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教育研究紀要
第2号 2017年12月

CHANGING ETHNIC RELATIONS AND DIVERSIFYING LIVES OF ZAINICHI KOREANS

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Abstract

This paper discusses the diversifying lives of Zainichi Koreans in order to understand their identities in transition. Along with the improved legal and social status of Zainichi Koreans and subsequently their living conditions, a large number of Zainichi Koreans have been leaving ethnic institutions, and in some cases, the Zainichi community. The ethnic relations surrounding Zainichi Koreans also partly reflect the diplomatic relations between Japan and the two Koreas. The difference in the images of the two Koreas is a significant factor in their ethnic identities. This paper also examines how Zainichi Korean civil rights movements after the 1970s have encouraged many Zainichi Koreans to assert and maintain their ethnic pride.

key words: Zainichi Koreans, ethnic identities, ethnic organisations, social movements

1. Introduction

This paper assesses the diversifying lives of Zainichi Koreans in terms of ethnic associations, communal networks, and life conditions. These changes are reflected in the dispersion of Zainichi Koreans through the country, the decrease of Chongryun-affiliated school students, the growing number of naturalised Koreans, and the increase of inter-ethnic marriages between Koreans and Japanese. This paper also examines the changing ethnic relations of Koreans in Japan resulting from changing diplomatic relations between Japan and the two Koreas. Zainichi Koreans without Japanese nationality have been overtly disadvantaged due to their legal status for decades since the end of WWII. Their access to national pension, national health insurance, and war victim compensation was interfered with by nationality clauses in those regulations. Nevertheless, these discriminatory regulations were revised and the living circumstances surrounding Zainichi Koreans have been gradually improved. These positive changes have been made partly through grassroots social movements conducted by Zainichi Koreans and some sympathetic Japanese people in recent decades. This paper explores the challenges of Zainichi Koreans in Japanese society for equal treatment through the civil rights movement. Furthermore, these movements, including collective refusal to be fingerprinted, were

promoted simultaneously with legal acts challenging Japanese policies. Some local governments have also contributed to the establishment of protection for foreigners' economic and social rights in their municipal areas. Finally, this paper looks at international and domestic laws affecting human rights of Zainichi Koreans.

2. Changing Ethnic Relations in Japanese Society

2.1. Diversifying Lives of Zainichi Koreans

The lives of most Zainichi Koreans have been largely determined by their legal status, affiliations to an association, and community networks. In the 1950s and the beginning of 1960s the majority of first-generation Zainichi Koreans believed that they would return to Korea once the country reunified. Those who participated in pro-North Korean organisation, Chongryun, sent their second-generation children to the Chongryun-affiliated schools in order for them to prepare for a new life in Korea. These Chongryun Koreans helped each other and lived within the Korean community to survive harsh discrimination and prejudice in Japanese society. Chongryun mobilised its members collectively and nurtured strong Korean identity through ethnic schools. However, the majority of Zainichi Koreans left Chongryun by the late 1970s, and they lost their interest in homeland politics (Lie 2008: 119). They became integrated into mainstream society. Since the 1980s and 1990s their access to civil rights resulting from their upgraded legal status and their socio-economic situation improved. Simultaneously, as the division of two Koreas continued, many Zainichi Koreans began to recognise that their settlement became permanent.

Accordingly, the number of Zainichi Korean schoolchildren who attended Chongryun-affiliated schools, which are the centre of the community and the resource for the ethnic identity of Chongryun Koreans, dropped from more than 30,000 in the 1980s to approximately 17,000 in 1993 (Pak, I. 1999: 231-233). The reason for this decrease is partly because there are no Korean schools near to where many Koreans live, and the ethnic schools face difficulty providing qualification for entry to higher education (Hicks 1997: 15). Meanwhile, Lee Gang-ryeol a regional chief director of Chongryun-affiliated school, states that there are internal factors that have caused the ever-dwindling number of entrants into Chongryun schools. According to Lee, the schools have failed to meet the shifting demands of parents. The demands are to provide children with an ethnic education (1) that allows them to see both North and South Korea as their homeland, rather than only North Korea, and (2) that nurtures them as Zainichi Koreans as well as 'a citizen of Japanese society' in this global era. Lee argues that this led to the anxiety and frustration of parents, and resultantly a large number

of Koreans have left the schools and Chongryun (Lee, G. 2006: 105-06).

These demands of parents towards the schools represent the transitional identities and lives of general Chongryun community members; now some people are unwilling to choose either political affiliation and have a consciousness of being a part of Japanese society, rather than being overseas nationals of North Korea. Adhering only to Chongryun has become increasingly obsolete. A discrepancy between the ethnic schools, which have been largely affected by the policy of Chongryun and the ideology of North Korea, and the general community members is related to the point that Pak II indicates as follows. Pak points out the problem with the ethnic education taught at ethnic schools is their segregated schooling. While students at ethnic schools can enjoy their own culture in 'segregated sites,' they are not given opportunities to build friendships with Japanese students or to experience 'ethnic conflicts' between Koreans and Japanese students. As a result, many of them have difficulty fitting into Japanese society after graduation (Pak, I. 1999: 237-38). Whereas Zainichi Korean students of Chongryun-affiliated schools tend to retain a strong, positive identity (See Ryang 1997), their social contacts tend to be limited within Chongryun arena.

Meanwhile, many of other Zainichi Koreans have lived as Japanese under Japanese names. Some Zainichi Koreans chose to naturalise in order to escape social stigmatisation and poverty, whereas others assimilated themselves into mainstream society without naturalisation. Currently, eighty to ninety percent of Zainichi Koreans, including many Mindan members, have used Japanese names, and about ninety percent of Zainichi Korean children have attended Japanese schools (Ryang 2000a: 5-6). Ethnic education, which promotes affirmation of the Korean cultural and linguistic heritage, is totally lacking in Japanese schools (Motani 2002: 234). Zainichi Korean children learning at Japanese schools are likely to have little knowledge of their own ethnic group and to perceive their Korean ethnicity negatively. Their 'Korean-ness' is something they want to hide from their Japanese friends, and they feel embarrassed to let Japanese friends see their grandparents who speak Korean (Lee, W. 1995: 175).

A second-generation Zainichi Korean Kim Keung-duk notes that having attended Japanese schools from elementary school to university with his Japanese name, he always had to efface his Korean traits and wished to become Japanese (Kim, K. 1995: 17). A limited number of Zainichi Koreans, including Kim, later regained their Korean ethnic identity and started using Korean names. Nevertheless, most of the 'passing' Koreans have kept living as Japanese, and in some cases, Zainichi Korean children are not informed of their ethnic roots by their parents. In these circumstances, Zainichi Koreans must choose the education that children

should receive, either Japanese schools, which have no official policies for respecting Korean culture or language (Motani 2002), or Korean ethnic schools (*chōsen gakkō*), which provide the North Korean ideological education.

2.2. Korean-Japanese Relations and its Effect on Ethnic Relations

The individual ethnic relations of Zainichi Koreans are also largely determined by diplomatic relations between Japan and the two Koreas. In April 1994 the North Korea nuclear weapon issue began to be reported by the Japanese media. A series of incidents took place in which the *chima chogori* uniforms that female students at Chongryun-affiliated schools wore were slashed by Japanese men on trains (Tanaka 1995: 249-250). The number of reported cases of harassment against Korean students drastically increased from 101 cases in 2001 to 522 cases in 2002 (Kawaguchi 2004: 65). In September 2002, in a summit with the then Japanese Prime Minister Koizumi, the then North Korean leader Kim Jong-Il admitted that North Korea had previously abducted several Japanese after years of denial. The coverage of this abduction issue whipped up anti-North Korean sentiment in Japan. Since then, there have been an increasing number of the reported cases in which vulnerable Zainichi Koreans, such as children and female students, have become easy targets of the hatred of Japanese people towards North Korea, in the forms of bullying, verbal abuse, and physical violence (Yan 2004: 15).

In contrast, South Korea gained popularity in the entertainment world and tourism among the general public of Japan, as well as its rapid economic growth. The *Kanryū būmu* (Korean wave) started in 2000 with ‘Shuri,’ an action film that became the first Korean blockbuster in Japan (The Japan Times, 7 April 2004). Following the co-hosting of the Soccer World Cup by Japan and South Korea in 2001, South Korean culture gained momentum among young Japanese people. The popularity of an array of South Korean TV dramas also indicates that the appreciation of South Korean popular culture also reached older generations (Tai 2006: 42). The appreciation of South Korean culture helped promote a better image of South Korea in Japanese society.

This *Kanryū būmu* improved exclusively the image of South Korea among the general public in Japan, but it did not affect an image of North Korea. The perceptions of North Korea remained negative, described as ‘dark,’ ‘poor,’ ‘difficult to understand,’ ‘not free,’ and ‘threatening,’ by some Japanese viewers of South Korean dramas (Hanaki et al.: 2007). The polarisation of the images has also influenced Japanese people’s images of Zainichi Koreans and at the same time the formation of Zainichi Koreans’ own images. Some Japanese denigrate Zainichi Koreans by referring to Zainichi Koreans as *Chōsenjin* (Nomura 1996: 24-26),

associating them with North Korea (*Kita Chōsen* in Japanese). As a result of this general negative sentiment toward North Korea, a great number of Zainichi Korean people increasingly identify themselves with *Kankoku* (South Korea) but not with *Kita Chōsen* (North Korea) (Fukuoka and Kim 1997: 71). The splitting of ethnic identity and self-images between South and North Korea may lead to the splitting of Zainichi Korean communities and their ethnic identities.

This is not to suggest that all Japanese have celebrated South Korean popular culture. *Kanryū būmu* produced a backlash, *Kenkanryū* (anti-Korean wave), from around 2005. Some comic books and magazines, such as collections of comic books called *Kenkanryū* (The Hate Korean Wave) drawn by a pseudonymous cartoonist named Yamano Sharin (2005), attacked and disparaged ‘Koreans and Korea.’ Their immediate and main target is Zainichi Koreans. In these comic books, Zainichi Koreans are racialised, and their characters are depicted as dirty, cunning, and evil (Itagaki 2007: 3). On the other hand, some Zainichi Koreans also contend that Japanese appreciation of South Korean culture will not compensate for Japan’s colonial past. Remembering its colonial past has aroused acute resentment against Japan and Japanese people among some Zainichi Koreans.

3. Challenges against Unequal Treatment: Civil Rights Movement

3.1. Litigation and Grassroots Social Movements

Zainichi Korean social movements in the 1960s were mainly led by Chongryun and Mindan. For instance, many Chongryun Koreans were engaged in Chongryun-organised movements for the repatriation of Koreans to North Korea, deregulation of people exchanges between Japan and North Korea, and conservation of ethnic schools (Oguma and Kang, S. 2008). Ethnic institutions played an important role in these civil rights movements, which Pak II refers to as ‘top-down organised social movements’ (Pak, I. 1999: 38). In contrast, from the 1970s onward, some Zainichi Korean individuals began to challenge ethnic inequality in Japanese society *personally* through litigation and a series of court cases (Kim, B. 2006: 62). These bottom-up social movements are an indicator of the independence of the Zainichi Korean community from organisations and the authority of the Korean peninsula (Pak, I. 1999: 70), which has resulted in the empowerment of a large number of Zainichi Koreans.

For example, in 1970 Pak Chong-sok, a second-generation Zainichi Korean resident, launched a suit against Hitachi Company for its ethnic discrimination against him in employment (Kato 2008). After graduation from a Japanese high school, he applied for a job

position at Hitachi in 1970, submitting a resume under his Japanese alias name which he had used for daily life, and writing his parents' current address, Aichi prefecture, instead of Korea, in the *honsekichi* (registered address) section. He successfully passed the Hitachi entrance examination and received a job offer. However, when Hitachi found out that Pak was Korean, it rescinded the job offer on the grounds that he had submitted false information. Pak filed a suit against Hitachi for violation of his fundamental human rights (Choi, S. 2008a). As a result, in 1974, the Yokohama District Court pronounced judgement in favour of the plaintiff. It ordered Hitachi to hire back Pak and pay accrued wages during the trial and the compensation money. The court expressed deep compassion for the plaintiff who had suffered psychologically from ethnic discrimination by the defendant (Tanaka 1995: 130-135). It stated that 'the court finds no apparent reason, other than the factor of ethnic discrimination, why the defendant rescinded the contract to hire the plaintiff in the case' (Kim, B. 2006: 62).

This ruling which officially admitted ethnic discrimination in Japanese society encouraged many Zainichi Koreans to fight ethnic discrimination. In 1974, former supporters of Pak launched *Mintōren (Minzoku Sabetsu to Tatakau Renketsu Kyōgikai)*, National Council for Combating Discrimination Against Ethnic Peoples in Japan, with the aim of not only supporting Pak, but also leading movements for fighting ethnic discrimination (Tanaka 1995: 134). Many Zainichi Koreans, who could not find their own place within existing ethnic organisations, because one of their parents was Japanese, turned out at the group meetings (Choi, S. 2008a: 39). Around the same time, numerous other organisations were set up across the country to fight ethnic discrimination (Pak, I. 1999). The establishment of these organisations and their social movements were conducted by neither Mindan nor Chongryun, but by individual Zainichi Koreans and Japanese citizens. Some of these organisations and groups later led the social movements for the abolition of the nationality clause from some civil regulations, such as those concerning child benefit, national pension, and municipal housing, through negotiation with local governments in the 1970s and 1980s (Pak, I. 1999: 43-45; Choi, S. 2008a).

Another case which succeeded in redressing ethnic inequality against Zainichi Koreans was made by the first foreign lawyer in Japan, Kim Keung-duk. Kim was a second-generation Zainichi Korean with South Korean nationality, born in Wakayama in 1949. Having studied at Japanese schools through elementary school and university, he graduated from Waseda University in Tokyo in 1972 (Kim, K. 1995). He successfully passed the highly competitive judicial examination given by the Ministry of Justice to become a lawyer in October 1976. Successful candidates were required by the Lawyers' Law to complete a two-year training

programme at the Judicial Research and Training Institute operated by the Ministry of Justice (Kim, B. 2006: 62). When Kim applied for admission to the training programme, the Ministry of Justice imposed the condition that Kim would become naturalised and give up his South Korean nationality.

Whereas the Lawyers' Law had no specification regarding the nationality of lawyers, the Judicial Research and Training Institute had been admitting foreign nationals only if they declared their intention to become naturalised Japanese citizens (Kim, B. 2006: 63), and twelve other successful foreign candidates had been forced to do this. However, Kim refused to naturalise and submitted a petition to the Japanese Supreme Court in November 1976, in which he showed his strong desire to enter the legal apprenticeship as a Zainichi Korean, not as a naturalised Japanese. He stated that since childhood, he had hated being Korean, and pretended to be Japanese through elementary school and university using a Japanese name. Having faced ethnic discrimination in job hunting in his final year at university, he determined to become a legal apprentice as a Zainichi Korean in order to help in the elimination of ethnic discrimination in Japanese society. To complete his ambition, he made a desperate effort to pass the judicial examination, while earning a living by doing part time work at a construction site. He argued in the petition that becoming a naturalised Japanese citizen meant the loss of his original reason for becoming a lawyer. Kim wanted to encourage his fellow Zainichi Koreans to live with pride as Zainichi Koreans without feeling shame about being Korean (Kim, K. 1995). Finally, the Ministry of Justice concluded Kim was to be allowed to enter a legal apprenticeship 'as scheduled' (Tanaka 1995: 142). Eventually, Kim became the first Zainichi Korean lawyer without Japanese nationality in Japan. Thereafter the Judicial Research and Training Institute began to accept successful foreign candidates (Kim, B. 2006: 63). Consequently, increasing numbers of Zainichi Koreans have become lawyers without naturalising each year. Kim's courageous action paved the way for Zainichi Koreans to become lawyers with Korean nationalities.

Litigation by grassroots activities surrounding Zainichi Koreans against discriminatory practices towards foreigners has played an important role in the improvement of government policy. One of their activities was opposition to the fingerprinting system, which began with a 'one-man rebellion' (Lie 2008: 108). Until 1992, foreign nationals over the age of 14 were required to submit their fingerprints for identification on registering as an alien. They had to renew these prints every five years at a local municipal office in compliance with the Alien Registration Law (Tsunemoto 2001: 133). If they refused to comply with this requirement, they

were subject to criminal penalties of a maximum fine of 200,000 yen or up to one year's imprisonment (Pak, I. 1999: 54).

In September 1980, one first-generation male resident refused to be fingerprinted in Tokyo. Following on from this, the fingerprinting refusal movement spread through the country, and subsequently, many foreign nationals in Japan, such as Chinese and Americans, participated in the refusal campaign (Pak, I. 1999: 53-54). Hundreds of groups which collectively refused to be fingerprinted were set up across Japan. A number of foreigners considered the fingerprinting system an infringement of the right to privacy protected by Article 13 of the Constitution. They filed lawsuits at courts all over Japan. More than twenty district courts and high courts ruled that they did not find the practice of fingerprinting unconstitutional. However, at last in 1993, the Japanese government amended the law and it came to exempt permanent residents from fingerprinting, having agreed to it in the 1991 memorandum between Japanese and South Korean foreign ministers (Strausz 2006). Instead they were required to give their signature and family records (Tsunemoto 2001: 134).

These actions through a series of litigations have served a large number of Zainichi Koreans as a catalyst for social movements that fight for the civil rights of Koreans and other foreign nationals in Japan. They have helped, in part, Zainichi Koreans' establishing and maintaining of their ethnic solidarity (Lie 2008: 108). The lawyer Kim states that through the social movements, which had been conducted by the second-generation Zainichi Koreans in the 1970s and 1980s, Koreans demanded common rights, irrespective of which nationality they had, *Chōsen* or South Korean (Kim, K. 2007: 306). The movement for the permanent foreign residents' rights to vote that emerged around that time was a result of increasing awareness of young Zainichi Koreans as being members of Japanese society and their determination to actively participate in society (Jung 1999: 27).

3.2. Local Governments and Civil Rights Activism of Zainichi Koreans

Although the upgraded legal status of Zainichi Koreans with permanent residency in Japan in 1992 allowed Zainichi Koreans without Japanese nationality better access to civil rights (Ryang 2000b: 43-44), there are still some restrictions and limitations based on nationality requirements in many laws and regulations. However, local government has been more likely to take a leading role in the establishment of protection for Zainichi Koreans' and other groups' rights against central government opposition. Some local governments have been at the forefront of policy-making designed to benefit foreign residents and have removing many of the legalised forms of discrimination (Aiden 2011: 229). For example, permanent resident

foreigners have been excluded from employment in the public sector on the ground of nationality. However, some local governments, such as Kawasaki city in Kanagawa, have abolished the national requirement, contrary to the central government's policies, although a range of jobs that foreign residents can take up has been limited to 'non-administrative positions' (Choi, S. 2008b). Besides, the local governments, including Kawasaki and Ikaino in Osaka, actively have conducted research and generated detailed policy proposals for the protection of human rights (Murakami 2002).

Moreover, in the early 1990s several local governments began to pass resolutions calling for foreigners to be allowed to vote in local elections. In 2001 1,439 local governments passed similar resolutions (Takao 2003: 533-34). Although an attempt to persuade the Supreme Court in 1995 that Zainichi Koreans across the country were entitled to vote in local elections failed, the court suggested that a law that allowed this would not be unconstitutional (Neary 2003: 274). In some cities, local plebiscite voting rights have been granted to foreign residents including Zainichi Koreans (Chapman 2004: 30), for example, in the cities of Takaishi in Osaka, Tsu in Mie Prefecture and Maihara in Shiga Prefecture. In addition, before the nationality clause was abolished from the National Health Insurance Programme in the 1980s, some cities including Kawasaki, Sapporo, and Yokohama, began to provide the National Health Insurance to all foreigners against the wishes of the national government (Takao 2003: 541). Kawasaki also announced that the city would not denounce the people who refused to be fingerprinted in 1985 (Kato 2008: 21).

These positive attempts of some local governments to generate better circumstances for foreign nationals residing in their municipal areas are partially the product of the activism of Zainichi Koreans. For instance, *Tokkabi Kodomo-kai* in Yao City, Osaka was established in 1974 by a group of young Koreans, in order to empower Korean children to have ethnic pride in being Korean. The group subsequently succeeded in eliminating the nationality requirement from eligibility for public-sector jobs such as postal delivery in the 1980s (Fukuoka 1993; Tai 2006: 44-45). The group also persuaded the city to stabilise financial support for ethnic education in 1990. The city became responsible for eliminating discrimination against Zainichi Koreans and educating children on Korean history and culture (Lee, K. 2006). Likewise, in 1979 another activist group called *Mukuge-no-kai* was born from an anti-discrimination movement at a junior high school in Takastuki City in Osaka. It succeeded in eliminating the nationality requirement from the eligibility to take public-sector jobs as well (Tai 2006: 49-50).

3.3. International and Domestic Laws on Human Rights of Zainichi Koreans

The change in the status of Zainichi Koreans has been made in line with international laws and external pressure since 1980s. The Japanese government, however, was reluctant to participate in the international human rights system until the end of the 1980s. In 1979 the government ratified the United Nations International Covenants on Economic Social and Cultural Rights and Civil and Political Rights (Neary 2003: 267-268; Takao 2003: 529). Obligated to provide an initial report on the country's civil and political rights situation, the Japanese government submitted a very short initial report (Neary 2003: 268), and furthermore, in a 1980 report to the United Nations, the Japanese government stated officially that ethnic minority groups did not exist in Japan (Stevens 2001: 187). It refused to recognise the presence of different ethnic groups, not only resident Koreans, but also any other ethnic minority populations, including the indigenous Ainu population, Chinese, Taiwanese, Okinawans, and other foreign workers.

Subsequently, Japan also acceded to the Treaty on the Status of Refugees in 1981 and the Convention on the Elimination of Discrimination Against Women in 1985. Japan's ratification of these treaties obliged it to change its domestic policies toward foreign nationals in Japan, including Zainichi Korean residents. All Zainichi Koreans without South Korean or Japanese nationality came to be permitted to maintain permanent residency under the amendment of the Immigration Control Law in 1982. In the 1990s, Japan finally started to engage in the international human rights regime, since it wanted to be seen as a 'human rights-accepting nation' with the aim of acquiring a permanent seat on the UN Security Council (Neary 2003). This change in Japan's attitude towards human rights resulted in changing government policies concerning the human rights of Zainichi Koreans as well as those of members of other minority groups in Japan.

4. Conclusion

The legal status of Zainichi Koreans was gradually improved and their living conditions and social status improved over generations. In line with that, a large number of Zainichi Koreans began leaving ethnic institutions and the Zainichi community and have become dispersed across Japan. In particular, many Chongryun Koreans have left Chongryun, and consequently there is a sharp decrease in the number of students who have attended its ethnic schools. In addition, the ethnic relations surrounding Zainichi Koreans and their diversification partly reflect the diplomatic relations between Japan and the two Koreas. While the image of South Korea has become partly positive in Japan amongst Japanese, the perceptions of North

Korea have remained negative. The difference in the images of two Koreas is a significant factor in Zainichi Koreans' ethnic identities. Meanwhile, improvement of Zainichi Koreans' social conditions was achieved largely by their far-reaching social movements. Many Zainichi Korean civil rights movements after the 1970s came from the bottom up. These grassroots movements have encouraged many Zainichi Koreans to assert their ethnic identity and maintain their ethnic pride. The positive attempts of some local governments to improve the circumstances of foreign nationals are also due to these movements.

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