

Zainichi Koreans In Japan And Their Rights As Foreign Nationals

Dr. Mahendra Prakash*

Abstract-

Korean residents, often referred to as Zainichi Koreans (Zainichi Kankoku in Japanese), are the second largest group of foreign nationals living in Japan. The significant number of Koreans in Japan is closely tied to the complex and uneasy relationship between the two countries in the early 20th century. After World War II, Zainichi Koreans faced various forms of discrimination from Japanese society. The San Francisco Peace Treaty of 1952 led the Japanese government to implement regulations to protect its residents, including financial aid and housing support. However, Zainichi Koreans were no longer considered Japanese citizens after the treaty, which meant the government could not provide them with assistance. Although the intense prejudice and discrimination against Koreans have decreased in recent times, leading to more Zainichi Koreans applying for and receiving citizenship, they still face numerous challenges in exercising their social and political rights.

Index terms-*Immigrants, Koreans, Society, Policy, Rights, Discrimination, World War II, Citizenship, Japan Culture, Foreign Residents, Hate Speech, Law*

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I. Objective Of The Study-

The main objective of this study to observe the situation behind the discriminatory practices against Zainichi Koreans and response from the Japanese policy to provide chance to them to obtain the socio-political opportunity being residents in Japan. Zainichi Koreans are the second largest foreign population residing in Japan without citizenship and facing injustice from the beginning of twentieth century and earlier. This paper will conclude with the study of rightful prospects and justice to the Zainichi Koreans.

II. Review Of Literature-

There are few, though important literatures available to discuss the Zainichi Koreans in Japan. The review of significant and relevant literature is as follows:

1. The book by Soniya Ryang, titled “*North Koreans in Japan: Language, Ideology, and Identity*”, published in 2018 discusses the ethnography and politics, history, ideology and daily life of North Koreans residing in Japan. As she grown up in this community, was competent to acquire outstanding access and apply her own understanding to the closed society. Moreover, delivering an appreciated standpoint on the practices of ethnic minorities in what is frequently understood as a severely homogeneous culture. Ryang exhibits an unusual and grasped look into North Korean culture and the diffusion of its practices and beliefs. She writes through Chongryun, an umbrella organization, this group manages its political, social, commercial and educational concerns, including conducting its own schools and teaching children about North Korea as their native land.
2. John Lie in his book “*Zainichi (Koreans in Japan), Diasporic Nationalism and Postcolonial Identity*”, 2008, states that the Zainichi is a Korean minority population in Japan. Lie investigates the composite, subjective, and altering personalities and conditions of this diasporic group, though accenting the constraints of positive social science methods and fundamentals. So as the ancestry of pre-war immigrants from colonial Korea in 1910 to Japan, Zainichi Koreans fundamentally defy the common xenophobic belief that a region and its nationalities share a common lineage. Additionally, the analysis of the development of influential thoughts and distinctive representations from the World War II era to the 2000s reveals a range of jingoistic and absolute Zainichi struggle, as mentioned by Lie.
3. Book published in 2007, on “*Zainichi Korean Identity and Ethnicity*” by David Chapman suggests and discovers present-day Japanese society within a global context, concentrating on Japanese Korean interaction of the

* Author is working as Associate Professor in Department of Political Science at Government Post Graduate College, Obra, Sonbhadra, India. His area of research interest is Japanese Studies and International Relations.

contemporary and diverse Japan. It scratches into subjects of identity, customs, citizenship and belonging by analyzing the Korean population (the Zainichi). Though the Zainichi Koreans remain a decisive segment of modern Japanese social history, the society has often been neglected in conversations and arguments. Furthermore, the Zainichi Korean familiarity has acknowledged insignificant awareness outside Japan in a post-colonial perspective. In the book, Chapman targets to discourse the interlude by absorbing recent discourse from Korean community in Japan. The book also investigates the exclusion, disregard and privilege function, casting light on the processes of prejudice and how converse could both disregard and advance social change.

4. Erik Ropers writes in his book on “Voices of the Korean Minority in Postwar Japan, Histories Against the Grain”, published in 2018 that the learning history of Zainichi Koreans is important for the social scientists. The book scales on the descriptions of Zainichi Koreans and investigates into the roots of post-war considerations regarding the experience of period of war of Koreans in Japan. This book presents an overview of Koreans at Ground Zero in Hiroshima and Nagasaki, and the history of Korean women compelled into prostitution. Such negotiations and disagreements linger to sketch concentration both regionally and internationally. The book also shows that these concerns are deeply rooted in the decades earlier. Thru outlining the origins of these deliberations in historical writings from local history groups to Zainichi and scholars in Japan, it discloses how printed histories have been used for cultural and socio-political determinations. Moreover, how such ideas sustained numerous explanations and remembrances of past events transversely in the political continuum.
5. Book on “The Korean Diaspora in Post War Japan: Geopolitics, Identity and Nation-Building” by Myung Ja Kim published in 2017, explains that roughly a million Koreans reside enduringly or retain citizenship in Japan. These are principally situated in the foremost industrial and economic hubs of Japan, with the largest population in Osaka, followed by Tokyo and Hyogo prefectures. She writes, like Koreans in North and South Korea, utmost Koreans in Japan express Korean language, though younger groups speak only Japanese. The term ‘Zainichi Koreans’ (means staying in Japan) is occasionally applied to those who are permanent residents of Japan, nonetheless, not obtained Japanese citizenship. The book follows a classic structure with five chapters: the first chapter is speculative, and the other chapters are depicted in sequential order.

III. Introduction-

Modern political history of Japan has witnessed many changes related with its involvement in war and colonization of other nations. One of these was primarily rooted colonial rule and cultural adjustment policies on the Korean Peninsula. An obvious example of these enduring conflicts is the issue of compensation for Korean victims of forced labor during the pre-World War II. Such historical criticisms continue to cast a long shadow over the lives of ethnic Koreans in Japan. Today, most Koreans in Japan are the lineage of those who were brought to Japan before or during World War II as forced laborers. These individuals continuously find themselves marginalized, they have limited opportunities in jobs, complex citizenship issues that frequently prevent them from obtaining official documents, faced workplace discrimination and no political rights (Kim, 2017). Nevertheless, the struggle for prospects among Koreans in Japan is not a new narrative; it has been a active and changing situation since World War II. Initially brought to Japan for manual labor, many Koreans viewed their opportunities fade as economy of Japan shifted towards a growth-centric model in the mid-20th century. After World War and in December 1945, the government canceled the voting rights of Zainichi Koreans. In 1947, it introduced the Foreigners Registration Order, requiring Zainichi Koreans to register as foreigners despite their Japanese citizenship. In August 1949, Prime Minister Shigeru Yoshida expressed disdain for Zainichi Koreans in a letter to General Douglas MacArthur of United States of America, stating that all Koreans in Japan should be extradited because they were not aiding in the country’s reconstruction and appeared to have a natural proclivity towards unlawful behavior (Hayashi, 2021). In this letter, Prime Minister claimed that a million Koreans resided in Japan, with half of them being illegal immigrants.

Furthermore, the economic slowdown of the 1990s, coupled with liberalizing reforms, demolished many institutional barriers, accepting greater involvement of Koreans in a market-oriented economy. Despite significant improvements as Japan has evolved into a vibrant liberal democracy and developed economy, ethnic Koreans still grapple with daily challenges such as ethnic job discrimination, housing discrimination, and limited access to public services compared to their Japanese counterparts (Chapman, 2008).

Probing the population of foreign residents typically residing in Japan by nationality, China had the highest number with seven hundred and sixty-one thousand individuals followed by Koreans with four hundred and eleven thousand (Statistics Bureau of Japan, 2021). Foreign residents are primarily found in major industrial and economic hubs, with the highest concentration in Osaka approximately more than twenty thousand, followed by Tokyo and Hyogo prefectures. Like their counterparts in North and South Korea, the majority of Koreans in Japan speak Korean language, though younger generations, especially those born in late 1990s are increasingly fluent in Japanese (Statistics Bureau, 2022). The term ‘Zainichi’, means ‘staying in Japan’ in Japanese, is occasionally used to refer to those who are permanent residents of Japan although have not accepted as Japanese

citizens. Some view them as the largest minority of Japan, as Burakumin is considered indigenous and so not categorized as minorities (Taira, 1997). However, the Japanese government does not legitimately recognize Koreans or any other group as subgroups, apart from the Ainu people, who are identified as the largest group of foreign residents.

The political gulf between North Korea, which is ideologically communist, and South Korea, which is democratic, are replicated to some extent in the political differences between the two primary Korean minority groups in Japan: *Chongryon*, or General Association of Korean Residents in Japan, backs North Korea whereas *Mindan*, or Korean Residents Union in Japan, supports South Korea. The distinction between these two groups is more ideological than geographical, as individuals associated with either pro-North or pro-South groups are not necessarily from North or South Korea, respectively (Ryang, 1993). Both groups run private schools in Japan, with *Chongryon* being more active in this sector and seen as more aggressive in preserving Korean culture and language and resisting assimilation. *Chongryon* is also more likely to operate Korean-language schools. Currently, the majority of Koreans in Japan are thought to align with *Mindan*, which is associated with the positive economic and political changes in South Korea and the growing interest among younger Koreans in integrating into Japanese society more easily (Ryu, 2013). The level of intolerance and discrimination against Koreans has decreased, leading to an increase in the number of Zainichi Koreans applying for and receiving Japanese citizenship (Brasor, 2016). However, Zainichi Koreans still encounter numerous barriers in exercising their civil and political rights due to their status as permanent residents rather than citizens.

Japanese Approach Concerning Zainichi Koreans- The Zainichi Koreans, includes South and North Koreans, are the second-largest foreign residents in Japan. In the early twentieth century many Koreans moved to mainland Japan as laborers. Though it is frequently argued that Koreans were not forced to move to mainland Japan, the Japanese policy encouraged them to do so. Organized official recruitment of Koreans to work on the mainland resulted from labor shortages caused by World War II. Prior to World War II, Koreans in Japan faced racial discrimination and economic exploitation (Tamura, 2003).

Despite this, Japanese authorities considered ethnic Koreans as Japanese nationals and sought to integrate them into Japanese society via education and urging intermarriage. However, after the war, the Japanese government reclassified ethnic Koreans as foreigners, no longer recognizing them as Japanese nationals. The term 'Zainichi', meaning 'residing in Japan,' indicated the general expectancy that Koreans were temporarily living in Japan and would eventually return to Korea. By 1942, the National Mobilization Law had been extended by the Japanese government to include the conscription of Korean workers for factories and mines, as well as their relocation to mainland Japan (Lee, 2018). This rule was enacted in April 1938, strengthening the organized mobilization of resources and labor necessary for the war effort. In 1939, Japan initiated a significant labor mobilization under the national conscription setup, which did not extend to Korea. Instead, Korean workers were mobilized through a recruitment process that began in September 1939. This recruitment targeted workers in areas designated by the Government-General and was conducted by businesses involved in coal production and mining, with the approval of the Ministry of Health and Welfare and the Government-General (Nishioka, 2018).

Over a million Koreans had moved to mainland Japan by the end of World War II. Since shortly after Korea's annexation, Zainichi Koreans have been subjected to violence and discrimination on the mainland of Japan. However, after World War I, unstable economic situation in Japan led to a rise in hostility toward Zainichi Koreans. During this time, Japanese citizens were concerned that Koreans were stealing Japanese jobs. After World War-II, Japan surrendered its control of the Korean mainland (Ryang, 2000). Further, Japanese government reserved the right to decide whether Koreans could naturalize and remain in Japan after surrendering and decolonizing the peninsula, despite having previously granted them Japanese citizenship. Even though many of them went back to the peninsula, approximately six hundred fifty thousand stayed in Japan due to their previously established socio-economic setup, and this number rose to the present population of Zainichi Koreans.

The latter half of the twentieth century saw Koreans facing prejudiced treatment due to their status as non-citizens. They were prevented from registering their Korean family names, which they might have lost earlier when the Japanese government mandated the adoption of Japanese-sounding names during the colonial and war periods. Until the 1990s, those aspiring to Japanese citizenship had to overcome difficult or humiliating requirements, such as providing fingerprints for all ten fingers (Moon, 2010). Due to the predominant view of government officials that Japan is a monocultural and monolingual society, Zainichi Koreans aimed to preserve their language and culture through educating their children in private schools using Korean as the primary language.

The shift in Japanese views towards minority groups, triggered by the 1980s civil rights movement and the smoothing tensions between Japan and South Korea, paved the way for more positive changes for the Korean residents. In 1991, Zainichi Koreans were officially recognized as 'Special Permanent Residents', admitting their distinct role in Japanese society. This has led to changes in laws and rules, including the opening of job opportunities in fields like education that were previously limited. Though private Korean schools received few

official recognitions, this was rather restricted and did not grant them access to higher education (Lie, 2009). During this phase, several developments have impacted the Zainichi population and their role in Japan. On one side, there has been a growing inflow of fresh Koreans from South Korea to work and pursue education in Japan and another that the number of Koreans categorized as special permanent residents has lessened since the mid-1990s, as many of them acquired Japanese citizenship.

Even though Zainichi Koreans received limited welfare support and permanent residency, the Japanese government continued to discriminate in the sphere of social security due to their lack of Japanese citizenship. In addition, due to Japanese anti-Korean attitude brought on by the country's political and economic instability, the Japanese government occasionally implemented discriminatory measures against Zainichi Koreans. For instance, the Japanese government barred Korean schools from the secondary school educational cost waiver program presented in 2013, while other ethnic schools and worldwide schools were acknowledged (LAZAK, 2017).

Politics of Rights to Zainichi Koreans- After World War II, Korean organizations in Japan provided economic support and advocated for Korean rights. One of the most influential was the pro-North Korean, pro-Communist General Federation of Resident Koreans in Japan, known as Chongryun (Soren), established in 1955. Chongryun offered loans to ethnic businesses and established schools teaching Korean language and history to prepare students for a future return to Korea. During the 1950s, Soren portrayed North Korea as a Communist paradise, contrasting it with the poor conditions of Zainichi in Japan and the autocratic regime in South Korea (Ryang, 2016).

In the late 1950s, Chongryun initiated a repatriation project, transporting ninety thousand people to North Korea. In 1958, with the backing of Chongryun, a significant movement emerged among Koreans demanding the right to return to North Korea, despite Japan missing diplomatic relations to North Korea in that year. In August 1958, North Korean leader Kim Il-Sung urged Koreans living in Japan to 'return to socialist homeland', which strengthened the repatriation movement. In response, the Japanese government announced in February of the following year that it was obtaining help from the International Committee of the Red Cross (ICRC) to oversee a mission for repatriating those who wished to go to North Korea (Suzuki, 2011).

The repatriation movement, called as "Return to Paradise Movement," was officially launched in August 1959, with South Korea being the only country to oppose it (Ko, 1972). Earlier, South Korea had opposed the deportation of Koreans who had entered Japan illegally after 1945, which led to its opinion being recognized as anti-humanitarian in Japan. About seventy thousand Zainichi repatriated with the help of Soviet government in between 1960 and 1961, although the numbers dropped extremely subsequently, and the mission ended in the early 1960s.

As poverty and corruption became evident in North Korea, membership of Chongryun declined, further impacted by 1965 normalization treaty of Japan with South Korea, which offered incentives for Koreans in Japan to seek South Korean citizenship (Ryang and Lie, 2009, Ed.). Despite these inducements, significant repatriation to South Korea did not occur. Many Zainichi found life unappealing compared in South Korea under presidency of Park Chung Hee (1963-79) compared to democratic and economically prosperous environment of Japan.

Afterwards, Zainichi Koreans turned socially and linguistically mingled into the Japanese society. Those who returned to North or South Korea faced skepticism and refusal. In North Korea, Zainichi were treated as second-class citizens and suspected of being secret agent, while in South Korea, they faced enmity from immigration authorities and local (Ryang, 2023). Notwithstanding possibility of permanent settlement in Japan, few ethnic Koreans opted to naturalize as Japanese citizens due to the stigma of ethnic disloyalty. Naturalization required adopting Japanese names and did not protect against anti-Korean discrimination.

Zainichi Koreans in Japan faced systematic exclusion and discrimination in various aspects of life continuously. Many Korean residents created an ethnical economy in independent segments pointing Japanese customers. In the 1970s, new common movements encouraged ethnic mobilization and the assertion of a Zainichi identity. Koreans led 'anti-fingerprinting and authentic name' advantages and pursued local suffrage rights. Combined with the mass efforts from the Zainichi community, they received support from external pressure as well (Cidale, 2024). Substantial reforms began in the late 1970s and early 1980s, aligning with ratification by Japan of International Covenants on Human Rights. In June 1979, Japan ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR), which is linked with the international human rights standards for minorities, foreigners, and refugees, providing non-nationals with equal behavior and citizenship rights. By the early 1980s, local authorities began hiring Korean nationals for civil and national service positions (Ryang, 2023). By the mid-1980s, ethnic Koreans were well-represented in medical and scientific fields. Revisions to nationality laws in 1985 and 1987 allowed naturalized Koreans to keep their names and granted permanent residency to almost all Zainichi by 1991.

Due to the movement for rights of Zainichi Koreans, the enforced fingerprinting for permanent residents was abolished in 1993. In the 1990s, the remnant of colonialism and racism was faded. Mounted interest in South Korea and pressure from international and domestic groups changed Japanese attitudes towards ethnic minorities

(Lie, 2009). In the 2000s, South Korean celebrities and third-generation Zainichi openly embraced their heritage. By the early 21st century, approximately ten thousand Zainichi naturalized every year, viewing it as a personal choice rather than ethnic disloyalty, and embracing a Korean Japanese identity (Moon, 2010).

Recent Status of Zainichi Koreans- Economically advanced country Japan has experienced pointed change over in the phase of globalization in mid-1990s. In 2000, Japan was evolving from one of its prolonged recessions. The bubble economy in burst situation in the 1990s had left its economy stressed, with gradual progress (Ishikawa, 2011). The early 2000s witnessed the election of a conservative, reformist government led by Prime Minister Junichiro Koizumi (2001-2006), introduced US style economic and political reforms. These reforms focused on reduction in proportions of the bureaucracy and rethinking concepts nationality, intending for Japan as an important performer at the international ground. Major reforms included deregulating financial markets and liberalizing currency practices, which began in response to the economic slowdown of the 1990s (Prakash, 2009). The new political shifts after coalition governments brought substantial variations, specifically for the Zainichi Korean population.

The Japanese government proceeded from the mono ethnic nation scenario and extended employment rights for non-citizens, granting Koreans in Japan to contribute further as workers with their proper identity. After recovery of economy in Japan commenced, foreign investment and laborers expanded the work force, helped Koreans, more visible in the business. Nevertheless, while obstacles of participation were removed, the threat to the Zainichi individuality became more evident.

The lack of complete laws against discrimination, especially by private entities, leaves the Zainichi Korean vulnerable in Japanese society. Traditionally, these individuals have recognized prejudice in a country that numerous consider their residence, leading some Koreans to mask their identity due to past exploitations. Education remains a contentious issue for Koreans in Japan. In 2003, the Japanese government allowed graduates from most international and foreign schools, as well as Japanese schools, to take the university entrance exam, though was insufficient and inappropriate. However, this policy did not extend to most Korean schools, except for a few Mindan owned institutions, putting Korean students at a disadvantage. This issue of university admission appeared to be impractical as many universities does not recognize the Korean school certificates (Kida, 2021).

Additionally, assistance to foreign schools is exempted from tax, nonetheless not to Zainichi Korean schools, which frequently not recognized as customary schools. The absence of recognition has led to employment perception for Korean students. Japanese government prohibits Korean schools from the high school tuition-waiver program introduced in April 2010 as well, which masks foreign schools classified as miscellaneous schools. Many local governments have also withdrawn financial support for Korean schools. Although some municipal governments have provided limited subsidies to Korean schools in recent years, support remains minimal (Okamura and Saito, 2022). Despite international criticism, there has been no significant effort from educational authorities to establish state schools teaching in Korean, largely due to the prevailing belief in ethnic homogeneity of Japan.

Certain Zainichi Koreans even now fight to access the pension system and health insurance policy of Japan (Komamura, 2007). Lawmaking alterations in 2004 left few foreign residents, mostly Koreans, exclusive of access to these schemes, as the government did not specify the gaps in rule concerning elderly Korean residents lacking Japanese citizenship. Moreover, Japanese government has not sought the number of Zainichi Koreans residing without pensions (Lie, 2009). Extreme dislike is added by Japanese nationals towards Zainichi which has been a constant issue for Koreans in Japan.

Furthermore, in the first two decades of twenty first century, substantial level of xenophobic feelings towards Zainichi existed in Japanese society, nonetheless presently it somehow appears in the gauzier manner, due to definite geopolitical situation in East Asia and domestic laws. The discriminatory practice which exists is partly due to concerns about future regional position of Japan comparative to South Korea, China and North Korea. In a judgment, the optimistic progress occurred in July 2014 when the Osaka High Court upheld a 2013 ruling that found *Zaitokukai* (a group opposing rights of resident foreigners) guilty of racial discrimination for abusive language at Korean school in Kyoto and instructed to pay more than twelve million Yen (Japan Today, 2014). Likewise, the historical tensions between Japanese nationals and Koreans obtaining compensation for past atrocities is also visible. Discriminatory groups have convened several anti-Korean rallies, particularly in Tokyo and Osaka prefecture, using megaphones to broadcast hate speech and threats in 2013, however the 2016 hate speech law passed by the Diet discard such acts.

IV. Conclusion-

Japan is a progressive country and modernized in terms of welfare policy, liberty, technology and digitalization. Even so, the struggle of Zainichi Koreans for equality presents perception for Japan being an offender against human specific rights. As far as the population is concerned, Zainichi Koreans currently might be the special permanent residents with either *Chosen* or (South) Korean nationality, though there are old Zainichi,

who have converted to as the naturalized Japanese citizens. Until in the year 2006-07, Zainichi Koreans were the biggest foreign residents in Japan, yet their numbers have been dropped since its peak in early 1990s which was around six hundred ninety-three thousand. It is distinctive that the journey of Zainichi Koreans started with the first generation those fought to continue their ethnic identity, and to those born in Japan realized that they had to face challenges for citizenship. Zainichi's willpower accompanied by worldwide pressure succeeded into the socio-political representation.

Regardless of this scenario, there is a considerable social based discrimination against the Zainichi Koreans in Japan, which was revealed in frequent segregation practices and hate speech. Zainichi Koreans staying in Japan lacks opportunities as Japanese citizens, leading to their exclusion from community. The geopolitical status in Korean Peninsula is full of advantages for East Asian countries and this condition too is not in the favor of Zainichi Koreans in Japan. It is required for Japan to recognize the constant social confronts faced by its largest Korean inhabitants, the Zainichi. Even though Japan and Korea share two thousand years of cultural and diplomatic history, the hostility between the two countries remains continue.

The colonialist hegemony of Japan during World War I and II, resulted unpleasant situation for both the countries. While the number of Koreans in Japan nowadays minimal than during the war years, the Zainichi residents still represents a significant cultural community. Equity and justice for Zainichi Koreans in Japan have been slighted since late nineteenth century until now. However, the have experience marginal advances due to globalization and democratization process in Japan. In the premiership of Koizumi in 2001, Zainichi Koreans were able to get employment and engaged profoundly with Japanese society, instead being forced to live in shantytowns. Even with such progress, Zainichi Koreans frequently faced systemic prejudice and exploited by the Japanese society. Now, it is responsibility of the Japanese government to resolve the discriminatory practices against Zainichi Koreans and protect their rights with appropriate regulation from the Diet. To grab the opportunity in the regional sphere of Northeast Asia, Japan cannot ignore existing social problem for long.

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