradually turned its policy priorities toward the EPS workers. As a staff member of the MTU, UR, stated for my interview, the MTU began to see results from its persistent efforts: ‘EPS-visa-holders outnumbered
undocumented members in 2012’ (RP_32). The MTU played an increasingly central role in the social movements of migrant workers in South Korea.

**Resistance to the global commodification of labour and migration**

The MTU and some South Korean pro-migrant organisations began to engage with the resistance against the global securitisations and precarisations. A small number of pro-migrant activists began to problematise the temporary labour migration policy in the context of the global transformations driven by neoliberalism. For example, although the statement was not precisely articulated at that point, social movement activist Cho Dae Hwan highlighted the global context in which labour migration occurs at a training workshop for the establishment of the ETU-MB:

> The inflow [...] and circulation of migrant workers occur in complex connections with such issues as the uneven development of the capital in the capitalist world system, the capital’s globalisation strategy, the flexibilization of labour, and the absolute poverty and uneven distribution in sending countries. The inflow of migrant workers [...] happens in the context of class relations between the capital and workers. Thus, the most important are the root-causes of migrant workers’ inflow in the context of class-relationships and the formation of the subject of migrant workers through protests (Cho, 2001, pp. 17-18).

I argue this statement exemplifies a South Korean social movement’s initiative, using Burawoy’s (2015, p. 24) term, to promote the ‘countermovement’ that assumes ‘a global character, couched in terms of human rights’. However, this approach was not yet widespread among pro-migrant activists. Most faith-oriented activists, who were the majority in the movement, failed to extend their perspectives toward understanding the dominant structural changes in society, such as the neoliberalisation of the labour market and growing neoliberal state. The political economic context of neoliberal transformation was hardly taken into account when they talked about individual migrant workers’ problems. Most pro-migrant activists also failed to understand the increase of temporary labour migration in connection with the government’s initiatives of flexibilisation of the labour market like the labour law amendments in 1996 and 1997 or with the growing discourse of ‘non-regular employment’.

The MTU and the pro-migrant social movement activists took a practical approach in that respect. Their protests against the G20 Summit of 2010 in Seoul showed how migrants were affected by globalisation in their daily lives and how they could challenge the global forces. The first public
announcement the South Korean government made after it hosted the Summit was about ‘the establishment of public order’. In preparation for the event to be held in November, the government operated an ‘intensive crack-down of illegal foreigners’ between June and August 2010 and a ‘general crack-down of foreigners’ crime’ between May and June 2010 (Yoon, 2010). Their impacts on migrants were immediate: international students were arrested and detained for not carrying identity card; undocumented migrants were beaten and arrested by immigration officials; deportations increased (Sohn, 2010). The MTU and pro-migrant activists organised a human rights watchdog. The MTU entered into a sit-in protest on 13 July against the crackdown, and its chairperson went on a hunger strike for 30 days. The protests attracted media attention and wide support from anti-globalisation groups, although they failed to achieve any actual changes in government policy. It is particularly significant that the migrant workers’ movement became a crucial part of the South Korean civil society against neoliberal globalisation.

**Reviving migrant workers’ collective actions**

The series of collective actions of migrant workers in 2012, which I illustrated in Chapter 1, were a break from the long silence of discontented migrant workers that had continued for ten years since the introduction of the EPS. The resistance of 2012 also generated a significant change in the movements: the MTU played a central role in re-organising the coalition of pro-migrant organisations, trade unions, and social movement organisations. It is also an unprecedented situation where the new EPS workers finally became the dominant force of migrant workers’ movements. While the previous collective actions mostly focused on deportation and legalisation of undocumented workers, the protestors of 2012, for the first time, challenged the core governing mechanism of the temporary labour migration programme: restriction of the right to choose a job. It was also the first time that the workers, who were employed by the EPS, publicly claimed ‘Stop EPS’.

Their claims influenced the pro-migrant organisations’ attitudes toward the EPS. Except for the MTU and its supporters, most pro-migrant organisations had been reluctant to re-claim the Work Permit System. In 2003, they had to withdraw it and support the EPS as a way of stopping the retention of the ITS. They had considered the Work Permit System, which recognises migrant workers’ right to a full access to the labour market and to pathways to permanent residence, as an unrealistic or unreachable goal. Their defeatist attitude continued for the next ten years. Being inspired by the series of migrant workers’ protests in 2012, the major coalitions of pro-migrant
organisations, the JCMK and the MNR, publicly turned their positions to re-claiming the Work Permit System.

Finally, the protests of 2012 were the meaningful revival of the collective actions self-organised by migrant workers. Throughout the preparatory meetings for the protests, I was able to observe the pro-migrant activists, who had learnt from their experience of the protests in 2003 and 2004, patiently avoid taking any lead in discussions. They sought to encourage the workers to form the free agency as migrant activists (PO_27, PO_28, PO_29, PO_30). The Alliance for Equality and Human Rights of Migrant Workers, which was organised in 2007 as the coalition of the MTU, pro-migrant organisations, trade unions and political movement organisations (see Chapter 9), facilitated the migrant workers' meetings with particular sensitivity about democratic and transparent decision-making, effective communication among migrant workers of different languages, as well as equal relationships between pro-migrant activists and migrant workers. I argue that it eventually contributed to building trust among the new EPS migrant workers.

**Conclusion**

The experience of many migrant workers in South Korea included extremely poor working conditions, low wages, and discrimination at workplaces. These experiences were the outcomes of the ‘commodification of labour and migration’: migrants were seen as a mere ‘workforce’ or a unit of production, not as human beings with a whole life history, culture and human relations. The commodification of labour was proceeded by the government to maximise profits for employers.

The ‘countermovement’ of migrant workers began with desperate expressions of grievance but soon developed toward collective actions challenging the employers’ unfair treatment and eventually the systematic problems of the pseudo-temporary labour migration schemes, the ITS. The country-wide protests of undocumented migrants were triggered by the intensive immigration raids and deportations, which were parts of the governing mechanisms of the newly introduced EPS as well as the expression of the ‘ex-commodification’ of undocumented workers. The government’s strategy to handle undocumented migrants was to make divisions between the preferred and the unwanted and to exclude the latter. The lines of division were between short-term undocumented migrants and long-term ones and also between ethnic Koreans and others.
The government’s strategy of division and exclusion severely hampered the unity of migrant workers and their solidarity with South Korean civil society groups. Many migrant workers eventually conformed to the governing mechanisms of the EPS and many pro-migrant organisations were incorporated into it. Only a small group of hard-line migrants and activists continued the protests against the temporary labour migration scheme.

The social movements of migrants, however, experienced a downturn after the institutionalisation of the temporary labour migration scheme as a result of the effective operation of the governing mechanisms of the EPS. The series of migrant workers’ protests in 2012 indicate a revival of migrants’ challenges against temporary labour migration policy and its neoliberal commodification of labour and migration. After ten years of operations, the temporary labour migration programme’s fallacy came to be understood by workers. A seemingly small change of the government’s rules, triggered the workers’ resistance against the system. The migrant workers’ resistance against the temporary labour migration policy was an expression of protective countermovement that seeks to challenge the fictitious commodification of migrant labour and to re-embed migration into society. They also extended its scope of perspective towards the root-causes of commodification and the global context of transformations, which had direct impacts on individual workers’ lives. The solidarity of the anti-globalisation movement and the civil rights groups has grown as the core force to accelerate the migrant workers’ resistance against the South Korea temporary labour migration policy.
Chapter 9 South Korean civil society’s engagement: a social movement approach

In continuation of the previous chapter, this chapter seeks to answer the third set of research questions as presented in Chapter 1: ‘what are migrant workers’ experiences of the scheme and in what way have they engaged with the policy process, especially in connection with South Korean social movements?’ As mentioned in the previous chapter, South Korean pro-migrant organisations actively engaged with migrant workers’ collective actions. They assisted migrant workers in organising collective actions and negotiating with the government and employers on the workers’ behalf. This chapter shows the pro-migrant activists had already engaged with protecting migrant workers, before the migrant workers began to express their grievances and resisted against the appalling working conditions.

The first and second sections discuss how and why pro-migrant organisations of non-migrant activists engaged with the protection of migrant workers and their struggles. South Korean scholars studied some aspects of this topic by delineating the establishment and development of the pro-migrant groups (Lee, 2003c, Lee, 2006, Seol, 2005a), by analysing the characteristics of the organisations (Park, 2005b), by examining the emergence in the context of post-democratisation (Kim, 2003d), or by focusing on the role of religion (Kim, 2011a). On top of the literature, my analysis in the first section focuses on the strategies of two major groups: faith-based organisations and citizens’ movement groups.

The second section examines the pro-migrant activists’ motivations in the historical and political-economic contexts. The founding members of many pro-migrant organisations had already been involved in South Korean social movements for democratisation and labour rights. They diverted attention to emerging concerns on migrant workers’ conditions. The second-generation activists were more influenced by changing political-economic conditions, i.e. globalisation and precarisation. Then, I discuss the controversies over two particular issues among the pro-migrant activists: whether to maintain a universalism or to adopt a nationalist approach as a strategy; and whether to seek to disseminate a religious faith or to remain as a service deliverer.
Although the pro-migrant organisations made crucial contributions to protecting migrant workers and promoting migrant rights, they are organisations ‘for’ migrants, not ‘of’ migrants. Thus, they were often questioned about their representativeness, unequal relationship with migrants, paternalistic attitude toward migrants, and the objectification of migrants (e.g. Gray, 2007, Shim, 2007). Thus, the third section examines the relationship between migrant workers and non-migrant activists.

The last section begins with another dilemma of the pro-migrant organisations: whether to pursue a social movement approach for institutional changes and migrants’ political empowerment or to focus on service deliveries for migrants’ daily needs. Then, I present an emerging model of social movement-oriented pro-migrant activism that takes into account the migration process, temporary labour migration policy and social movements in the context of neoliberal globalisation. This group played a leading role in the revival of migrant workers’ collective actions in 2012.

**Emerging of pro-migrant activists and organisations**

**The clergy’s services for migrant workers**

In the early 1990s, a small number of clergypersons began to engage with the migrant workers in their local areas. The Protestant and the Catholic churches were already located in industrial areas in Seoul or neighbouring cities near the workplaces of migrant workers. They had provided services to local workers. After the industrial areas were deserted by the local workers and filled by migrant workers, the clergy continued to provide the same services to the newly arrived migrant workers.

They began by offering religious services. The migrant workers with religion sought to continue their religious practices in the destination country; so, they began to visit churches near where they worked or lived. Since the churches recognised the increasing number of migrant members, they began to provide the services in English or other languages of the migrant workers’ origin (Seol, 2005a). As was in the cases with other immigration countries (e.g. Cadge and Ecklund, 2007), the religious services helped migrants maintain their ethnic and religious identities as well as build social networks among the migrants.
Soon after, the churches were requested to offer humanitarian services like medical care and shelter. Under the ITS, failed pseudo-temporary labour migration policy, no labour rights were recognised. The South Korean government and employers took no responsibility for the migrant workers’ welfare, despite growing needs. An immediate response from the religious groups was to assume the responsibility rather than to advocate systematic changes in policy. Since the religious groups were in a relatively favourable position to mobilise substantial resources from their membership or from other churches, they provided migrants with the services for free. As a renowned pastor, KH (RP_02), stated at my interview, the service provision was considered as a practice of their religious faith: ‘hospitality to strangers’ and ‘care of the disadvantaged’.

As the needs increased, the churches set up organisations specialised in services for migrant workers under the auspices of the church. Several members of a Christian grassroots community, who had been working in Guro industrial district in Seoul since 1990, set up the Foreign Worker’s Refuge in 1992. The Catholic workers’ association, Young Christian Workers and Christian Workers Movement, had been concerned about migrant issues since 1990 and established the Foreign Workers Counselling Center in 1992 under the auspice of the Seoul Archdiocese. Both organisations took significant roles in supporting the migrant workers’ protests in 1994 and 1995 illustrated in Chapter 8.

It was followed by the churches in local cities. The Presbyterian Jumin Church in Seongnam was established 1973 for the poor local workers who had been forcefully relocated from central Seoul by the authoritarian government’s gentrification plan. The church began to serve migrant workers from 1991 (Jumin Church, n.d.) and set up the Seongnam Foreign Workers’ House and Chinese Diaspora’s House in 1994 (Seongnam Migrants Center, n.d.). The Anglican St. Francisco Church at Namyangju was established by English priests in 1964. It had served the community of Hansen’s disease (leprosy) patients, who had been collectively relocated by the authoritarian government (Goh and Lee, 2013). The community managed to settle down and rented out their land to furniture-makers. The employers of the furniture factories began to hire undocumented migrants from the late 1980s. The Church began to provide religious services to the migrants in 1991 and established the Shalom House – Namyangju City Center for Foreigners’ Welfare in 1997 with the sponsorship of a local government (Shalom House, n.d.).

A growing number of migrant workers was in need of not only the humanitarian assistance but also labour-related legal services. The clergy were often asked to assist workers in resolving labour-related disputes on overdue wages or compensations for industrial accidents. Many of the clergypersons actively engaged with these issues on behalf of migrant workers on the basis of
their previous experience with local workers. South Korean sociologist, Kim (2011a, p. 1650) referred to them as the ‘activist clergy’.

At the early stages, the activist clergy often relied on personal networks or other informal methods to redress employers’ illegal treatment of migrant workers, rather than pursued legal processes or systematic changes in policy. For example, Rev. Kim Hae-Seong, who was the pastor of Jumin Church and the director of Seongnam Migrant Workers’ House, testifies how the activist clergy dealt with the labour disputes in his autobiographic essay:

He [a migrant worker] fell to death from the 16th floor at a construction site [...] I went to the construction office and said ‘I want to talk about the fatal incident’. The construction manager [...] slammed the door in my face. I called the CEO of the company and demanded a meeting [...] I also met the Mayor of Seongnam city [...] and the Member of National Assembly who sat for Seongnam electorates. [...] After a few days, the construction manager came to me with a frightened face. [...] ‘Dear Reverend, [...] I apologise for my ignorance of you.’ After all, the company paid compensation to the worker’s family (Kim, n.d., pp. 22-23).

However, the activist clergy’s strategy of mediation was not sustainable for resolving the labour disputes in the long run. The number of cases dramatically increased and the cases became significantly more complicated. Thus, they turned their attention toward systematic changes in policy through collective actions. Members of the Foreign Workers’ Refuge testified in an interview with an independent paper how their strategy had changed.

At first, we appealed to the employers’ conscience. [...] After around four months, we concluded [...] we had to challenge this [...] We generated tensions and conflicts, [...] When we took actions like protest rallies, we could see employers and the police suddenly changed their attitudes. [...] We realised the fundamental solution is [...] to establish ethical environments and structural improvement. Thus, we assisted in the sit-in protest to call for the full application of labour law (Ryu, 1994).

While the majority of faith-based organisations limited their scope of activities to providing humanitarian services to individual migrant workers, the ‘activist clergy’ realised that humanitarian services only alleviated the individual workers’ difficulties but would not stop the abusive and poor working conditions. Their advocacy moved to focusing on the equal entitlement of labour-related standards to migrant workers, including compensation schemes for industrial
accidents and minimum wage standards. The ‘activist clergy’ played leading roles in the abolishment of the ITS and the amendment of the Act on Overseas Koreans and also made significant contributions to organising the nationwide and cross-religious coalition of pro-migrant organisations, JCMK. A South Korean scholar acknowledged them as ‘catalysers in promoting the status and rights of migrants in Korea’ (Kim, 2011a, p. 1664).

Despite the acknowledgement of their contributions, the activist clergy have also been criticised for their ambivalent attitude toward migrants. They were often responsible for the hierarchical culture within organisations, paternalistic or patronising attitudes toward migrants, and religious pressure on non-Christian migrants. These issues will be discussed later from the perspective of ambivalent relationship between migrants and activists.

Nevertheless, the activist clergy’s early activities for migrants were still not the initiator of the social movements of migrant workers. As discussed in Chapter 8, the social movements of migrant workers were triggered by the discontented migrant workers who actively expressed their grievances and protested. The migrant workers’ resistance made the activist clergy, who had been enthusiastic about addressing social injustice, realise their grievances would have to be linked with the efforts for institutional changes in South Korean society. The migrant workers inspired the activist clergy to take a lead in the social movements for institutional and legal improvements for migrant workers.

**Citizens organised for migrant workers’ rights**

While the faith-based organisations dominated pro-migrant groups, NGOs with no religious background also emerged. The first of its kind was *The Association for Migrant Worker’s Human Rights* (1992) established in Seoul by a group of social movement activists, academics and other professionals. It was followed by the organisations in local cities: for example, *Bucheon Foreign Worker’s House* (n.d.) in 1995, the *Busan Association for Foreign Workers’ Human Rights* in 1996 (Solidarity with Migrants, 2016) and *Korea Migrant Workers’ Human Rights Center* in Incheon in 2001 (Korea Migrant Human Rights Center, n.d.). As mentioned in Chapter 7, these organisations later changed their names after they reflected on the exclusionary connotations of some of the terms they had used. They replaced the ‘foreign’ with ‘migrant’ to emphasise migrancy not alienness; ‘migrant worker’ with ‘migrant’ to include non-working migrants; and ‘for migrant’ with ‘with migrant’ to emphasise solidarity not charity.
These organisations identified themselves as ‘citizens’ movement’ organisations (Seol, 2005a, p. 80). The citizens’ movement had largely engaged with the social issues affecting the lives of citizens (see Chapter 5). Noticing the growing problems faced by migrant workers, however, they extended their concerns toward the issues of non-citizens.

Like most citizens’ movement organisations, the founders of these pro-migrant organisations sought to generate their activism through a wide participation of citizens. For example, the Association for Foreign Workers’ Human Rights, in its inaugural declaration (1992), called for the voluntary and expanded participation of professionals and citizens:

> Until now, only several thoughtful clergypersons have individually helped [migrant workers] with their efforts. However, the problem is too serious and huge to be resolved by individual efforts [...] Anyone, who believes foreign workers are the same human beings [...] and their basic rights have to be guaranteed, may participate in this association. We expect the participation of not only lawyers, doctors, pharmacists, teachers but also clergypersons, workers, students, citizens and anyone who is interested.

The citizens’ movement groups did not limit their activities to redressing individual migrant workers’ problems. They sought to address institutional and structural problems through political actions, research and policy development. For their everyday activities, they still responded to migrant workers’ request for consultations on labour- or immigration-related legal problems or medical or shelter services. However, they considered the information collected through the activities as the grounds for research and policy-making and ultimately for institutional changes. For example, the founders of the Association for Foreign Workers’ Human Rights (1992) proclaimed that:

> We hope to pull together to protect foreign workers’ human rights [...] through various activities [...] like legal consultations, [...] investigations on the conditions, and research for the improvement of the system.

The citizens’ movement group made particularly significant contributions to systematic investigations, agenda-setting and policy-proposals. As mentioned in Chapter 7, the JCMK (2000) published a report on human rights conditions of migrant workers, which made a critical contribution to initiating the political debates for institutional changes in labour migration system. The report recognises that the Busan Association for Foreign Workers’ Human Rights and
its director, Jeong Guesun, took the lead in the investigation, compilation and analysis of human rights violation cases and also the coordination of the project. The Busan Association continued investigations of migrant workers’ working conditions. An example is the report on ‘overseas investment company’s trainees’ who were employed by an overseas branch of a South Korean company and dispatched to its headquarter in South Korea (Migration and Women’s Rights Network, 2002). The report exposed the exploitative working conditions of these workers, which had not been known to the public. The employer in South Korea was exempt from the obligation to protect the rights of those workers because they were formally employed by the overseas company. The investigations continued in collaboration with trade unions (Association for Foreign Worker’s Human Rights, 2008, Solidarity with Migrants, 2009).

In 2005, the Busan Association established an affiliated research institute, the Migration and Human Rights Institute (n.d.) to promote independent and professional migration research. The Institute made significant contributions to the pro-migrant movements by conducting research and proposing an alternative migration policy (e.g. Migration and Human Rights Institute, 2006, Solidarity Network with Migrants Japan, 2007). As KGD, Director of a citizens’ movement-oriented pro-migrant organisation (RP_07) acknowledged, it also facilitated the activists’ discussions about the movement’s strategies by organising workshops and training programmes.

The independent professionals also made significant contributions to the research and policy-making activities of the pro-migrant groups. For example, sociologist Seol Dong-hoon was one of the founding members of the Association for Foreign Workers’ Human Rights. He conducted surveys on the conditions of migrant workers in collaboration with pro-migrant organisations and also actively participated in the discussions for alternative migration policies (e.g. Seol, 1999, 2003, Seol et al., 2002). Cultural anthropologist Kim Hyun Mee also made significant contributions to the social movements for marriage migrants, migrant workers and refugees by producing significant research findings (e.g. Kim, 2006b, 2011c, Kim, 2012a, b). She also actively participated in migrants’ collective actions (e.g. PO_25) and co-organised joint meetings of researchers, activists, lawyers and service providers, Forum on Migrant Women’s Rights (PO_42).

MINBYUN—Lawyers’ for a Democratic Society and GONGGAM—Korea Public Interest Lawyers played important roles in drawing the judiciary’s attention on migrant rights. The lawyer’s groups had already been actively involved in advocacy for workers even before democratisation as well as important actors in the process of the democratisation in 1987, as mentioned in Chapter 4. As the rule of law has been consolidated since the series of democratic governments came into power, the lawyers’ involvement in the advocacy and movements for social minorities has
become more significant, systemised and organised. Since migrant workers were one of significant minority groups who were either outside or around the border line of legal protection, the lawyers paid particular attentions to this group. Their strategy was to translate the migrant workers’ claims into legal terms and bring the cases to the court. Once the workers’ claims were officialised and recognised by the judiciary, they became political leverage in lobbying or pressing the government for improving government rules in favour of migrants.

Nevertheless, some professionals gave a reflexive assessment of their engagement with the social movement for migrants. For example, YJ (RP_28), a public-interest lawyer who actively advocated migrants’ labour rights, was concerned the domination of professionals and the legalisation of migrants’ claims might weaken the dynamics of social movements. She stated:

Professional and legal approaches to migrant workers’ rights help provide immediate remedies to the workers. However, I am concerned that excessive professionalisation and legalisation may diminish the workers’ self-organised movement for their own rights. Lawyers have to be, at best, an assistance to their social movements, not the central in the movements.

**Coalition and division of pro-migrant organisations**

The migrant workers’ protests of 1995 inspired both migrant workers at workplaces and South Korean pro-migrant activists. While the former went on strikes at their own workplaces (see Chapter 8), the latter organised a nation-wide coalition of pro-migrant organisations, the JCMK. The pro-migrant activists of both religious and citizens’ movement backgrounds agreed on the imperative of a joint effort to address the root-causes of widespread human rights violations on migrant workers and to improve the labour migration policy. Ten pro-migrant organisations, including those mentioned above, took the leadership. Nepalese, Bangladeshi, Chinese and Sri Lankan migrant communities also took part in the coalition (Seol, 2005a). The JCMK’s primary aim was to abolish the ITC. It particularly contributed to drafting, proposing and lobbying for an alternative labour migration policy by engaging with the legislation process (see Chapter 6).

Since the JCMK member organisations continued to provide practical services to migrant workers as well as actively engaged with political activities, they soon grew highly influential among both migrant communities and South Korean civil society groups. Four years after its establishment, the JCMK (1999) had 27 member organisations. The growth in membership, however, did not
help form a stronger coalition. According to Seol (2005a), who had closely followed up the development of the JCMK, it was related to the funding opportunities which the JCMK could deliver to its member organisations. As the government and private donors had been increasingly interested in sponsoring the organisations since the late 1990s, the JCMK assumed the responsibility for liaison between donors and member organisations and for ‘gatekeeping’ financial sponsorship. As co-founder of a former member organisation of the JCMK, KY (RP_23), testified, ‘some of the new members seemed certainly more interested in money than social movements’. 

Between 2000 and 2001, the coalition went through severe turbulence. Internal conflicts among pro-migrant activists divided the JCMK into three groups: the Migrant Rights Network (MRN), Equality Trade Union – Migrants’ Branch (ETU–MB) and the remaining JCMK. 

The MRN was initiated by three organisations which had been a part of the JCMK’s leadership. They withdrew from the JCMK in 2000, questioning undemocratic decision-making process within the coalition. They established Migration and Woman Network in 2001 and also organised the Daejeon Forum in 2003, which was later renamed the MRN. As LG (RP_03), JG (RP_04), YH (RP_05) and CHM (RP_14), who were current or former leaders of the MRN, all emphasised, they sought to reject the ‘well-reputed-leader-oriented movement’ but to uphold the ‘activist-oriented movement’.

The ETU-MB was launched by former staff members of the JCMK and migrant workers who supported them. These staff members collectively resigned from the secretariat of the JCMK in 2000 and established Strikers’ Headquarter for the Full Achievement of Migrants’ Labour Rights and the Realisation of Migration and Employment. They criticised the JCMK for failing at four major issues: ‘fostering migrant workers’ self-reliance’, ‘identifying the antagonistic relationship between capitalist and worker’, ‘establishing a united front’, and ‘solidarity with labour movement’ (Cho, 2001, pp. 24-26). In 2001, this organisation affiliated itself to the KCTU as the ETU-MB. The Equality Trade Union, to which the Migrant Branch was affiliated, was a non-enterprise-based union, established for unionising precarious, unorganised and non-regular workers (Kim, 2001c). In 2005, the ETU-MB was transferred to the MTU (see Chapter 8).

The remaining JCMK, despite the separations, continued to grow due to its increased brand awareness. Various organisations of diverse backgrounds, perspectives and interests joined the coalition. The JCMK eventually suffered continuing internal conflicts in relation to leadership
elections and decision-making process, according to research participants *WS* (RP_20) and *LW* (RP_21), who were founding members of the JCMK.

There had been three primary sources of the division of the JCMK: objectification of migrant workers, undemocratic decision-making processes and a divided position on the new temporary labour migration policy, EPS. First, the objectification of migrant workers was a longstanding challenge for the pro-migrant social movements. At the early stage, the pro-migrant activists of the JCMK sought to encourage migrant workers’ participation and to include ethnic communities as member organisations (Park, 2002c, Seol, 2005a). However, the non-migrant activists soon dominated the policy-making process and governance of the coalition, while migrant workers were in a difficult position to actively engage with them. Although an apparent reason was the language barrier, the fundamental problem was the hierarchical relationship between pro-migrant activist leaders and migrant workers. As Gray (2007) and Kim (2011b) criticised, some leaders with religious backgrounds tended to have paternalistic or even superior attitudes toward migrant workers. Migrant workers were often treated as clients of service provision rather than the claimants to labour rights. They perceived that they gradually became the object of pro-migrant activists’ movements not the subject of their own movements.

As the migrant communities eventually withdrew themselves from the coalition, the JCMK had to change its name from Joint Committee ‘of Migrant Worker’ to ‘for Migrant Worker’ in 1998 (Lee, 2005b). It was a symbolic gesture of acknowledgement that migrant workers were absent in the movement for migrant workers. After a series of internal conflicts and reflections, the coalition changed its name again to ‘Joint Committee with Migrant Worker’ in 2007, as a way of expressing their commitment to fostering solidarity with migrant workers. Nevertheless, no member organisation of the JCMK had yet been self-governed by migrant workers and no activist in the JCMK’s leadership has been of migrant background until 2012, as admitted by my research participants *WS* (RP_20) and *LW* (RP_21).

Second, the undemocratic decision-making processes both at the levels of organisations and the coalition were the source of junior activists’ discontent. At individual member organisations, ‘top-down leadership’ was a common practice. The leaders were often the founder of the organisation or senior clergypersons. They were accustomed to making decisions on their own for seemingly urgent matters. Many junior activists, who had a religious conviction or commitment to human rights, worked devotedly despite working conditions sometimes being poorer and wages lower than those of migrant workers. However, their leaders’ unilateral or even dogmatic decisions were hard to accept, as they valued democratic decision-making process within organisation.
organisations commonly experienced high turnover of junior staff members, while their founders held the absolute leadership for a long time. My research participants, like LG (RP_03), JG (RP_04) and YH (RP_05), who had been involved in the movement since the mid-1990s, commonly recalled how serious the problem was:

It was a vicious circle. Experienced activists couldn't stand the unfair working relationship and left the organisations. Then, unexperienced new staff members filled the position. Again, and again. The long-standing leaders of the organisations could have stronger power than anyone else (RP_05).

At the coalition level, some leaders' attitudes toward decision-making processes and lobbying practices were questioned by other member organisations. The JCMK had official procedures for decision-making like the executive committee and general assembly meetings. The meetings were often dominated by male and senior leaders, while the opinions of junior activists or migrant activists were often ignored. The decisions made through the official processes were often ignored by the leaders when they represented the coalition and negotiated with the government. Sometimes, they had unofficial meetings and negotiations with government representatives without the coalition's prior endorsement. Then, they unilaterally informed the member organisations about the agreement they made. My research participant, CHM (RP_14), a former representative of a network of pro-migrant organisations, recalls:

He [a senior representative of the coalition] often came to executive meetings with 'good news', as he called it. He proudly said we reached an agreement with the government on the compensation for victims of industrial accidents. All others looked at him without any word. We had never entrusted him with such a secret meeting with the government nor such a negotiation. What we needed was not the compensation, but an official apology of the government. We just said to ourselves, 'Not again'.

Third, the positions on the introduction of the EPS was the critical issue dividing the movement. As discussed in Chapter 6 and 8, when the South Korean government initiated the discussion for the abolition of the ITS and introduction of the EPS, the JCMK initially proposed a 'Work Permit System' that allows migrant workers to freely choose their job and to have access to permanent residence. The leadership of the JCMK, however, envisaged the proposal would be hardly accepted by the government under pressure from employers. The JCMK finally turned their position to support the second best option, the EPS, as a measure of stopping the worse programme, ITS.
After the Bill of the Act on the EPS passed the National Assembly in 2003, the South Korean government introduced a voluntary return programme for undocumented workers before it launched intensive deportation operations. The JCMK maintained a neutral position on this programme: it left up to individual migrants to decide whether or not to participate in the programme. The MRN also accepted the EPS and the voluntary return programme, although it maintained the position of ‘critical support’ and launched close monitoring of the operations afterwards (Lee, 2005, Park, 2005, Kim, 2011).

The ETU-MB severely criticised the pro-migrant organisations for the ‘opportunistic’ change of position. It argued the JCMK’s decision failed to represent the wishes of migrant workers but was to give up the full protection of the workers. The ETU-MB also strongly refused the voluntary return programme, because it gave no opportunity to long-term undocumented migrants. Instead, it claimed ‘a full legalisation of all undocumented migrants’ (Seol, 2005a, Lee, 2005).

Despite the growing antagonism among the leaders, the junior members of each group continued to seek co-operations with each other. When the disastrous fire incident happened at Yeosu Detention Center in 2007, which killed ten undocumented migrant inmates, they organised a nationwide temporary network with the broad participation of pro-migrant organisations, trade unions, socialist groups, human rights organisations and other civil society groups. Later, some members of the network, including my research participants KGD (RP_07), KI (RP_08), LJW (RP_11), JYS (RP_13) and UR (RP_32) organised a permanent network, Alliance for Migrants’ Equality and Human Rights. It played critical roles in mobilising the protests against the EPS in 2012, which was illustrated in Chapter 1.

Pro-migrant activists in the historical and the political-economic contexts

A historical background: legacy of democratisation and industrialisation

The historical background of the faith-based groups was a decisive factor behind their engagement with migrant workers. Scholars of historical approach argue the church’s proactive involvement in the movement for migrant workers was the legacy of its involvement in social movements during the period of democratic transition (Kim, 2011a, Kim, 2003d). The ‘activist clergy’ (Kim, 2011a, p. 1649) took lead of the church’s social participation. During the
authoritarian and industrialisation period, they actively supported the labour movements of local workers, most of whom were internal migrants. They eventually saw the empowered local workers establish independent unions and achieve significant political leverage. By that time, the activist clergy took notice of the poor conditions of newly arrived migrant workers. Their concerns turned to the international migrant workers who were in vulnerable conditions in different ways. The faith-based activists among my research participants, PC (RP_01), KH (RP_02), CEP (RP_06) and KY (RP_23) all had such backgrounds.

Motivation for the pro-migrant activists came not only from the experiences of the democratisation movement, but also the organisational and individual experiences of migration during the industrialisation period. Anyang Jeon Jin Sang Social Welfare Center, formerly Workers’ Hall, was established in 1968 by a Belgium-based association of Catholic lay people, the Association Fraternelle Internationale (Inter-Culture Association) with the sponsorship of Austrian and German donors. The Center’s main purpose was to provide welfare services, labour law trainings and accommodation to young internal migrant workers. In the 1970s, it also provided pre-departure orientations to South Korean ‘guest workers’ who were about to go to Germany as miners or nursing assistants. Lee Keum Yeon, the former director of the Center, joined it as a young boarding worker in the early 1980s. The Center had provided free accommodation to young workers like her, who came from rural areas and sought jobs at the then industrialising city, Anyang (Anyang Jeon Jin Sang Social Welfare Center, 2003).

When Lee became the director in 1997, the dormitories of the Center was already full of international migrant workers who had been thrown out of or run away from their company. The major beneficiaries of the Center had shifted from internal to international migrants, although its functions had not significantly changed (Anyang Jeon Jin Sang Social Welfare Center, 2003). Lee established Anyang Migrant Workers’ House. In the Center’s history book, published for its 35th anniversary, Lee acknowledges:

> When I was young, I learnt from my experience about the reality of exploited workers. The government decorated the reality with such words as ‘the country’s industrial mainstay’. But, I know the words meant not more than exploitation to the workers. The experience motivates me to engage with the people and the workers suffering from the structural evil of the society (Anyang Jeon Jin Sang Social Welfare Center, 2003, p. 48).

She also opened a shelter for migrant women, WeHome. Her special concerns on ‘the discrimination against female migrant workers’ were rooted in her experience of internal
migration. This case suggests the history of internal migration is a significant element for South Korean activists’ engagement with the social movements for migrants.

As was in the case with the faith-based groups, the rise of citizens’ movement groups was also largely ‘the legacy of democratisation movement of the earlier decade’ (Kim, 2003d, p. 248) at least for early-generation activists. Many founding members of the groups used to be a part of democratisation and labour movements of the 1980s. For example, Park Seok-un, the founding director of the Association for Foreign Workers’ Human Rights, had been a student movement activist in the 1970s. Having been a member of an underground resistance movement and participating in the demonstrations against the dictatorships, he was imprisoned two times and expelled from his university, although he was able to return later. In the 1980s, he worked as a labour-law consultant and provided free legal services to the local workers who had suffered overdue wages or unpaid compensation for industrial injuries (Yoon, 2012b, Yoon, 1999). Later, he expanded his scope of activities to include non-local workers.

When the early activists encountered the exploitative working conditions of migrant workers, the scene was familiar to them because it overlapped with their experiences of the labour and democratisation movement throughout the 1970s and the 1980s. The scene was, however, striking because it still existed in the 1990s in South Korea. For JG (RP_04), a founding member of a citizens’ movement-oriented pro-migrant organisation, the scene symbolised the coexistence of the past of South Korean workers and the present of migrant workers. She had devoted her 20s and 30s to democratisation of South Korean society and emancipation of the working class. She had thought the society achieved a certain level of improvement. However, the reality was contrary to her expectation. At the workplaces, nothing changed except the nationality of the workers. She recalled the contradictory reality strongly motivated her to participate in the movement.

I had been involved in the underground labour movement for about fifteen years [...] One day, I happened to hear that a migrant worker was in need of help. I went to see him. Then, what a shocking scene. I realised all the achievement of the Korean labour movement was only an illusion. There were exactly the same working conditions which shocked me when I had first joined the labour movement in the 1980s. Nothing changed, except who do the jobs. I realised I had to start from the scratch again with the same problems at the same place but for the new people (RP_04).
Lived experience as an international migrant during the industrialisation period was also an important motive to participate in the movement. One of the volunteer staff members of Bucheon Foreign Workers’ House, Park Myung Ja had been one of the nurses who were sent to Germany as guest workers in the late 1960s (see Chapter 4). When she returned to her home in Bucheon in 1997, she was surprised not only by the dramatic changes of landscapes but also of the populations, as she recalls in her interview for the organisations’ newsletter (Park, 2005a). When she saw an exhausted face of a migrant worker by chance, she thought she had no time to wait and joined the pro-migrant organisation. Her lived experience as a former migrant worker gave insights to her organisation that migrants are agents for social change, not merely beneficiaries of social welfare services, which her colleague activists had often ignored. She stated:

I believe we have to help them to raise their self-esteem by feeling respected and treated equally [...] Migrant workers are so desperate for jobs that they gladly take the jobs avoided by Koreans. They are not beneficiaries of the Korean society, but are complementary to the society (Park, 2005a).

The individual experiences of pro-migrant activists in relation to the social movements or internal or international migration during the period of democratisation and industrialisation became invaluable resources for both individual activists and the organisations.

A political-economic background: post-democratisation, globalisation and precarisation

Unlike the founding members of pro-migrant organisations, the second-generation members who joined the organisations after the 1997 Asian Financial Crisis had rather different backgrounds and perspectives. Notably, many of my research participants of this group testified they had personal experiences of the adverse effects of the globalisation; thus, they harboured critical perspectives on the global economic forces during their youth. They also grew up or were born after the 1987 democratisation movements, which made them consider democracy as a natural part of life, not as something they had to sacrifice themselves for. The second-generation pro-migrant activists were the most affected victims of globalisation and precarisation, but the beneficiaries of democratisation. The early-generation activists, on the other hand, had relatively less firsthand experience of globalisation, but had been the victims of authoritarian regimes or had struggled and achieved the democratisation.
My research participant, KGD (RP_07), depicts the experience of a second-generation pro-migrant activist. He was employed as a staff member of a non-faith-based pro-migrant organisation in 2004. He attended a university in the 1990s, when the South Korean people began to realise the effect of the global forces in their lives. The government vaunted ‘globalisation’ or ‘seyehwa’ as the panacea of the ‘Korean disease’ (see Chapter 5). It was also eager to integrate the national economy into the global market. The government’s proactive engagement with the free trade regime like the Uruguay Round of the GATT and the establishment of the WTO was broadly perceived to threaten the lives of the disadvantaged people like farmers and the poor. KGD’s first experience of South Korean social movements was to attend a student rally on streets and to shout ‘No to Uruguay Round Negotiations!’ After he graduated from the university, he became one of the victims of ‘the IMF crisis’ and understood what the IMF’s Structural Adjustment Programme meant to his life. Amid storms of layoffs and precarisation, a life-long stable job in a private sector seemed unreachable for a new entrant to the transforming labour market. When he learnt about the precarious conditions of migrant workers, he had a sense of solidarity as a colleague-victim of globalisation, rather than having a charitable mindset as a saviour of poor workers. His participation at a pro-migrant organisation was motivated by his critical perspectives on globalisation, the sense of fellowship with migrant workers, and the practical need for a paid-job.

For another second-generation activist, a lived experience in an origin country was an important motivation. KM (RP_09) worked at a rural village in Indonesia as a volunteer member of the South Korean aid agency, Korea International Cooperation Agency before she joined a faith-based pro-migrant organisation. As the government-led neoliberal ‘globalisation’ projects accelerated in the 1990s, international volunteering emerged as a promising opportunity among the South Korean youth to build up their ‘competitiveness’ in the globalised labour market. The government actively promoted overseas experiences for the youth and also employment at international organisations or transnational corporations. KM was one of the youth in the neoliberalising South Korea. However, her life in a remote village for two years changed her life goal. She learnt both Bahasa Indonesia and the local language, which might have been a useful skill for a well-paid job but eventually became useful for helping migrants. She also had chances to observe the realities of those intending to migrate, returned migrants and their families in the developing country. This made her consider the problems of global inequality and also helped her have a thorough understanding of the migration process. Through her lived experience in an origin community, she was able to overcome ‘the receiving country bias’ (Castles, 2010, p. 1571) which still prevailed.
both in the government and the civil society of South Korea. The lived experience in an origin
country inspired her to commit herself to stand on the migrants’ side.

On the other hand, the voluntary work for a pro-migrant organisation was often a method of
career-building for the youth in preparation to enter the extremely competitive labour market.
The deregulation and flexibilisation of the labour market in the 1990s and the 2000s generated
extremely precarious work and intense competition for slim job opportunities, especially for the
youth. Some of the youth even gave up entering the labour market at all and despondently called
themselves ‘surplus population’, taking the idea from sociologist Bauman (2013). For most of the
others, a probable employment strategy was ‘to accumulate spec.’ (Woo and Park, 2007), in other
words to collect qualifications. Volunteer work for NGOs was a popular option for the youth’s
qualification-collection strategy. For example, a volunteer of Solidarity with Migrants (formerly,
Busan Association for Foreign Workers’ Human Rights) wrote in a bulletin of the organisation that
she was one of the South Korean youth in competition. At the beginning, she had considered her
weekly voluntary work as not more than an extracurricular activity to ‘add a few lines on her CV’
(Lee, 2014a). It was after several years that she realised the meaningfulness of the work.

The experience of voluntary work for NGOs became a social capital in the time of ‘flexibilised’
labour system and precarious work. Since the neoliberal labour system was firmly installed in
society, the commodification of voluntary work was considered a natural stage of life for young
people. The earlier generation was at least able to problematise the transformation of the labour
system and the influences of global forces, because they witnessed how the neoliberal
‘restructuring projects’ were imposed by international financial institutes and embraced by
national neoliberal elites. However, the new generation, born into the neoliberalised society after
‘the IMF crisis’ spread out and naturalised the neoliberal logic of commodification and
competition all over South Korean society, had a different perspective from the earlier
generations. Although they perceived the effects of neoliberal globalisation by experience, the
priority was to survive through the neoliberal era. This is not a case unique to South Korean
society, but rather a global trend, or at least of industrialised societies: for example, Muehlebach
(2012) describes similar cases in Italy.

These cases show both the second-generation activists and volunteers who joined pro-migrant
organisations after ‘the IMF crisis’ often had more transnational perspectives on migration and
more critical perspectives on globalisation and precarisation than earlier generations. While
earlier generations struggled to democratise the nation, the generation of post-democratisation
struggled for survival in the extremely competitive and globalised labour market and the
neoliberal employment system. The difference in the lived-experiences generated differences in perspectives on nationalist sentiment, globalisation, universal human rights and equality. The differences were reflected particularly in the way they created and maintained relationship with migrant workers. The issue is discussed further in the next section.

*Controversies between universalist principle or nationalist strategy*

The different backgrounds of the pro-migrant activists generated controversies over the rationales behind the mobilisation of the movements. A distinctive issue is the dilemma between universalism and nationalism. As mentioned earlier, South Korean scholars, from an essentialist approach, argue the activism of the activist clergy is partly attributed to the universalistic characteristic and transnational structure of the church (Kim, 2011a, pp. 1654-1655). They argue that the missionary work for migrants is based on the religious teachings of Christianity, such as the hospitality to stranger.

However, I take note that some influential pro-migrant activists often appealed to patriotism as the ground of claiming migrants’ rights. For example, Rev. Kim Hae-Seong often stated ‘respect for human rights is an important non-governmental diplomacy’ and ‘warm treatment makes [migrants] pro-Korean, but careless treatment makes them anti-Korean’ (Kim, n.d., p. 26). These statements reveal he perceives the protection of human rights not as a universal value but as a matter of national interest. He may have strategically appealed to the idea of ‘the good nation’ as a way of attracting supports from the public. However, this case clearly exemplifies how some of the activist clergy disseminated nationalist perceptions over the rights of migrants.

This approach is problematic because it allows migrants to be entitled to rights only when it is compatible with the ‘national interest’ or, in other words, the interest of the citizens. It leads to a conclusion that when migrant rights conflict with the ‘national interest’, they may be restricted or withdrawn. This reminds us that when the restriction of migrants’ fundamental human rights are justified by the ‘national interest’, it may lead to a horrendous outcome, as seen in the US post-September 11.

Another influential activist even appealed to ethnocentric nationalism to mobilise the collective actions for *Joseonjok* migrants. Rev. Suh Kyung Suk’s ideological root of activism was, like that of many others of his generation, ethno-nationalism. When he set up the Seoul *Joseonjok Church* in 1999 for missionary and advocacy works exclusively for *Joseonjok* migrants, he publicly urged
that the South Korean society should have the 'love of compatriots' for Joseonjok migrants (Donga Ilbo, 1999). During the protests for the government's preferential treatment and against the deportation of Joseonjok migrants in 2003 (see Chapter 8), he argued that the reinstatement of their citizenship would prevent the Joseonjok diaspora from being assimilated into Chinese society. He publicly claimed 'We can never sit by and watch the reality that our Joseonjok compatriots become Han Chinese' (Lee, 2003a). During the protests of 2003, the primary demand of both migrant workers from various origin countries and South Korean social movement groups was that the government should grant amnesty and working visas to all undocumented workers. On the contrary, Rev. Suh’s position was that the government should grant South Korean citizenship to undocumented Joseonjok migrants.

His ethno-nationalist approach attracted considerable attention from politicians and the media and eventually made a noticeable achievement as illustrated in Chapter 8 (see also Yeo and Im, 2003). However, pro-migrant activists and migrant workers severely criticised his strategy for inventing an excuse for discriminating non-ethnic-Korean migrants (see Hankook Ilbo, 2003). Others were concerned it might cause diplomatic disputes and adversely endanger the Joseonjok migrants, considering the Chinese government's prohibition of dual citizenship (see Kim, 2003c).

These two cases show that although the universalist principle of religion might have contributed to motivating the activist clergy to get involved with migrants’ issues, it was not consistently applied to their strategies and activities. Instead, they accommodated themselves to patriotism and ethno-nationalism. The both ideologies have been the predominant ideologies organising the society throughout the modern history of South Korea, as historical-anthropologist Han (2007) commented. Although the mobilisation of patriotism and ethno-nationalism may have some short-term effects of protecting the migrants of Korean origin, they practically excluded the migrants of non-Korean origin. As Piao (2011), sociologist of Joseonjok-background argued these approaches eventually isolated Joseonjok migrants from the social movements of migrants in South Korea.

Also, I argue these approaches eventually contributed to justifying the government's propaganda for neoliberal restructuring. It is notable that, in the process of transformation toward a neoliberal society in the 1990s and the 2000s, the South Korean government actively promoted the patriotic and ethno-nationalist ideologies in linkage with the neoliberal political agenda. For example, ‘reinforcing national competitiveness’ in the global market, ‘creating new Korean nation’, ‘Korean nation’s potential energy to overcome the IMF crisis’, or ‘fostering the growth of the global corporations of Korean origin’ were the most often disseminated discourses during the

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period, as the inaugural statements of the President represent (see JoongAng Ilbo, 1998, Pressian, 2008).

This ideology was reflected in the South Korean immigration policy as ‘hierarchical nationhood’ (Seol and Skrentny, 2009, p. 147) for ‘national interest’, which essentially gave preference to Joseonjok migrants in the labour market over migrants of other origins. Social movement activists like JYS (RP_13) criticised this policy for ‘institutionalising the discriminations on the basis of ethnicity, disseminating the discriminatory perceptions in the public, and eventually manipulating the public opinion for the economic and political interest of the advantaged class’. Also, other activists like CHM (RP_14) were also concerned that the social movements’ employment of patriotic and ethno-nationalist strategies might eventually generate xenophobic sentiments among the public and even in the civil society.

**Dilemmas between faith and advocacy**

According to a utilitarian approach, the church’s outreach to migrants is a survival strategy to expand resources and membership (see Kim, 2011a, p. 1650). Recent increases of religious groups’ involvement in services-provision for migrants substantiate this argument: the number of churches that claimed to be a ‘multicultural church’ or a church for migrants ‘explosively’ increased (see Table 9-1). According to an analysis of the utilitarian approach, this is related to the underdevelopment of South Korean churches (Kim, 2013b). After they achieved an impressive growth in membership and wealth from the 1960s to the 1980s, often noted as the ‘Christian success story’ (Kim, 2002, p. 291), the South Korean churches experienced a stagnation in the 1990s (see Figure 9-1). The increased migrant population was an opportunity for the churches to make a new leap forward and to increase their membership. It was particularly important for the newly-established or small churches that had little chance to recruit local members, because the mega-churches, some of which were the world’s biggest both in membership and in wealth, already held a huge number of middle-class members and had political, economic and cultural influence (Kim, 2013b). According to an analysis of YH (RP_05), a former senior member of a pro-migrant organisation, the minor churches strategically turned their attentions toward the newly arrived migrant populations. This strategy spread throughout South Korean churches, making a boom of ‘multicultural missionary work’.

The main interest of these churches was the conversion of migrants from non-Christian cultures to Christianity. For example, the Jubilee Mission Fellowship, which has significantly contributed to
the medical services for migrant workers since its establishment in 1991, is a pathfinder of the religious propagation-oriented groups. This organisation identifies its primary objectives as the ‘propagation of gospel, training, formation of religious communities for Filipino, Muslim, Hindu, Chinese and Joseonjok’ (Jubilee Mission Fellowship, n.d.). The latecomers, mostly established in the 2000s, tend to be more proactive than the earlier groups. For example, a missionary organisation Friends of All Nations, of which Korean name means Korea Foreigner Missionary Association, was established in 2001 with local branches throughout the country and overseas missionaries. This organisation states its visions are ‘to convert migrant workers to Christianity’, ‘to train them as missionaries’ and ‘to return them to set up churches in their home countries’ of non-Christian cultures like Thailand and Vietnam (Friends of All Nations, n.d.).

Table 9-1 Increase of ‘multicultural churches’, 1995–2009

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<tr>
<th></th>
<th>1995</th>
<th>2000</th>
<th>2009</th>
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<tr>
<td></td>
<td>40</td>
<td>120</td>
<td>560</td>
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Source: Kim (2010b, p. 20)

Figure 9-1 Christian (Protestant) population and its ratio to total population, 1950–2015

Source: Chung (2014a) and Statistics Korea (2017).
The religious propagation-oriented organisations were often criticised for their aggressive missionary work. It was occasionally reported that the mission-oriented organisations demanded migrant workers of other religions, typically Muslims, to attend the church's worships or to be baptised as a condition of receiving welfare services or subsidies (Woo, 2003). An activist clergyperson, Woo (2003) was concerned this 'commercialisation' of the church's services for migrants would eventually fail in the propagation of Christianity. Non-religious groups were concerned they might lead to religious conflicts or even violence (Shin, 2010b). Also, it has to be noted that these practices involved the violation of migrants' freedom of religion, one of fundamental human rights as enshrined in international human rights laws.

Whether to give priority to either religious faith or advocacy was a dilemma of the activist clergy. Having social movement backgrounds, they tended to avoid imposing their religious faith on migrants. However, when they encountered unexpected behaviour of migrants, especially against their religious faith, they turned to the idea that the workers should be converted. Rev. Kim Hae-Seong stated in an essay published in a Christian-owned newspaper:

> Once, a Bangladeshi worker came to me with a severed hand. I made the employer pay him 30 million Won. After he returned to his home country, I received a letter from him. He wrote he bought a pretty young woman. He had already had a wife and children. [...] Another worker earned money and returned, but became a vicious employer. Others became alcoholic or drug-addicted with the money they received for the compensation of industrial accidents. Whenever I heard such news, I felt depressed because all my efforts failed. [...] They needed to be reborn by the Gospel with the wisdom of hindsight. [...] With 10 million Won, we can set up a church and have services in their hometowns. In April 2002, the Ministry of Justice granted one-year grace period to illegal foreigners if they voluntarily report [...] It was an opportunity given by God. We preached the Gospel at the site where the illegal migrants came to report to the government (Kim, n.d., pp. 28-29).

This case also implies the faith-based pro-migrant organisations considered the return of migrants as an opportunity to accelerate the propagation of their religious faith across national boundaries. It affected their stance toward the government's return policy. When the government announced the one-year grace period, the faith-based group hesitantly accepted it and indirectly promoted the return of irregular migrants. This approach contrasted with the positions of progressive social movement organisations, trade unions and migrant workers, who severely
resisted this policy and denounced it as a mere deception and justification of violent deportations after one year (see Chapter 8).

**Ambivalent or cooperative relationship between migrant workers and pro-migrant activists**

**Unequal and ambivalent relationship**

The relationship between pro-migrant organisations and migrant communities was not always as constructive. Non-migrant activists often took for granted hierarchical relationships between activists and migrants, especially when they were in the position of a clergyperson who looked after his or her migrant congregation. The hierarchical relationship between the clergy and their congregation is occasionally found in some South Korean churches; however, it is also common that senior members of congregations are more influential in a church's decision-making than the pastors who they hired.

The service provision-oriented approach and the paternalistic and charitable attitudes of the early leaders of both faith-based and non-religious pro-migrant organisations are often criticised for reinforcing the unequal relationship between migrants and pro-migrant activists. As a strategy of fund-raising, the early activists often projected the image of migrant workers as poor service-recipients. The media amplified and reinforced the unequal relationship by disseminating the image of a charitable and good priest kindly helping vulnerable and poor migrants. The paternalist and patronising perspectives on migrant workers were spread throughout the society as well as the government policy, as South Korean sociologist Shim (2007) pointed out.

The unequal relations sometime generated migrant workers’ distrust of non-migrant activists, which led to separation from pro-migrant organisations. Migrant activist Mahbub Alam’s experience plainly depicts the ambivalent relationship between a faith-based organisation and migrant workers. He recalls his experience in an autobiographic essay:

> When we worked together with [...] organisation affiliated with the church, [...] we were not considered as the main agents of the project which is about us. When the church prepared this event and that, we were always expected to be attendees or audiences and
to fill the auditorium. However, I thought ‘I still have to be with this church and organisation. Otherwise, we will receive no help.’ We were too weak. [...] Although we disagreed about many things, I did not doubt their good will. [...] The ETU-MB offered me the Union’s representative for Namyangju city and we participated in the ETU-MB’s campaigns against the introduction of the EPS. But, it led to an argument with a priest of the S organisation. They did not understand why we wanted to participate in the rally. ‘Why do foreigners want to go to rallies? You are not Koreans. If you go to rallies, you will get arrested!’ [...] We were very much disappointed with these people [...] I realised they had objectified migrant workers and considered us only as ‘someone who need help’ (Alam, 2010, pp. 69-71).

The experience of the ambivalent relations eventually made migrant workers realise the importance of their empowerment as political entities. Alam again stated:

I happened to read a newspaper article about the priest of the S organisation. It was entitled ‘The father of foreign workers, the OO priest at Maseok’. This title drove me mad. ‘What a father! Migrant workers are not children... We are not the objects [of their service] who always need to be protected. [...] The help of several organisations will not solve our problems. We need to take actions to make migrant workers the activists.’ I learnt ‘our voice’ is important. We should not rely on a powerful church or a famous pastor or priest. We should speak about our problems with our voice (Alam, 2010, pp. 69-71).

Another controversial example of the relationship between faith-based pro-migrant activists and migrant workers is found during the struggles of Chinese migrant with Korean ethnicity (Joseonjok) to achieve the ‘preferential treatment’ for ‘co-ethnic’ migrants. Joseonjok’s self-organised association was incapacitated by the government in the mid-1990s (see Chapter 8). Since then, church-based pro-migrant groups had dominated the advocacy movements for Joseonjok migrants. The performances of two churches were distinctive: the Seoul Joseonjok Church led by Rev. Suh Kyung Suk and the Seoul Foreign Workers and Diaspora House of Rev. Kim Hae-Seong. Both were at the front of proactive movements for the policy of preferential treatment of Joseonjok migrants (see Chapter 8). The churches effectively synthesised religious propagation and advocacy movements and mobilised collective actions. Undocumented Joseonjok migrants desperately sought to avoid deportations and extend their stay in South Korea. But, it was hard for them to take any collective action without an organised community. Instead, many Joseonjok migrants, who had communist backgrounds, individually joined the churches and converted
themselves to Christianity. The churches practically provided them with a platform of collective action and spiritually gave them a hope not to be deported by the favour of religious saviours.

Unequal relations between the non-migrant service-provider activist clergy and the migrant parishioners in desperate situations inevitably generated a hierarchy. Also, the clergy's paternalistic and patronising attitudes toward the migrants made the hierarchy even worse. There was little room for empowering and subjectivating the workers as the agents of the movement. A Korean scholar with the background of Joseonjok migrant Piao (2011) criticised that the paternalistic and patronising approaches rendered the Joseonjok migrant community dependent on pro-migrant organisations.

Despite the unequal and hierarchical relations and the paternalistic and patronising attitudes of some pro-migrant activists, migrant workers still approached the organisations by strategic choice for their survival. They went to the service-providing churches and organisations, even though their religious beliefs conflicted with them. Mahbub Alam recalls his first encounter with the above-mentioned church-based organisation:

We wanted to be with the church just because we thought they wanted to help migrants. But, they seemed to want us to attend their religious services, too. [...] ‘Attend church every Sunday. After services, you can have free meal. There are gifts, so pick one up with you.’ They were kind. But, we felt uncomfortable with the free meals and gifts [...] We had no other choice. [...] I thought we had to do as they wanted, if we want to get help from them. [...] Some friends blamed me for taking Muslim friends to the Christian church. 'What are you doing now?' 'No, just calm down. Let’s just pretend to be like this for now. It would be helpful for handling our friends' problems.' (Alam, 2010, pp. 65-66)

**Empowering migrant communities**

The case of Solidarity with Migrants (SOMI) and migrants’ self-support associations in Busan shows how the relationship between pro-migrant organisations and migrant communities could develop in constructive ways. Several years after the organisation was established, non-migrant activists of the SOMI realised the service-provision-oriented activities had only increased migrant workers’ dependency on non-migrant activists, which made them concerned about potentially unequal power relations between the migrants and non-migrant activists. They also realised it had exhausted the non-migrant activists so seriously it might render the movement
unsustainable. Kim Gru, a non-migrant activist of the SOMI, who I met several times during my field research in 2012, reflects her experiences at a workshop of migrant and pro-migrant activists:

The counselling for migrant workers has been considered as a 3D job. Activists could not continue it longer than one or two years. [...] A common reason was that the activists were exhausted by the job. Non-migrant activists had to do everything from A to Z on behalf of migrant workers. The more vulnerable a migrant worker’s condition was, the longer was the to-do list. [...] The problem is this repeats forever. [...] I often asked to myself ‘Is this a social movement or what?’ When I did things for migrants, many of them bowed low to me and made me feel like being a charitable person. Whenever I faced such situation, it made me so angry. This was not the reason why I wanted to do this job. ‘I want to do a social movement!’ (Kim, 2016b, pp. 29-30).

The SOMI realised the emphasis of their activities should be turned to the empowerment of migrant workers. It endeavoured to assist migrants in organising their self-support communities: for example, it organised ten ‘leadership training programmes’ between 2001 and 2006. As a result, Bangladeshi, Vietnamese, Indonesian and Filipino communities were organised in 2001 and 2002 in Busan. The associations of migrants began as self-support communities through which the members helped each other when someone was in difficulties. Once the leaders of the migrant communities were experienced, they gradually replaced the non-migrant activists by taking over the service-provision activities. The migrant leaders also actively participated in the migrants’ collective actions and mobilised their colleague migrant workers to join the protests, especially during the struggles against the ITS and deportations in 2002 and 2003. Later, the migrant leaders joined the SOMI as full-time staff members. Kim Gru declares that ‘the time of migrant activists is upon us’ (Kim, 2016b, p. 33) at least for the SOMI. At the workshop, she proudly acknowledged that the migrant activists often dominated the SOMI’s activities, which made her feel awkward to be an activist of non-migrant background.

In 2008, the migrant communities formed a network between each other by the name of Solidarity for Equality of Migrants in Korea (SEMIK). This network had an equal partnership with the SOMI, not being a subordinate affiliate of the pro-migrant organisation. It actively participated in the alliances of migrant and pro-migrant organisations and sought to challenge the South Korean temporary labour migration policy. During the elections for the local government, the SEMIK also became involved in local politics by proposing political agendas for migrants in Busan. It also organised cultural events to contribute to promoting the local people’s awareness of
respect for diversity and multiculturalism. The SEMIK was initiated by the efforts of the SOMI’s pro-migrant activists, but it has transformed the SOMI from ‘for migrants’ to ‘of migrants’ organisation. Kim, Gru’s comment represents what the transformation was about:

In the past, migrant activists used to perceive the SOMI as ‘a good organisation which gives us help’. However, [...] they have built the confidence that ‘I belong to this organisation; this is my space; and my life is meaningful and valued here.’ Whenever we organised an event or an action, we realised the organisation’s dependence on migrant activists had grown ever (Kim, 2016b, p. 40).

*Changing languages and relationships*

As discussed earlier, the founding members and the second-generation activists of pro-migrant organisations had different backgrounds and perspectives, which affected their attitudes towards migrant workers. The differences in their attitudes were often reflected in the language that the activists and migrant workers used to address each other. Throughout my participant observations and the interviews of the activists and migrant workers, I noticed that there were some significant differences in address terms that they used when they referred to each other. Some activists used honorific terms when they referred to migrant workers, while others did not. Some migrant workers called their South Korean colleagues ‘comrade’, while others called them by their social position and honorific suffix.

For example, my research participant, KGD (RP_07), had been mostly called ‘Mr K’ by migrant workers, which is not considered as an honorific form in the South Korean context. It did not change even after he held higher positions in his organisation. When he spoke to migrant workers, he often used the term ‘hyung-nim’, which is the honorific term for a big brother in Korean, or ‘Mr’ or ‘Ms’ for very young workers. This is compared with the practice that the activist clergy are mostly called as ‘moksa-nim’ or ‘shinbu-nim’, the honorific terms for pastor or priest; or the senior activists often called as ‘seonsaeng-nim’, which is the honorific term for teacher or elder person. An activist clergyperson who I met often used the term ‘chingu’, which literally means friend but is also used to call a younger fellow; some even used the term ‘ae’, which means child. In South Korean culture, the clergy is referred to with honorific term by their congregation. However, it is not common for them to speak to their congregation with these terms.
Trade unionists and pro-migrant activists seriously reflected upon the importance of address terms in making relationships with migrant workers. For example, at a training course for KCTU members, the Head of Consultation Department at Incheon Regional Council of the KCTU, reiterated that the use of respectful terms of address is a basic attitude required for trade unionists working with migrant workers:

When you accompany migrant workers [...] you would vividly experience how the South Korean society treats migrant workers. Typical examples are ‘address terms’ and ‘talking down’. Employers and even some government officials often call migrant workers with ‘Ya [close to ‘hey’ in English but in impolite manner]’, ‘Neo [close to ‘you’ in English but in impolite manner]’ or by their name only [without address term]. They frequently talk down to migrant workers [...] Even some counsellors [of pro-migrant organisations] too. However, we should remember migrant workers come to counsellors to seek a protection of their rights because they have experienced the South Korean society’s disrespect for them. Thus, we should never treat them like that. If we consider the migrant workers are our colleagues and comrades who will go together for the movement, we should have even more respectful attitudes toward them (Kim, 2016a, p. 34).

These examples show the intentional efforts of the second-generation pro-migrant activists to create an equal relationship with migrant workers. As sociolinguists point out, the use of address terms reflects not only the intimacy or solidarity between speaker and addressee, but also the power relations between the two. The speaker’s choice of address terms often exhibits whether he or she expects an equal relationship with the audience or not, although it may also function to mask the stratification in the relations (Fillmore, 2003). Studies also show the asymmetric use of address terms often indicates the inequality in power, while the mutual use of the terms is related with familiarity (Brown and Ford, 1961). Korean language has a particularly extensive system of honorifics to reflect the hierarchical relationship between speaker and addressee (Choo, 2006). Korean speakers have developed various ways of using the title and last or first name and also of combining them when they name an addressee (Park, 1997). Thus, the types and forms of address terms between two people are a barometer that indicates the power relationship between the two.

I suggest the second-generation activists’ efforts to create an equal relationship with migrant workers through using non-hierarchical address terms are related to the emergence of the human rights movement among the citizens’ movement group during the post-democratisation period.
The human rights movement groups tended to put particular emphasis on creating equal relations between the activists and the victims as well as among the activists, as they are all equal human rights-holders. Some began to refuse to use any hierarchical address terms at all. The usage of new and equal language including address terms was an important symbolic strategy of the human rights movement. However, many of the earlier-generation activists were uncomfortable with such experimental practices that challenged their superiority in the hierarchy. The hierarchical formality, status, position and title were still important to many of the senior activists.

**Regression or progression of the migrant and pro-migrant social movements**

**Collusion or antagonism to the EPS’s governance mechanisms**

After the South Korean government introduced a paternalistic ‘assistance’ policy for migrant workers as a governing mechanism of the EPS (see Chapter 7), many pro-migrant organisations, especially those that called themselves a ‘migrant support organisation’, turned their identity toward becoming a service deliverer.

I argue that they exemplify the pro-migrant organisations’ incorporation into the governing mechanism of the temporary labour migration policy. Although the institutionalised service-provision increased in volume due to the government's funding, this did not mean the government policy changed to allow migrants to enter mainstream South Korean society or the labour market. The pro-migrant organisations’ implementation of the governing mechanism of the EPS only intensified the objectification of a migrant worker as a unit of workforce not as a rights-holder.

As discussed in Chapter 7, the government required more standardised and institutionalised service-provisions to migrants. The government’s funding depended on the organisations’ performances, measured by quantified methods. The government-sponsored organisations became busy with processing the migrant clients’ complaints without resolving the root-causes of the problems. This is an example of how service provision is ‘commodified’ and how the migrants’ discontent with the system are treated with impediment measures.
The governing mechanism of the EPS relating to service provision postpones the possibility of the ‘countermovement’. As the pro-migrant organisations became more dependent on the government’s resources, the government gained more controls or influence over the organisations. Many pro-migrant organisations became no more critical about the government policies or interested in addressing structural problems. The number of such organisations rapidly increased after the EPS was introduced. According to an estimation from the government, there were more than 740 governmental or non-government organisations working for migrants in 2016 (Ministry of the Interior and Safety, 2016). Only a handful of them remained independent from the government’s financial assistance and critical of the government’s migration policy.

Those organisations that took up the role of the government’s service deliverer gradually became inactive in the coalitions aiming at institutional changes, like the JCMK and the MNR. Some of them withdrew their membership from the coalitions or the coalitions expelled others. Pro-migrant organisations divided into three types: those which accepted the government’s offer to function as a service deliverer, those which failed to be selected to work for the government, and those which refused the opportunity and sought to assume the role of watchdog. The first group organised the Council of Foreigner Support Organisations in 2008 to exchange their experiences and concerns. The second group organised the National Coalition for Immigrant Care in 2010, which aimed at supporting its member organisations to be selected as a subcontractor of the government programme (see Jeong, 2011). Most of the third group remained either in the JCMK or the MNR while some of them sought to organise an alternative network like Alliance for Migrants.

This situation weakened the movement’s capability to propose a political agenda or to pursue political actions for migrants. As mentioned in Chapter 8, it became a major factor in the decline of migrant workers’ collective actions as well as the pro-migrant organisations’ involvement in social movements. As many of my research participants stated (RP_07, RP_14, RP_15, RP_20, RP_21), many organisations were ‘trapped’ by the government-outsourced service-provision programmes. Although many activists felt the movement was at risk, it was hard to escape from the ‘trap’ because their activities already relied heavily on the government-set system.

The expansion of the service-provision approach even adversely contributed to the rising claims of reverse discrimination. Some socially disadvantaged people began to organise xenophobic groups, which the major newspaper was concerned might become a ‘Korean version of KKK’ (Kwak and Kim, 2012). At a rally organised by this group, which I had a chance to observe (PO_08), they claimed they were excluded from social protection due to the government’s excessive
services to migrants who took away their jobs; thus, the ‘multicultural policy’ should be withdrawn. They are partly influenced by the media’s stigmatisation of undocumented migrants as ‘potential criminals’ (Woo and Woo, 2014). South Korean scholars identified that the rising xenophobia arose from ‘resistance to multiculturalism, established as political correctness’, ‘fear of the neo-liberal system’, and ‘a distorted adherence to the West’ (Kang, 2014, p. 8). Also, I argue the exclusionary nationalist ideology and the paternalistic service-provisions contributed to the rise of the anti-migrant sentiments among the disadvantaged local people. I also argue this case is a retroactive example of the ‘countermovement’.

**Challenging neoliberal globalisation and precarious work**

Nevertheless, a small number of activists still seek an alternative direction. They identify themselves as social movement activists distinguished from service deliverers. However, the intensified lack of resources creates an insurmountable obstacle. The South Korean public has become less interested in sponsoring political actions for migrants, of which outcome is less visible than that of direct service provision. The newly arrived EPS workers have also become less interested in collective actions to claim their rights, but more satisfied with practical services provided by the government-sponsored organisations.

Under these conditions, *KGD* states, it is a challenging task to set up a vision for his organisation as social movement-oriented:

> We had to decide whether we would become a service provider like others or remain as a ‘human rights organisation’. We do not have to provide the services any longer, because they are now done well by the government-sponsored organisations. With the government-funded resources, they can certainly do better than we do. Instead, we try to focus more on awareness-raising for the public or on agenda-setting for policy. Well… counselling work still continues. The workers who come to us are only those who have very complicated cases that the government-sponsored agencies couldn't handle. Very tricky cases. We are now left with difficult jobs. Also, we have less money than before, so we have to reduce programmes, budget, and even space! Yes, doing a social movement is very difficult (RP_07).

The service provision-oriented organisations gave up their roles as watchdogs of the government’s policy. They also failed to extend their perspectives toward addressing the
structural problems of society. They rarely discuss the structural changes that predominate the society and migration processes: the neoliberalisation of the labour market, of the mode of production management, and of all social relations. Individual migrant workers’ problems were not understood in the political economic context of neoliberal transformations. While they concentrated on the resolutions of individual cases, they hardly involved themselves in the discussions about how the South Korean employment system was transforming or about what were the driving forces behind the precaritisation of work. They rarely discussed or cooperated with the growing labour movements against the ‘non-regular’ and precarious employment or the resistances against neoliberal globalisations.

In this context, it is notable that a small number of the social movement-oriented groups have been re-launched. The Alliance for Migrants’ Equality and Human Rights has recently taken a leading role among the social movement-oriented pro-migrant organisations. As mentioned earlier, this network was organised by diverse groups: trade unions (e.g. the MTU, the KTCU and the National Council of Non-regular Workers’ Union), pro-migrant organisations and their coalitions (e.g. Korea Migrant Rights Centre, Asia Chang and the MRN), the anti-capitalist or anti-neoliberal globalisation movement organisations (e.g. People’s Solidarity for Social Progress (PSSP), All Together (later renamed to Workers’ Solidarity), National March of Students), faith-based human rights groups (e.g. Catholic Human Rights Committee, Human Rights Committee of Association of Korean Buddhist Orders), lawyers (e.g. GONGAM-Public Interest Lawyers’ Group, MINBYUN-Lawyers for a Democratic Society) and a migrant community (KASSAMAKO). This group played a crucial role in coordinating the series of the migrant workers’ protests in 2012, as illustrated in Chapter 1.

The Alliance for Migrants explicitly called for the abolition of the employer-driven temporary labour migration scheme and the introduction of the Work Permit System, which ensures the workers have the right to choose a job and the pathways to permanent residence. It also discussed the linkage between the temporary labour migration scheme, non-regular or precarious work, capitalist accumulation and racism. The members of the Alliance shared the perspective that the South Korean temporary labour migration scheme imposes ‘non-regular or precarious work’ on migrant workers to accelerate ‘the South Korean capitalist accumulation’ and reinforces ‘racialisation of labour’, as articulated by social movement activist, Im (2011b).

In 2012, I followed the series of their executive meetings and public forums for the preparation of protests and rallies (PO_07, PO_14-17, PO_24, PO_26-31, PO_34, PO_36 and PO_40) as a part of my field research. Throughout the research, I was able to observe the non-migrant activists’
efforts to encourage the MTU and migrant communities to take the leadership of the movement. The pro-migrant activists' role was to inform the workers of the changing government policies that would affect migrants' lives, to assist them in making decisions, and to facilitate the migrant workers' self-organised actions. Neither paternalistic nor patronising attitudes were found throughout the series of events. As my research participant JYS (RP_13), co-convenor of the Alliance, commented, the pro-migrant activists were devoted to empowering the migrants and fostering them to be the principal actors of the movement.

I argue this new group of social movement-oriented pro-migrant activists are the core actors who assisted the revival of migrant workers' collective actions in 2012. Their claims are indeed not much different from those of the migrant protestors in 2003 and 2004, before the EPS was introduced. Thus, I argue the series of protests in 2012 are a continuation of the migrant workers' earlier struggles against the temporary labour migration scheme. It is significant that a member of the Alliance repeatedly reminded of a resonant speech of Busra Rai, a migrant activist of the 2003 and 2004 struggles:

The martyr Chun Tae-il made ‘the declaration of human’ by exclaiming ‘We are not machine’, ‘the declaration of workers’ by claiming ‘Observe the Labour Standard Law’, and ‘the declaration for struggles’ by leaving a will ‘Do not waste my death’. It is the time for us, workers, to inherit his spirit and to achieve the emancipation of workers by the solidarity across the borders and nations (Jung, 2012, p. 14).

‘Transformative quality’ of migrant and pro-migrant movements

In Chapter 2, I suggested a theoretical account that the case of South Korean social movements against the state's temporary labour migration policy forms a countermovement against the neoliberal commodification of labour and migration. Temporary and irregular migrants are 'politically disenfranchised populations whose political marginality is compounded by various socio-economic problems' (Castles et al., 2014, p. 296) and also a significant part of the global precariat (Standing, 2014a). The temporary migrant workers in South Korea are not exceptions. Having neither citizenship nor permanent residence status, the temporary migrant workers had almost no access to decision-making for South Korea's labour migration policy which had critical impacts on their lives. Their frustrations and claims were conveyed or translated by pro-migrant activists, who had their own causes. Depending on the religious, ideological or economic
backgrounds, the migrant workers were treated either as beneficiaries of charity service, holders of human rights or comrades for transnational labour movements.

Whether their movements had ‘transformative quality’ is an intrinsic attribute of a social movement as an expression of countermovement. It distinguishes the social movements from ‘consensual movements’ that eventually contributes to reinforcing the current social systems (Della Porta and Diani, 2006, p. 23). As discussed in Chapter 2, the three perspectives are found in migrant resistances in relation with their transformative quality (Tyler and Marciniak, 2013): first, being limited to ‘integrationist politics’; second, challenging existing legal and political frames and seeking to gain the ‘rights of citizenship’; third, emphasising the ‘autonomy of migration’ and ‘migrancy’ as a ‘creative and productive form of movement’ to ‘escape’ and ‘exceed’ the current legal and conceptual frameworks of citizenship (Papadopoulos and Tsianos, 2013, p. 178). The social movement activists of the third approach, in practice, mobilised ‘the category of “worker” to defetishize the figure of the “immigrant” or “illegal”’; reconceptualised ‘migrancy as strategies to escape from economic abjection; and sought to build ‘political solidarities’ of ‘precarious workers’ (Tyler and Marciniak, 2013, p. 148).

I argue the migrant and pro-migrant activisms in South Korea, as illustrated in the previous and this chapter, exemplifies the three perspectives of Tyler and Marciniak (2013). During the early stage of the movement in the 1990s, both migrants’ resistances and pro-migrant movement of the ‘faith-based organisations’ and ‘citizens’ movement organisations’ began as challenges to existing legal frames which reject migrant workers’ labour rights and basic human rights and continued ‘to gain the “rights of citizenship” like legal aid and welfare’. The struggles on the introduction of the EPS in 2003 and 2004 were, however, a watershed in the movement. Since the South Korean government assured the minimal institutionalisation of migrant workers’ basic human rights by introduction of the EPS, many organisations and activists recognised it as the achievement of the ‘rights of citizenship’.

The movement was divided to two groups. First, most faith-based organisations rapidly, and many citizens’ movement organisations eventually, turned into collaboration with the government and acted as agents delivering the government-funded humanitarian services to ensure the effective implementation of the temporary labour migration scheme. They stopped or significantly reduced their roles as watchdogs of government policy or even as advocates for migrant’s rights; instead, they eventually contributed to reinforcing the temporariness and the ‘rotation’-principle of migrant workers. According to the words of Papadopoulos and Tsianos (2013, p. 178), this group confined itself into the ‘integrationist politics’. However, considering
the exclusive nature of the employer-driven temporary labour migration scheme without any access to permanent residence, their service provisions are only a temporary integration fundamentally based on exclusionary principles.

The second group emerged throughout the series of migrant worker’s self-initiated resistances throughout the 1990s. This group of migrant workers and pro-migrant activists grew to a significant force of the migrant movement through the struggles against the introduction of the EPS in 2003 and 2004. Most of the members were either undocumented migrant workers with expired immigration status or pro-migrant activists who had challenged the precarisation of work as a part of anti-neoliberal globalisation movement. They maintained the uncompromising stand against the employer-driven ‘Employment Permit’ temporary migration scheme but insisted on a work-permit which allows migrant workers to choose their jobs and have access to transferring to permanent residence. In the words of Tyler and Marciniak (2013, p. 148), these activists sought to promote the category of ‘worker’ as a way of ‘defetishizing the figure of the “immigrant” or “illegal” and also to build ‘political solidarities’ of both migrant and non-migrant ‘precarious workers’. Since the EPS entered into force, however, this approach rapidly waned away. Many of the leadership were either deported during immigration raids or left the country with disappointment about the failure of their struggles. Most temporary migrant workers who newly arrived under the EPS had not yet been able to build a class consciousness as precarious temporary migrant workers. The pro-migrant activists who supported this group also lost their influences. The majority pro-migrant groups denounced them as being too radical or driving migrant workers into risk, which rooted in a long-standing debate among various groups of social movements not only in South Korea but also worldwide: ‘whether a movement will rupture the existing social and political narratives, practices, status and order or reproduce them’ (Bassel and Lloyd, 2011).

The transformative quality of the early migrant resistances was barely retained by a small group of workers, mostly the MTU’s members who were organised in the aftermath of the failed struggles against the EPS in 2004. A small group of pro-migrant activists who were also involved in anti-neoliberal movements also continued to claim the employer-driven temporary labour migration system should be replaced by a work-permit system that allows migrant workers’ right to choose a job.

Their transformative claims, which had been considered as ‘radical’ by the majority migrant workers and pro-migrant activists, began to gain currency only after eight years by the time when the temporary labour migration system began to withdraw the temporary right to work from the
first arrivals under the EPS. Newly arrived EPS workers who were designated to agricultural or fishery sectors also began to join the ‘Stop, EPS!’ movement, since they experienced extremely poor working conditions due to lack of the government’s supervision. The series of resistances of migrant workers and pro-migrant activists in 2012 were a sign of the revival of transformative quality in migrant’s resistances. Since they were also linked with the precariats’ movement against the neoliberal precarisations and globalisations, the resistances considerably form the sprouts of a protective countermovement which challenges the fictitious commodification of labour and migration and, eventually, re-embeds economy and migration into society.

**Conclusion**

This chapter discussed the third set of my research questions as presented in Chapter 1: ‘what are migrant workers’ experiences of the scheme and in what way have they engaged with the policy process, especially in connection with South Korean social movements?’ with a focus on engagement with South Korean civil society.

As mentioned in the previous chapter, South Korean pro-migrant organisations actively engaged with migrant workers’ collective actions. They assisted migrant workers in organising collective actions and negotiating with the government and employers on the workers’ behalf. This chapter showed the pro-migrant activists had already engaged with migrant workers, even before the migrant workers began to express their grievances and resisted against the appalling working conditions.

Some pro-migrant organisations, often faith-based, tended to ignore the problem of the objectification of migrant workers and to consider the migrant workers as ‘those who need help’. This tendency corresponds to the government’s ‘paternalistic approach’ (Shim, 2007). Other organisations, often citizens’ movement-oriented groups and migrant communities, prioritised the empowerment of the workers and sought to encourage the agency of migrant workers in the social movements. The pro-migrant organisations had internal debates about their priority between the systematic change of migration policy and the provision of services to individual migrants. Those who sought systematic changes are considered a part of the South Korean social movements, while the others would be best characterised as service providers or ‘consensus movement’ (Della Porta and Diani, 2006, pp. 22-23).
Also, it was found that some pro-migrant activists intentionally mobilised patriotism or ethnonationalist sentiments as a strategy for improving the conditions of migrants, especially *Joseonjoks*. However, this approach was challenged by both migrants of non-Korean origin and non-migrant activists of globalist motivations.

The faith-based groups tended to have two distinctive approaches: some concentrated on the aggressive propagation of religion, while others were more concerned about institutional changes for the improvement of migrant workers’ conditions. Nevertheless, most faith-based groups considered the religious faith as their fundamental objective. The aggressive mission-oriented organisations are often criticised for considering migrants as the target of religious conversion, which is far from a multicultural and religiously tolerant attitude. The religious faith was the strength of this group in relation to mobilisation of collective actions. However, the dogmatic approach of some leaders often became a source of the breakdown of coalitions, weakening the movement.

After the EPS was introduced, the movement declined. Many faith or charity-oriented groups turned into service deliverers of government programmes. Most of them gave up the role of watchdog but became dependent on the government’s funding and control. The pro-migrant organisations’ collusion may be a countermeasure to protect society from extreme exploitation. However, they eventually reinforced the governing mechanisms of the temporary labour migration schemes and functioned to promote the commodification of migration and labour.

The new generation of social movement activists in South Korea, which emerged in the context of post-authoritarianism and neoliberal globalisation, offered new perspectives to the movements. The non-migrant activists joined the movement with various causes: faith, humanitarian, justice, anti-capitalism, solidarity with precariat. Despite various personal backgrounds, they identify the experience of globalisation and precarisation as important motivations for their activism. They considered migrant workers as the colleague-victims of global transformations; thus, they were motivated by a sense of solidarity rather than by the emotion of charity, unlike the earlier generation. Although they are limited in political influences in policy-making process, it is significant that they maintain the transformative quality of the early migrant resistances as well as of the anti-neoliberal movements to claim the employer-driven temporary labour migration system should be replaced by a work-permit system that allows migrant workers’ right to choose a job. They are recently emerging as new leaders of social movement-oriented pro-migrant organisations.
This project began with three questions that arose in the course of my field research in 2012, South Korea: ‘what had brought the migrant workers to South Korea?’; ‘why does the South Korean government restrict the migrant workers’ free choice of job?’ and ‘why do the migrant workers and pro-migrant local activists protest against the South Korean labour migration policy?’ A review of political economy, policy studies and social movement studies literature informs us that these questions involve three research areas: international migration in the context of global and national labour markets; the temporary labour migration scheme as a part of employer-driven state policy; and social movements including both migrants’ self-organised and non-migrants’ pro-migrant movements. Thus, the primary purpose of this thesis was to answer the three grounded questions in theoretical terms and analyse the inter-relations among the three areas in the context of neoliberal transformations of the South Korean society.

Like many other contemporary critical social scientists, I made use of Karl Polanyi’s (2001 [1944]) three critical concepts: fictitious commodification that entails disembeddedness; market society as a political project; and the protective countermovement as a theoretical framework to analyse contemporary social transformations involved in international migration, temporary labour migration policy and migrants’ social movements. A theoretical exploration of this thesis suggests three theoretical perspectives should be considered for this research: first, the political economic background of international labour migration to South Korea has to be understood in the context of the transformation of the mode of production management on a global scale, which derives from the fictitious commodification of labour and results in disembeddedness of labour migration. Second, the rationales of the South Korean government’s introduction of the temporary labour migration scheme has to be understood in the context of a social transformation into market society as a neoliberal political project. Third, the motivations of migrant workers and their supporters to protest against the South Korean government’s labour migration policy have to be understood in the context of a countermovement to protect society from the perils of neoliberal social transformation on a global scale.
The three approaches, I adopted in this research as identified above, are grounded in syntheses of specific theories on international migration, temporary labour migration policy and migrants’ social movements.

First, a synthesis of the segmented labour market theory (Piore, 1979, cited in Massey et al. (1998), Lee, 1997), the global political economy of migration (Phillips, 2011, Talani and McMahon, 2015) and theories of neoliberal transformations in employment practices and migration (Schierup et al., 2014, Harvey, 2010, Castles et al., 2014) informs us that the segregated labour market in a national context is linked with the new global division of labour based on the global value chain as well as the precarisation of jobs as a neoliberal transformation of employment system.

The thesis research finding on this first theoretical account is that the labour market segmentation in South Korea was created or reinforced under the neoliberal restructuring process. The process is not an isolated or inevitable stage of economic development but is a part of the neoliberal restructuring process of industrial organisation, employment system and the state’s role, which has been driven by global capital in association with major political actors in South Korea. In Polanyi’s (2001, [1944]) term, this is the process of fictitious commodification that entails disembeddedness. It has also to be noted particularly in the South Korean context that the restructuring process has created a hierarchical outsourcing system linking transnational corporations based in South Korea or chaebols (South Korean conglomerates) and the small and medium enterprises (SMEs) in South Korea. As presented in Chapter 5, the immigration data and labour market indexes show the neoliberal restructuring of the South Korean labour market coincided with an influx of migrant workers in the 1990s. The 1997 Asian financial crisis was a watershed in the accelerated restructuring of financial, industrial and labour systems in South Korea. The hierarchical subcontract system intensified the pressures on wages and working conditions of non-unionised workers in SMEs. The South Korean government institutionalised the neoliberal ‘flexibilisation’ of the labour market, which accompanied precarisation of jobs and the deterioration of workers’ living conditions.

Second, the migration literature informs us of the emergence, failure and resurrection of temporary labour migration policies. They emerged in the post-Second World War period of economic expansions in Europe as a way of addressing labour shortages; however, the governments failed in maintaining the principle of temporary migration (Castles, 1986). The temporary labour migration policies re-emerged in the neoliberal era as ways of enhancing employer’s control over workers and reducing the cost of wages and working conditions (Castles et al., 2014). The resurrection of temporary labour migration policy was reinforced by such
discourses as ‘migration management’, ‘circular migration’ and ‘migration-development nexus’ (International Organization for Migration, 2008). However, as critical scholars argue, they have to be parts of neoliberal transformation of labour market, if we take into account of their characters: ‘propelling competition within precaritized and ethnically niched labour markets’, ‘functioning as spearheads for “flexibilisation” as a labour market regulatory mode, ‘formalizing rules and regulations that belongs to a hegemonic neoliberal state’ and disciplining the transnational mobility of people (Schierup et al. 2014). In Polanyi’s (2001 [1944]) term, the South Korean temporary labour migration policy of today is part of the neoliberal project of disembedding migration and labour from society.

In line with the critical assessment of resurging temporary labour migration policies, the thesis research findings also testify that the South Korean version, first in the name of the Industrial Trainee System and then of the Employment Permit System (EPS), was an essential element of the neoliberal labour market restructuring project. These schemes were oriented to employers’ demands for a non-regular and low-waged workforce. The newer policy, EPS, was introduced with support from the South Korean civil society and made some improvement in the wages and working conditions of migrant workers. However, its primary principles, like ‘complementarity’, ‘transparency’, ‘temporary migration’ and ‘no discrimination’, have retreated to uphold the core principle, ‘alignment with firms’ needs’. To ensure the enforcement of the principles, the South Korean government relied on governing mechanisms like unfree choice of jobs, violent deportation, a limited entitlement to social security, a paternalistic ‘assistance’ discourse, and exclusionary nationalist politics.

Third, the synthetic approach of contemporary social movement studies, taking into account of ‘both the how and the why collective action’ (Melucci, 1989, cited in Martin, 2015, pp.94-95), suggests social movements are distinguished from other collective action, particularly in the aspect of whether they are involved in ‘conflictual relations with clearly identified opponents’ or remain ‘consensus movements’ (Della Porta and Diani, 2006, pp.20-23). This problem resonates with a long-standing question: whether a movement will reproduce the existing social relations or rupture them (e.g. Bassel and Lloyd, 2011). In other words, ‘transformative quality’ distinguishes social movements from other forms of collective actions including consensus movements. In the context of migrant resistances, the migrant or pro-migrant movement with ‘transformative quality’, in practice, mobilised ‘the category of “worker” to defitishize the figure of the “immigrant” or “illegal”’; reconceptualised ‘migrancy as strategies to escape from economic
abjection; and sought to build ‘political solidarities’ of ‘precarious workers’ (Tyler and Marciniak, 2013, p. 148).

My ethnographic research of migrant and pro-migrant movements in South Korea informs us that the countermovement of migrant workers and the South Korean civil society began with the protests against extremely poor working conditions. The individual expressions of grievances developed into collective actions that challenged the governing mechanisms of temporary labour migration policy, especially deportation. The social movements of migrants, however, faced a downturn after the institutionalisation of the temporary labour migration policy, EPS. Pro-migrant activists, both faith-based and citizens’ movement-oriented, made notable contributions by providing both practical services to individual migrants and political assistance to their collective actions. Also, they actively engaged with the institutional changes of migration policy. However, after the EPS was introduced, many of them turned to focusing on service provisions only in collusion with the government’s governing mechanisms for the EPS. While the first generation of activists have gradually given up the conflictual relation with the government, a newer generation of activists oriented to a social movement approach began to understand the interconnectivity among the neoliberal transformation of the global and national labour markets, the state’s introduction of temporary labour migration policy, the precarisation of work and the role of social movements of non-citizens. Ten years after the EPS was introduced, the fallacies of the employer-driven temporary migration programme were noticed by migrant workers. The series of migrant workers’ protests in 2012 indicate the revitalising resistance of regular but still precarious migrant workers. The migrant and pro-migrant movements begin to regain the ‘transformative quality’.

The resistance of migrant workers and local activists is a protective countermovement to re-embed migration and labour into the society and to redress the fictitious commodification of migrant labour. The irregular migrants who were in the most precarious conditions resisted the introduction of temporary labour migration policy because it only ‘ex-commodificates’ them by deportation. Many pro-migrant organisations’ collusions with the governing mechanisms of the temporary labour migration policy may be considered as a measure to protect the society from extreme forms of exploitation. However, they also functioned to reinforce the commodification process of migrants’ labour. Nevertheless, the revitalising migrant workers’ protests in solidarity with South Korean social movement groups, especially anti-globalisation movement, indicate a new state of countermovement against neoliberal transformations.
Finally, given the topicality and centrality of the question of temporary migration worldwide, it would be important to note the comparative value of the results of the analysis in this thesis. Although Chapter 2 of this thesis briefly touched the theories and data from studies of temporary migration in other parts of the world, a full-fledged comparison between the South Korean case and other cases was beyond the scope of this thesis. The findings of this research may have particular implications on labour market changes and the role of social movements in similar fast-growing Asian economies. Thus, a forward looking suggestion from my research would be to develop a wider comparative international research agenda on globalisation, migration and social movements, bearing on the holistic approach of this thesis that engaged with the historicity, political economic structure and transformative agency of temporary labour migration, neoliberal transformation and social movements.
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## List of participatory observations

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</table>
- Group for the Improvement of Migration Policy |
| PO_02 | [Panel discussion] Panel Discussion for the protection of migrant’s social rights and the improvement of the status of sojourn | 24 April | Seoul | - GONGGAM – Human Rights Law Foundation |
| PO_03, PO_04, PO_05, PO_06 | [Inter-organisational meeting] NGO workshops on the CERD’s consideration of the report of South Korean government, the 1st, the 2nd, the 3rd and the 5th meetings | 24 April, 24 May, 13 June, 3 July | Seoul | - MINBYUN – Lawyers for a Democratic Society  
- GONGGAM – Human Rights Law Foundation  
- Korea Center for United Nations Human Rights Policy |
| PO_07 | [Rally] Migrant Workers’ May Day Rally 2012: “Workers of the world unite to win labor rights!!” | 29 April | Seoul | - Korean Confederation of Trade Unions (KCTU)  
- Alliance for Migrants Equality and Human Rights  
- Joint Committee with Migrants in Korea (JCMK) |
| PO_08 | [Picketing] No, no to their 10 demands: bad employers and poor foreign workers?? | 29 April | Seoul | - No Multiculture  
- Solidarity for the Eradication of Foreign Crime  
- Action Solidarity for the Correct View on Multiculture |
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<td>1 May</td>
<td>Seoul</td>
<td>Federation of Korean Trade Unions (FKTU) - Economic and Social Development Commission - Korea Employers Federation (KEF) - The Federation of Korean Industries (FKI) - The Korean Chamber of Commerce and Industry</td>
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<td>[Rally] No work, No chore, No School: General strike for you</td>
<td>1 May</td>
<td>Seoul</td>
<td>Basic Income Youth Network - Nodeul Night School for the Disabled - Research Commune Suyunomo R</td>
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<td>Seoul</td>
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| PO_25 | [Rally] Rally to commemorate the migrant women killed by domestic violence: “Migrant women's rights not to be killed” | 18 July      | Seoul | - Eulim –Migrant Women and Multicultural Family’s Center  
- Korea Center for Migrant Women’s Human Rights  
- Forum on Migrant Women’s Rights |
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<td>Incheon</td>
<td>Col-tec Worker’s Union - Incheon Human Rights Film Festival</td>
</tr>
<tr>
<td>PO_34</td>
<td><strong>[Panel discussion]</strong> National Assembly Discussion on the Migrant Worker’s Right to Change Workplace</td>
<td>31 Aug.</td>
<td>Seoul</td>
<td>Member of National Assembly, Eun Soo Mi - Emergency Planning Committee for the Withdrawal of Ministry of Employment and Labor’s Rule imposing the Slavery Labor of Migrant Workers</td>
</tr>
<tr>
<td>PO_35</td>
<td><strong>[Campaign]</strong> Campaign for Migrant Workers in Noksan Industrial Complex</td>
<td>5 Sept.</td>
<td>Busan</td>
<td>Search for Hope for Noksan Workers</td>
</tr>
<tr>
<td>No.</td>
<td>Title of event</td>
<td>Dates (2012)</td>
<td>Place</td>
<td>Key organiser(s)</td>
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<tr>
<td>PO_38</td>
<td>[Inter-organisational meeting] Labour migration team meeting of Joint Committee with Migrants in Korea (JCMK)</td>
<td>12 Oct.</td>
<td>Seoul</td>
<td>- Joint Committee with Migrants in Korea (JCMK)</td>
</tr>
<tr>
<td>PO_39</td>
<td>[Cultural event] The 7th Migrant Film Festival at Ansan</td>
<td>20 Oct.</td>
<td>Gyeonggi</td>
<td>- Migrant Film Festival - Earthian's Station</td>
</tr>
<tr>
<td>PO_41</td>
<td>[Migrant communities] Meeting with the Philippines Embassy in Seoul on the protection of Filipinos in Korea</td>
<td>6 Nov.</td>
<td>Seoul</td>
<td>- The Philippines Embassy in Seoul - KASAMMAKO - Migrant Trade Union</td>
</tr>
<tr>
<td>PO_42</td>
<td>[Internal meeting] Forum on migrant women's rights, monthly meeting</td>
<td>19 May</td>
<td>Seoul</td>
<td>- Forum on Migrant Women's Rights</td>
</tr>
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</table>
List of research participants

<table>
<thead>
<tr>
<th>No.</th>
<th>Pseudonym</th>
<th>Age(^{10})</th>
<th>Gender</th>
<th>Occupation &amp; role(^{11})</th>
<th>Country of origin</th>
<th>Dates (2012)</th>
<th>Place of interview</th>
</tr>
</thead>
</table>
| RP_01 | PC        | 50s          | Male   | - Director of a migrant advocacy NGO  
- Fmr. representative of an NGO coalition  
- Pastor | Korea | 23 Oct. | Gyeonggi |
| RP_02 | KH        | 50s          | Male   | - Director of a migrant advocacy NGO  
- Fmr. representative of an NGO coalition  
- Pastor | Korea | 24 Nov. | Seoul |
| RP_03 | LG        | 50s          | Female | - Fmr. director of a migrant advocacy NGO  
- Senior member of a development NGO  
- Fmr. representative of an NGO coalition  
- Member of an international religious group | Korea | 9 Nov. | Seoul |
| RP_04 | JG        | 50s          | Female | - Director of a migrant advocacy NGO  
- Fmr. representative of an NGO coalition | Korea | 14 Nov. | Busan |
| RP_05 | YH        | 40s          | Female | - Former director of a migrant advocacy NGO  
- Former representative of an NGO coalition | Korea | 11 Jun. | Seoul |
| RP_06 | CEP       | 60s          | Male   | - Fmr. director of a migrant advocacy NGO  
- Fmr. representative of an NGO coalition  
- CEO of a social enterprise  
- Pastor | Korea | 19 July | Seoul |

\(^{10}\) The ages of research participants are as at the time of interview.

\(^{11}\) The occupations and roles of research participants are as at the time of interview.
<table>
<thead>
<tr>
<th>No.</th>
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<th>Gender</th>
<th>Occupation &amp; role</th>
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<td>RP_07</td>
<td>KGD</td>
<td>30s</td>
<td>Male</td>
<td>- Director of a migrant advocacy NGO - Representative of an NGO coalition</td>
<td>Korea</td>
<td>7 Nov., 2 May, 22 Oct.</td>
<td>Incheon</td>
</tr>
<tr>
<td>RP_08</td>
<td>KI</td>
<td>40s</td>
<td>Male</td>
<td>- Director of a migrant advocacy NGO - Film producer</td>
<td>Korea</td>
<td>23 Nov, 13 Sep, 17 Oct.</td>
<td>Gyeonggi</td>
</tr>
<tr>
<td>RP_09</td>
<td>KM</td>
<td>40s</td>
<td>Female</td>
<td>- Staff member of a migrant advocacy NGO</td>
<td>Korea</td>
<td>12 Jun.</td>
<td>Gyeonggi</td>
</tr>
<tr>
<td>RP_10</td>
<td>LYA</td>
<td>40s</td>
<td>Female</td>
<td>- Director of a migrant advocacy NGO - Representative of an NGO coalition</td>
<td>Korea</td>
<td>12 Jun.</td>
<td>Gyeonggi</td>
</tr>
<tr>
<td>RP_11</td>
<td>LJW</td>
<td>30s</td>
<td>Female</td>
<td>- Activist of a political movement organisation - Representative of an NGO coalition</td>
<td>Korea</td>
<td>14 Jun.</td>
<td>Seoul</td>
</tr>
<tr>
<td>RP_12</td>
<td>LY</td>
<td>40s</td>
<td>Male</td>
<td>- Director of a migrant advocacy NGO - Fmr. representative of an NGO coalition - Pastor</td>
<td>Korea</td>
<td>15, 21 Jun.</td>
<td>Gyeonggi</td>
</tr>
<tr>
<td>RP_13</td>
<td>JYS</td>
<td>30s</td>
<td>Male</td>
<td>- Activist of a political movement organization - Representative of an NGO coalition</td>
<td>Korea</td>
<td>29 Jun.</td>
<td>Seoul</td>
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<tr>
<td>RP_14</td>
<td>CHM</td>
<td>40s</td>
<td>Male</td>
<td>- Fmr. director of a migrant advocacy NGO - Fmr. representative of an NGO coalition - Staff member of a human rights NGO</td>
<td>Korea</td>
<td>13, 15 Aug.</td>
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<td>RP_15</td>
<td>LJS</td>
<td>40s</td>
<td>Male</td>
<td>- Director of a migrant advocacy NGO - Pastor</td>
<td>Korea</td>
<td>21 Aug.</td>
<td>Seoul</td>
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<tr>
<td>RP_16</td>
<td>AT</td>
<td>30s</td>
<td>Female</td>
<td>- Staff member of a migrant advocacy NGO</td>
<td>Vietnam</td>
<td>24 Aug.</td>
<td>Busan</td>
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<tr>
<td>No.</td>
<td>Pseudonym</td>
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<td>Occupation &amp; role</td>
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<td>RP_17</td>
<td>TT</td>
<td>30s</td>
<td>Male</td>
<td>Staff member of a migrant advocacy NGO</td>
<td>Myanmar</td>
<td>4 Sep.</td>
<td>Busan</td>
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<tr>
<td>RP_18</td>
<td>KGR</td>
<td>30s</td>
<td>Female</td>
<td>Staff member of a migrant advocacy NGO</td>
<td>Korea</td>
<td>5 Sep.</td>
<td>Busan</td>
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<td>BH</td>
<td>20s</td>
<td>Male</td>
<td>Staff member of a migrant advocacy NGO</td>
<td>Japan</td>
<td>17 Oct.</td>
<td>Gyeonggi</td>
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<tr>
<td></td>
<td></td>
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<td></td>
<td>Postgraduate student</td>
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<td>RP_20</td>
<td>WS</td>
<td>40s</td>
<td>Male</td>
<td>Director of a migrant advocacy NGO</td>
<td>Korea</td>
<td>12 Oct.</td>
<td>Seoul</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Pastor</td>
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<td></td>
<td>Fmr. representative of an NGO coalition</td>
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<tr>
<td>RP_21</td>
<td>LW</td>
<td>30s</td>
<td>Male</td>
<td>Director of a migrant advocacy NGO</td>
<td>Korea</td>
<td>12 Oct.</td>
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<tr>
<td>RP_22</td>
<td>LI</td>
<td>40s</td>
<td>Male</td>
<td>Staff member of a migrant advocacy NGO</td>
<td>Korea</td>
<td>12 Oct.</td>
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<td>RP_23</td>
<td>KY</td>
<td>50s</td>
<td>Female</td>
<td>Director of a childcare center for migrant children</td>
<td>Korea</td>
<td>16 Oct.</td>
<td>Gyeonggi</td>
</tr>
<tr>
<td>RP_24</td>
<td>JH</td>
<td>40s</td>
<td>Female</td>
<td>Staff member of a migrant advocacy NGO</td>
<td>Korea</td>
<td>21 Oct.</td>
<td>Gyeonggi</td>
</tr>
<tr>
<td></td>
<td></td>
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<td>Postgraduate student</td>
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<tr>
<td>RP_25</td>
<td>LT</td>
<td>30s</td>
<td>Male</td>
<td>Director of a human rights NGO</td>
<td>Korea</td>
<td>6 Jun.</td>
<td>Seoul</td>
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<tr>
<td>RP_26</td>
<td>BJ</td>
<td>30s</td>
<td>Female</td>
<td>Staff member of a human rights NGO</td>
<td>Korea</td>
<td>15 Jun.</td>
<td>Seoul</td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
<td>Fmr. activist of a political movement organisation</td>
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<tr>
<td>RP_27</td>
<td>PR</td>
<td>50s</td>
<td>Male</td>
<td>Director of a human rights NGO</td>
<td>Korea</td>
<td>17 Aug.</td>
<td>Seoul</td>
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<td>RP_28</td>
<td>JY</td>
<td>30s</td>
<td>Male</td>
<td>Staff member of a human rights NGO</td>
<td>Korea</td>
<td>17 Aug.</td>
<td>Seoul</td>
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<td>No.</td>
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<td>Age</td>
<td>Gender</td>
<td>Occupation &amp; role</td>
<td>Country of origin</td>
<td>Dates (2012)</td>
<td>Place of interview</td>
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</table>
| RP_29 | KR | 30s | Female | - Activist of a political movement organisation  
- Representative of an NGO coalition | Korea | 30 Aug. | Incheon |
| RP_30 | MK | 30s | Transgender | - Former trade union leader | Philippines | 30 Nov. | Manila |
| RP_31 | PS | 50s | Male | - Staff member of a trade union | Korea | 1 May | Seoul |
| RP_32 | UR | 40s | Male | - Trade union leader | Nepal | 12 Jun. | Seoul |
| RP_33 | TS | 20s | Female | - Member of a trade union  
- Factory worker | Cambodia | 9 Sep. | Seoul |
| RP_34 | JM | 40s | Male | - Staff member of a human rights NGO Labour Attorney | Korea | 23 Aug. | Seoul |
| RP_35 | YJ | 30s | Female | - Attorney-at-law | Korea | 23 Aug. | Seoul |
| RP_36 | CES | 40s | Female | - Labour Attorney | Korea | 23 Aug. | Seoul |
| RP_37 | CHJ | 40s | Female | - Staff member of an international organisation | Korea | 5 Jun. | Seoul |
| RP_38 | HS | 40s | Male | - Government employee | Korea | 1 Aug. | Seoul |
| RP_39 | LJH | 40s | Female | - Representative of an international organisation | Korea | 31 Aug. | Seoul |
| RP_40 | JH | 40s | Male | - Government employee | Korea | 18 Sep. | Gyeonggi |
Appendix II

Semi-structured interview schedule 1

ID: A □□□□

Social Transformation and International Migration in South Korea
: A Human Rights Movement Perspective

Interview Schedule for of In-depth Interview
(Questionnaire A)
[To be Asked to Senior Social Movement Activists]

Informed Consent

Thank you for participating in the interview. This interview is a part of a PhD research project titled “Social Transformation and International Migration in South Korea: A Human Rights Movement Perspective”. This research is conducted under the supervision of Professor Stephen Castles and based at Department of Sociology and Social Policy, The University of Sydney. This study seeks to examine how South Korean human rights movement has responded to the social consequences of the neo-liberal economic restructurings before and after 1997 East Asian Financial Crisis with particular focus on the area of international migration.

The results of this interview will be used strictly for my academic purpose including my thesis, academic publications and presentations at academic conferences.

Since this study employs the biographical narrative method, the identity of interviewees will be inevitably publicized. Participation in this interview is completely voluntary and you can choose not to answer any question or withdraw yourself from this interview at any time. After all the sessions of interviews, you will be requested to review the transcript of your interviews. If you wish any part of the transcript should remain confidential, the part will be erased and unused for any purpose.

May I begin with the interview now?
SECTION A: BIO DATA

A.1. Name ..........................................................................................................................
A.2. Age .............................................................................................................................
A.3. Gender ....................................................................................................................... 
A.4. Ethnicity (or nationality)............................................................................................
A.5. Current affiliation(s) and position(s)

Affiliation 1 .....................................................................................................................
  Position 1 .....................................................................................................................
Affiliation 2 .....................................................................................................................
  Position 2 .....................................................................................................................
A.6. Contact information(s)
(Phone) ..........................................................................................................................
(Email) ..............................................................................................................................
A.7. When did you first engage yourself into social activities?
   (1) 1970s (Go to SECTION B) (2) 1980s (Go to SECTION C)
   (3) 1990s (Go to SECTION D) (4) 2000s (Go to SECTION E)

SECTION B: HISTORY OF ACTIVISM in 1970s

B.1. ~ B.10. Questions on personal experiences
B.1. What kind of social activities were you involved in 1970s?
B.2. What organisation were you involved in then? Please list the names of organisations, groups or networks, which you were involved in.
B.3. Please also list the positions you held in each organisation.
B.4. What were the motives of your involvement in the activities? Was there any momentum or special event which brought you into social movement?
B.5. What were the main causes of your activities in this period?
B.6. What were the main goals for these activities and how did you achieve them or did not?
B.7. How did your activities develop for this period?
B.8. How did the organisations develop for this period?
B.9. How did such involvement in the social activities change your lifestyle and ideas?
B.10. How did your experiences in this period influence your activities and thoughts of the present time?
B.11. ~ B.20. Questions on social context

B.11. What were the main political, legal, social and economic issues which you were mostly concerned about during this period? Why do you think they were so important?

B.12. How did different groups of social actors such as government, media and business respond to the issues?

B.13. How did other groups of social movement respond to such issues?

B.14. How did you respond to such issues with your social activities and how were they different from others?

B.15. Where do you think your activities and yourself are located in the spectrums of political ideas, economic classes, closeness to government, cultural diversities, etc.?

B.16. How do you think such events influenced the daily lives of general people during this period? What were the challenges which they had to face?

B.17. How did you communicate or interact with the public in the society during this period? Did you find it successful?

B.18. Was there any perceived global force which influenced the political, economic, legal and social conditions of Korea during this period?

B.19. If so, how did this force influence the lives of people in Korea?

B.20. If so, how did different groups of Korean society such government, media, business and social movement, respond to this force in various manners?

B.21. ~ B.30. Questions on perceptions on social transformation and international migration

B.21. How did Korean society change during this period, in particular relations with political, legal, economic and social conditions? What were the major changes compared to the previous decade (1960s)?

B.22. What were the major sources of such social changes?

B.23. Was there any specific historic event or watershed which brought about significant social changes during this period? If so, what were the main causes of this event?

B.24. How do you think different groups of Korean society (e.g. government, media, business and social movement) responded to the historic event in different manners? Was there any specific event, which may symbolise the different approaches of each group? If so, what was it?

B.25. What did such social transformation mean in your life and your social activities?

B.26. Were international migration and ethnic or cultural diversity social concerns during this period? If so, what were the major issues?

B.27. How do you think different groups of Korean society (e.g. government, media, business and social movement) responded to the issues of international migration and ethnic or cultural diversity during this period? Was there any specific event, which may symbolise the different approaches of each group? If so, what was it?
B.28. What were your understandings of the issues of international migration and ethnic or cultural diversity during this period?

B.29. How did you respond to the issues of international migration and ethnic or cultural diversity with your social activities?

B.30. How did you understand the relation between social transformation and international migration during this period, if you try to evaluate them from the perspective of the present time?

SECTION C: HISTORY OF ACTIVISM in 1980s

C.1. ~ C.30. Same as questions B.1. ~ B.30. of SECTION B, except the period to be changed to 1980s.

SECTION D: HISTORY OF ACTIVISM in 1990s

D.1. ~ D.30. Same as questions B.1. ~ B.30. of SECTION B, except the period to be changed to 1990s.

SECTION E: HISTORY OF ACTIVISM in 2000s

E.1. ~ E.30. Same as questions B.1. ~ B.30. of SECTION B, except the period to be changed to 2000s.

SECTION F: VIEWS ON SOCIAL TRANSFORMATIONS

F.1. How do you define social transformation?

F.2. What does social transformation mean in Korean society?

F.3. How, do you think, Korean society has been transformed over the last three decades? What makes you think so?

F.4. What have been the main sources of such transformations?

F.5. How has Korean society responded to such transformations in general?

F.6. How did such social transformations influence your life and social activities?

F.7. How have people been influenced by such social transformations? How have people influenced the process of social transformations?

F.8. How do you define globalisation?

F.9. How do you evaluate the influence of globalisation in the transformation of Korean society?
How have people have responded to the globalisation in Korea? How have you responded to globalisation?

SECTION G: VIEWS ON INTERNATIONAL MIGRATION

G.1. Do you think there were significant changes in international migration to Korea for the last decade? If so, why and how did it happen?

G.2. How did the increased international migration influence Korean society for the last decade?

G.3. How did Korean society in general or different groups of Korean society contribute to the increase of international migration?

G.4. What was the influence of the increased international migration on your life and your social activities?

G.5. How has Korean society responded to such changes in general? How have different groups of society such as government, media, business and civil society responded to the social changes?

G.6. If their responses are different, what made such difference?

G.7. How do you evaluate the validity and effects of the different approaches taken by different social groups?

G.8. Which social group does each approach represent or benefit? What are the political backgrounds of each approach?

G.9. How do you evaluate the depth and width of understandings of Korean society about various aspects of international migration such as the cause of migration, the perspectives of origin societies, etc.?

G.10. How do you evaluate your activities on international migration in this regards?

SECTION H: VIEWS ON SOCIAL MOVEMENT

H.1. How do you define social movement? How is it different from other similar concepts such as civil society, non-governmental organisations, etc.

H.2. Can you categorise different types of social activities which you can find in Korea for the last three decades, in particular focus on those groups working on international migration? If so, how? What are the differences among those categories?

H.3. What is the relationship of each category with other actors of the society such as government, media and business?

H.4. What were the contributions of each social activity to the political, legal, economic and social dimensions of Korean society for the last three decades?

H.5. What are the differences among the positions held by different groups of those social activities toward the transformations of Korean society? What are their contributions to the transformations?
H.6. What are the differences among the positions held by different groups of those social activities toward the globalisation? What are their activities like on this issue?

H.7. What are the differences among the positions held by different groups of those social activities toward the idea of human rights? What are their activities like on this issue?

H.8. Which category do you think your social activities belong to among the above mentioned?

H.9. How do you evaluate the contribution of the group which you belong to or your own organisation to the political, legal, economic and social dimensions of Korean society for the last three decades?

H.10. What do you think the role of social movement in Korean society in general?

SECTION I: VIEWS ON HUMAN RIGHTS

I.1. How do you define human rights?

I.2. Where does your definition of human rights come from? How were your ideas on human rights formed?

I.3. What are the significances of the ideas of human rights in social movement?

I.4. What do you think the significance of the idea of universality is in relation with the concept of human rights?

I.5. Do you think the claim of universal human rights may have different significance than other types of rights-claim? If so, how?

I.6. What are the implications of universal human rights in your social activities in particular relation with your activities on international migration?

I.7. How do you think human rights are understood in Korean society? What do you think about such discourse of human rights? Are they different from the discourses of international community?

I.8. What are the differences, in the understandings of human rights among different types of organisations working on migrants? Why are they different?

I.9. What is your position about the idea of universal human rights? How has it been developed for the last three decades?

I.10. How has the ideas of human rights influenced your social activities, in particular the relationship with your activities on international migration?

Thank you for your time.
If you have any question, comment or suggestion, please do not hesitate to share with me.
Semi-structured interview schedule 2

ID: B

Social Transformation and International Migration in South Korea
: A Human Rights Movement Perspective

Interview Schedule for General Interview
(Questionnaire B)
[To be Asked to Junior Social Movement Activists and Others]

Informed Consent

Thank you for participating in the interview. This interview is a part of a PhD research project titled “Social Transformation and International Migration in South Korea: A Human Rights Movement Perspective”. This research is conducted under the supervision of Professor Stephen Castles and based in Department of Sociology and Social Policy, at The University of Sydney. This study seeks to examine how South Korean human rights movement has responded to the social consequences of the neo-liberal economic restructurings before and after 1997 East Asian Financial Crisis with particular focus on the area of international migration.

The results of this interview will be used for the academic purpose including my thesis, academic publications and presentations at academic conference.

Whatever information you provide will be kept strictly confidential and will not be shown to any other person. Participation in this interview is completely voluntary and you can choose not to answer any question or withdraw yourself from this interview at any time. After all the sessions of interviews, if you wish you may review the transcript of your interviews.

May I begin with the interview now?
SECTION A: BIO DATA

A.1. Name ........................................................................................................................................
A.2. Age ........................................................................................................................................
A.3. Gender ....................................................................................................................................
A.4. Ethnicity (or nationality) ...........................................................................................................
A.5. Current affiliation(s) and position(s)
   Affiliation 1 .............................................................................................................................
   Position 1 ....................................................................................................................................
   Affiliation 2 .............................................................................................................................
   Position 2 ....................................................................................................................................
A.6. Contact information(s)
   (Phone) ......................................................................................................................................
   (Email) .......................................................................................................................................  

SECTION B: CURRENT ACTIVISM

B.1. ~ B.3. Questions on current activities
B.1. What kind of social activities are you currently involved in?
B.2. What are the main goals of your activities?
B.3. What are the main goals for these activities and how do you achieve them?

B.4. ~ B.12. Questions on social context
B.4. What are the main political, legal, social and economic issues which you are mostly concerned about at present? Why do you think they are so important?
B.5. How do different groups of social actors such as government, media, business respond to the issues in different manner?
B.6. How do other groups of social movement respond to such issues?
B.7. How do you respond to such issues with your social activities and how were they different from others?
B.8. Where do you think your activities and yourself are located in the spectrums of political ideas, economic classes, closeness to government, cultural diversities, etc.?
B.9. How do you communicate or interact with the public?
B.10. Is there any perceived global force, which influences the political, economic, legal and social conditions of Korea?

B.11. If so, how does this force influence the lives of people in Korea?

B.12. If so, how do different groups of Korean society such government, media, business and social movement, respond to this force in various manners?

SECTION C: VIEWS ON SOCIAL TRANSFORMATIONS

C.1. ~ C.10. Same as questions F.1. ~ F.10. of SECTION F of Questionnaire A.

SECTION D: VIEWS ON INTERNATIONAL MIGRATION

D.1. ~ D.10. Same as questions G.1. ~ G.10. of SECTION G of Questionnaire A.

SECTION E: VIEWS ON SOCIAL MOVEMENT

E.1. ~ E.10. Same as questions H.1. ~ H.10. of SECTION H of Questionnaire A.

SECTION F: VIEWS ON HUMAN RIGHTS

F.1. ~ F.10. Same as questions I.1. ~ I.10. of SECTION I of Questionnaire A.

Thank you for your time.
If you have any question, comment or suggestion, please do not hesitate to share with me.