



Dialogue

The Triad of Colonialism, Anti-Communism, and Neo-Liberalism: Decolonizing Surveillance Studies in South Korea

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Abstract

This paper critically examines three intersectional hegemonic forces of maintaining a surveillance regime—the triad of colonialism, anti-communism, and neo-liberalism—that I argue are necessary for decolonizing surveillance studies in South Korea. I discuss South Korea’s Resident Registration System (RRS) as the contemporary incarnation of modern colonial power’s control over its colonial subjects, calling into question the maintenance of the colonial legacies within RRS policy innovations. I critically examine the way in which the legitimacy of neo-liberal surveillance is embraced by the anti-privacy scheme entrenched in the colonial and anti-communism legacies that relentlessly allows state power to control and intervene in individual realms. Questioning the triad of colonialism, anti-communism, and neo-liberalism can recast a critical work for decolonizing surveillance studies in South Korea.

Decolonizing South Korea’s Surveillance Regime

As Payal Arora (2018) aptly suggests, decolonizing surveillance studies requires exploring the historical specificities of the emergence, deployment, and justification of a surveillance regime. As a nation-state saddled with legacies from Japanese colonial rule (1910–1945), South Korea has developed rigorously ideological surveillance apparatuses. Among them, the Resident Registration System (RRS), as the *de facto* sole method of verifying legal identity in South Korea, has been paid particular attention by scholars (Kim 2007; Na 2014). This paper critically examines three intersectional hegemonic forces of maintaining a surveillance regime—the triad of colonialism, anti-communism, and neo-liberalism—that I argue are necessary for decolonizing surveillance studies in South Korea.

I want to suggest that the RRS also needs to be illuminated in a shift of the modalities of surveillance that maintains and reinforces the persistent neo-liberal restructuring of the South Korean banking, insurance, and information technology industries. In what follows, to disentangle the interlocking contexts of colonialism, anti-communism, and neo-liberalism within South Korea’s surveillance regime, first, I discuss South Korea’s RRS as the contemporary incarnation of modern colonial power’s control over its colonial subjects, calling into question the maintenance of the colonial legacies within RRS policy innovations. I then investigate the way in which the promise of security is compromised in the RRS, along the lines of the controversial legitimacy of surveillance in neo-liberal restructuring of the South Korean data-driven economy, where biometric information stored in the RRS invariably serves as a key surveillance technique.

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Colonial Legacies for Anti-Communist Control over the Population

The origins of the RRS can be traced in historical context. In 1942, the Japanese colonial regime implemented the Colonial Korea Resident Registration Order as part of Japan's imperialist war effort to secure conscription of colonial subjects and mobilize material resources for the Pacific War. The order required Koreans to register their address, birthdate, and place of origin, as well as their relation to the household head. After Japan's surrender to the Allies, acknowledging the Japanese colonial administration of policing the nation's population, in January 1947, the US Army Military Government in South Korea (1945–1948) began resident registration. This interim government required South Koreans to record their height, weight, age, physical characteristics, fingerprints, signature, occupation, employer, and the date of issue on the registration card, a copy of which they were obliged to carry at all times for random police inspections of their residential status. But the registration was also taken to monitor and identify pro-North Korea/communist South Koreans (Kim 2007: 295). When the Republic of Korea was established on 15 August 1948, the Rhee Syngman government (1948–1960) had the police administer its resident registration system, which primarily targeted those who engaged in, or even sympathized with, guerrilla warfare led by anti-government and North Korea-linked armed forces operating in South Korea. During and after the Korean War (1950–1953), South Korea's resident registration system was exploited as a means of ferreting out North Korea-linked spies or distinguishing good citizens from *enemy*—anti-government—*civilians*, journalists, and intellectuals who began to be skeptical of the *raison d'être* of the resident registration run by the police in the late 1950s (Kim 2007: 311-315).

Military dictator Park Chung-hee (1961–1979), a former Japanese army officer in Manchuria, came to power in a *coup d'état* on 16 May 1961. The Park government declared the Resident Registration System Act on 10 May 1962, which required South Koreans to register and report their residential address to the local resident district office when they spent 30 days or more in the registered domicile. The Park government took advantage of a border-crossing incident by a South Korean businessman exiled to the North in January 1964 as a strong justification of the legislative move of the RRS, despite public concern and vocal criticism of the unsubstantiated resident registration scheme that had existed since the Rhee government.

After North Korean commandos' failed attempt to assassinate President Park in January 1968, the Park government finally declared in February 1968 a revised RRS Act that replaced the resident registration at the local level with a centralized RRS that recorded facial characteristics and fingerprints, assigned a 12-digit identification number to all legal residents age 18 or older, and required residents to carry with them at all times a copy of the Resident Registration Card (RRC) showing a facial photo, name, the Resident Registration Number (RRN), two thumbprints, permanent and current addresses (and changes thereof), military duty, and the dates and locations of card issuance. The Park government made it clear that the revised legislation aimed to provide administrative control over the population along with the intensification of anti-spy searches for enemy civilians. In July 1975, the Park government revised the RRS Act, requiring that all legal residents age 17 or older be assigned a permanent 13-digit RRN, along with mandatory fingerprinting retained by the National Police Agency. In this revised RRN, which continues to this day, the first six digits indicate birthdate, the 7th digit signifies gender (odd numbers for male and even for female, depending on year of birth and citizenship status), the next five digits represent place of birth, and the last digit is the code of verification. In a time of political liberalization, the Kim Dae-jung government (1998–2002) introduced an electronic RRC through the digitalization of the RRS and RRN, insisting that this innovation in monitoring population could ensure and maximize administrative efficiency (Yoon, Lee, and Chu 2015: 16-17).

Over the course of the policy moves for these RRS revisions and innovations, however, the colonial and Cold War legacies of framing privacy as antithetical to the purview of state development, or to “social harmony” (Arora 2018: 5), have never substantially been questioned. The RRS still maintains overarching surveillance power to control the population in excess of legal identity verification. It retains as many as 140 private information items including marital status, blood type, education profile, employment history, and relation to the household, as well as a facial photo, name, the RRN, fingerprinting of both hands, permanent and current addresses (and changes thereof), military duty, and the dates and locations of card issuance. It is currently still against the RRS Act, legislated in December 1980, for residents to fail to report to the local government office about their new domicile within 14 days of moving in a local district. Fingerprinting and other biometric information of all residents in the RRS are retained by the Central Police Agency, which can access the information for crime investigations without obtaining a court warrant or consent from the person(s) concerned. This policing measure can be criticized as illegitimate and unconstitutional in classifying all registered civilians as potential criminals or threats to public safety, because it is seemingly against the principles of probable cause and informational self-determination, as well as the presumption of innocence.

A Crisis of Legitimacy in the Neo-Liberalization of Privacy Protection

The RRN promises security. It functions as a universal identification number, so much so that one may use it to access virtually all of the aforementioned personal information recorded in the RRS, once the numbers are entered in databases of private online services that require customers to submit their RRNs. In the wake of the unprecedented large-scale privacy hacking incidents in 2014, in which about 5 hundred million customers’ RRNs, birthdates, emails, and cell phone numbers were leaked from wholesalers, major banks, credit card, insurance, and telecommunications companies, the collection of RRNs for maintenance purposes by both government and private services began to be banned, according to the revised 2014 Personal Information Protection Act. However, customers still have to offer their RRNs in order to subscribe to government and online services. As late as December 2015, South Korea’s Constitutional Court found the permanency of the RRN unconstitutional. With this decision, those who were concerned about any impending or potential damage due to their leaked RRN were allowed to obtain a new one. Symptomatically, however, the court did not find any reason for the conflict between the RRN and the right to informational self-determination.

This confounding court decision was a judicial blunder, conveying pressing implications on a shift of the modalities of surveillance in the neo-liberal restructuring of the South Korean data-driven economy. For example, in July 2015, the Supreme Prosecutors’ Office indicted former and current CEOs of Korea Pharmaceutical Information Center (KPIC), a non-profit organization co-funded by major Korean pharmacists’ and pharmaceutical manufacturers’ organizations, for illegal sales of 44 million patients’ prescription information to IMS Health Korea, an American multinational corporation providing services and information to the health industry. The prescription information in those illegal transactions contains patients’ RRNs, doctors’ diagnoses, and prescription details. Apparently, the RRNs, as discussed above, integrate explicitly detailed private information with prescriptions and medical diagnoses for third-party pharmaceutical marketers.

Despite increasingly growing public concern over the RRN, the controversial legitimacy of surveillance in the use of the RRN for the state’s administrative efficiency continues to build upon the corporate capture of privacy protection under the Moon Jae-in government’s (2017–present) drive for “the 4th Industrial Revolution,” an idea proposed by Austrian technocrat Klaus Schwab that emphasizes the importance of artificial intelligence and robotics in industrial innovations. For example, President Moon promised

deregulations on privacy across bank, insurance, biometric information technology, and biomedical industries for the sake of facilitating the state's new economic sustainability projects (Yonhap 2018). Subsequently, the Financial Services Commission's Proposal of Advancing the Credit Bureau Industry for Growth of the Data-Driven Economy, announced in November 2018, allows large corporations to obtain half-encrypted, identifiable biometric, medical, and other personal information from government databases merely by offering reasons related to research and development for prompt and efficient customer services. This policy move can make individual customers subject to corporate surveillance tracking their credit report and scores, giving the data industry an elevated status of judicial unaccountability. Individuals' right to informational self-determination is thus vulnerable to the extractive quasi-sustainability projects of the data industry. Article 5 of the EU's General Data Protection Regulation, which requires personal data to be "collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes" should be instructive in this regard, insofar as the South Korea government pursues global standards in innovations of the data-driven industry.

Conclusion

Paternalism programmed through the RRS and the RRN has recently helped implement an enormous neo-liberal labor surveillance program, overwhelmingly supported by parent groups, that has installed CCTV cameras in all public and private childcare facilities in the wake of increasing serious child abuse cases by nursery teachers caught on CCTV (Jung 2015). Data gathering and surveillance of daycare workers are portrayed as a participatory means of guaranteeing child safety and administrative transparency in daycare centers. The legitimacy of neo-liberal surveillance, unencumbered by demands for legal frameworks of informational self-determination, is embraced by the anti-privacy scheme entrenched in the colonial and anti-communism legacies that relentlessly allow state power to control and intervene in individual realms. Questioning the triad of colonialism, anti-communism, and neo-liberalism, therefore, can recast a critical work for decolonizing surveillance studies in South Korea.

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