

INTRODUCTION

Politics of Citizenship and Transnational Gendered Migration in East and Southeast Asia

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Even in this age of globalization when people, ideas and goods readily move across national borders on an unprecedented scale, political rhetoric in support of prevailing notions of the static boundaries of citizenship remain pervasive. In particular, the increasing frequency, intensity and scale of transnational migrations—combined with innovations in transportation and communications technologies—have generated new challenges to the concept of citizenship. In the twenty-first century, it is crucial to understand the transnational and increasingly fluid definitions of collective consciousness and individual identity that cannot be understood in the context of exiting conceptions of race and territorially bounded political community. Political communities across nations and historical epochs have included or excluded groups according to different and often shifting criteria. Treating citizenship and a sense of belonging as unfixed and subjected to changes over time, this special issue examines the politics of citizenship in selected East and Southeast Asian countries in the ages of transnational gendered migration.

The special issue explores how transnational gendered—including both female and male—migration has affected citizenship or a sense of belonging from interdisciplinary and comparative perspectives. Transnational gendered migration poses a challenge to the notion of citizenship and has been an important instigator of legal and social reforms.² Japan, South Korea, the

¹ Most papers in this volume were prepared for delivery at the 2009 annual meeting of the Association for Asian Studies in Chicago and/or the 2009 Yonsei University workshop on “Immigration and Identities in East and Southeast Asia” in Seoul, Korea. We are grateful for the insightful comments from all discussants and participants of these meetings. I thank Sara Friedman, Pierrette Hondagneu-Sotelo, David Gartner, Wang-bae Kim, Timothy Lim, Johan Lindquist, Hyung Gu Lynn, Nadejda Marinova, Nobue Suzuki, J. Ann Tickner and the three anonymous reviewers for their helpful comments on this introduction. My research was assisted by a grant from the Abe Fellowship Program administered by the Social Science Research Council and the American Council of Learned Societies in cooperation with and with funds provided by the Japan Foundation Center for Global Partnership.

² Nicola Piper and Mina Roces, eds. *Wife or Worker? Asian Women and Migration* (Boulder: Rowan & Littlefield, 2003).

Republic of China (hereafter Taiwan), the People's Republic of China (hereafter PRC or Mainland China) and Indonesia are selected in this volume because they vary in their levels of homogeneity. For example, South Korea has long been considered among the most ethnically homogeneous nation-states in the world. Its ethnic minority population accounted for a little over 1 percent of the total population. Ethnic minorities in South Korea include Chinese, Japanese, "Amerasian" (children of United States soldiers and South Korean women), a small number of "Lai Daihan" (children of South Korean fathers and Vietnamese women during the Vietnam War) who recently immigrated to South Korea, and a growing population of Kosian (children of South Korean fathers and Asian mothers from China and Vietnam).³ In Taiwan, approximately 98 percent of the population consider themselves as Han Chinese, while the other 2 percent are Taiwanese aborigines. Similarly in Japan, the Japanese also view themselves as a racially distinct and homogeneous people, despite the historical presence of Koreans, Chinese, Ainu, and Okinawans. The number of foreigners in Japan is less than 2 percent of its total population. At the other end of this spectrum, the ethnic composition of Indonesia is only 42 percent Javanese, while the remaining population encompasses over 300 ethnicities. The People's Republic of China (PRC) is similarly composed of a patchwork of ethnicities with some 55 state-recognized minority groups, which account for over 9 percent of the overall population or a total of 123 million people. Given the diversity of these countries, the country case studies of East and Southeast Asia can offer variation on the impact of transnational gendered migration on discourses of citizenship and belonging.

In the last decade or so, scholarship on immigration and citizenship has witnessed a growing focus on the role of gender in (im)migration trends and outcomes, especially as women assume greater representation worldwide among those on the move.⁴ This work has revealed important inter-relationships between women's family and work statuses, especially in the Asian context where decisions to migrate for employment and marriage/family reasons often are linked.⁵ In light of this recent scholarship on citizenship and gender, this special issue systematically treats migration as a gendered system and highlights the role of politics in understanding the

³ On the situation of Kosian children in South Korea, see *The New York Times*, 29 November 2009, A6.

⁴ See Caren Kaplan, Norma Alarcon and Minoo Moallem, eds., *Between Woman and Nation: Nationalisms, Transnational Feminisms, and the State* (Durham: Duke University Press, 1999); Rhacel Salazar Parrenas, *Servants of Globalization: Women Migration, and Domestic Work* (Stanford: Stanford University Press, 2001); Nicole Constable, *Romance on a Global Stage: Pen Pals, Virtual Ethnography, and "Mail Order" Marriages* (Berkeley: University of California Press, 2003); Nicole Constable, ed., *Cross-Border Marriages: Gender and Mobility in Transnational Asia* (Philadelphia: University of Pennsylvania Press, 2005); Seyla Benhabib and Judith Resnik, eds., *Migrations and Mobilities: Citizenship, Borders, and Gender* (New York: New York University Press, 2009).

⁵ Piper and Roces, eds. *Wife or Worker?*

variation in the type of transnational gendered migration within East and Southeast Asia, the socio-political actors involved in (im)migration politics, the debates between these political actors, and policy outcomes, particularly on laws related to citizenship or nationality.

This special issue seeks to understand the politics of citizenship and its mechanism for policy change under conditions of increasing pluralism brought by the transnational gendered migration. Based exclusively on the empirical essays in this volume from selected cases in East and Southeast Asia, I have constructed a theoretical framework on the politics of citizenship and transnational gendered migration. This framework, which treats the concept of citizenship as fluid and constructed, features the important role of state actors (both host and sending states), societal actors, and courts.

Formal, Substantive, and Differentiated Citizenship

Citizenship has been largely under-conceptualized and under-theorized in the immigration scholarship on Asia and politically ignored by policy makers in many East and Southeast Asian countries. This special issue aims to rectify these theoretical shortcomings and begins by reviewing the conceptual differences between *formal*, *substantive*, and *differentiated* citizenship.⁶ Formal citizenship is membership in a nation–state or political community. Persons with formal citizenship can be regarded as nationals but they may or may not possess citizenship rights. Substantive citizenship, in contrast, entails the possession of a body of civil, political and social rights. Often, it also imposes obligations as well as engendered lived experiences. In most East and Southeast Asian countries, laws that grant formal citizenship are based on *jus sanguinis* (blood); that is, nationality is granted to a person whose father or mother is, at the time of birth, a national of that country. In heterogeneous societies, like the PRC and many Southeast Asian countries, formal citizenship also includes some form of modified *jus soli* where citizenship is ascribed to all persons born in the territory.

However, a person who possesses formal citizenship may lack substantive citizenship. For example, in Taiwan, formal citizenship is provided to all overseas Chinese as recognition to acknowledge the support that overseas Chinese had given historically to the Kuomintang regime during the 1911 Revolution that overthrew the Qing dynasty. Moreover, Taiwan's official borders include all of the territories of the PRC and Mongolia; therefore, persons of their territories are legally Taiwanese nationals. However, the exercise of substantive citizenship, such as suffrage, labour rights, and access to national health insurance, requires possession of a Taiwan National

⁶ On formal and substantive citizenship, see Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge: Harvard University Press, 1992, particularly pp. 40-43); T. H. Marshall, *Citizenship and Social Class and Other Essays* (Cambridge: Cambridge University Press, 1950).

Identification Card, which is only issued to persons with household registration in the Taiwan Area. Those Taiwanese who do not hold this ID card do not have substantive citizenship rights. Moreover, Article 20 of its Constitution restricts certain citizens from holding public offices. Similarly, in South Korea, the government considers its territory to encompass the entire Korean peninsula. Therefore, North Koreans are Korean nationals. However, they must meet the same residency requirement as other foreigners before acquiring substantive citizenship. In December 2009, the South Korean government decided to grant dual (formal) citizenship to Koreans who have acquired another nationality, as well as foreigners who are born in Korea or have married a Korean and lived there for more than 20 years.⁷ These dual citizens, however, will not be granted suffrage (or substantive citizenship) until they have met a minimum year of residency requirement.

In the context of both formal and substantive citizenship, it is important to note that identifications, such as race, gender, class, legality of status and place of origin, have often qualified citizenship, if not explicitly defined it.⁸ In particular, attention to the restrictions women face as migrants and potential citizens illuminates hierarchies of citizenship that grant only partial or limited rights to specific categories of people.⁹ Scholars have exposed the gendered nature of citizenship and migration processes and have shown how immigration policies construct women specifically as dependents, denying them full rights to initiate migrations or make citizenship claims independent of male kin or employers.¹⁰ Recent research underscores the unevenness and contradictory nature of the regulatory practices that comprise citizenship and shape immigration trends. Scholars point to ways in which women struggle within and against these contradictory practices, in their diverse roles as labour migrants, transnational care workers, members of families, and sponsors of new immigrants.

In heterogeneous societies, like the PRC and Malaysia, a form of “differentiated citizenship” has been installed. Differentiated citizenship takes into account the different positions, interests, and identities of citizens that emerge from gender, racial, ethnic and religious discrimination. In multi-ethnic societies with differentiated citizenship, the state acknowledges the different histories, needs and goals of the various communities that

⁷ 22 December 2009, available at http://www.koreatimes.co.kr/www/news/nation/2009/12/116_57741.html, last accessed on 14 January 2010.

⁸ Melissa Nobles, *Shades of Citizenship: Race and the Census in Modern Politics* (Stanford: Stanford University Press, 2000).

⁹ See Rhacel Salazar Parrenas, “Transgressing the Nation–State: Partial Citizenship and ‘Imagined (Global) Community’ of Migrant Filipina Domestic Workers,” *Signs: Journal of Women in Culture and Society*, vol. 26, no. 4 (2001): 1129–1154; Rhacel Salazar Parrenas, *The Force of Domesticity: Filipina Migrants and Globalization* (New York: New York University Press, 2008); Nira Yuval-Davis and Pnina Werbner, eds., *Women, Citizenship, and Difference* (London: Zed Books, 1999).

¹⁰ Benhabib and Resnik, eds., *Migrations and Mobilities*.

constitute its nation–state and grants privileges or rights to certain ethnic groups.¹¹ Differentiated citizenship demands that equal respect justifies differential treatment and the recognition of special minority rights. For instance, the PRC’s policies toward ethnic minorities entail the establishment of several autonomous areas for minority groups where, at least officially, they are free to study their languages, preserve their cultures, maintain their customs and practice their religious beliefs.¹² As Wang-bae Kim illustrates, minority groups are granted autonomy in running their cultural and educational institutions. In principle, autonomous areas are supposed to enjoy more power than other areas; in reality, they do not and “no significant autonomy legislation has actually been passed.”¹³

However, embracing multicultural and minority rights can mean that citizens lose their sense of collective belonging. This may then affect their willingness to compromise and make sacrifices for each other. It may weaken the levels of trust and loyalty between citizens, who may then develop a purely strategic attitude towards those of different ethnic and social backgrounds. Therefore, the state must develop a genuinely shared culture. The Chinese Communist Party (CCP), for example, propagates an ideological union of all ethnic groups (*zhonghua minzu*) to create a more unified nation. It insists that its goals embody those of a nation that depends on the cultural, political and sometimes territorial centrality of a dominant Han Chinese ethnic group.¹⁴ This has worked with certain ethnic minorities, such as the Tujia, Manchus, Zhuang, Hui, Kazakhs and Koreans, who are satisfied to remain a part of China.¹⁵ Others, such as Tibetans and Uighurs, however, do not identify themselves as “Chinese,” and have demanded ethnic preservation or even independence. In early July 2009, the PRC experienced one of its worst ethnic unrests in recent decades when a group of Uighurs protested against the CCP for trying to erase their language and culture by encouraging the migration of Han Chinese into the Xinjiang region, where approximately nine million Uighurs live. As a result of this ethnic unrest, 197 people died while 1,600 were injured.¹⁶ Clearly, the growth of localized, ethnic nationalism—a potential incubator for aspirations of independence—has

¹¹ See Joseph Carens, *Culture, Citizenship, and Community: A Contextual Explanation of Justice as Evenhandedness* (New York: Oxford University Press, 2000); Iris Marion Young, *Inclusion and Democracy* (New York: Oxford University Press, 2000); Melissa S. Williams, *Voice, Trust, and Memory: Marginalized Groups and the Failings of Liberal Representation* (Princeton: Princeton University Press, 1998).

¹² Colin Mackerras, *China’s Ethnic Minorities and Globalisation* (London: RoutledgeCurzon, 2003).

¹³ Yash Ghai and Sophia Woodman, “Unused powers: contestation over autonomy legislation in the PRC,” *Pacific Affairs*, vol. 82, no. 1 (2009), pp. 29–46.

¹⁴ Anthony Smith, *Theories on Nationalism* (New York: Harper and Row, 1971).

¹⁵ Nimrod Baranovitch, “Between Alterity and Identity: New Voices of Minority People in China.” *Modern China*, vol. 27, no. 3 (2001), pp. 359–401.

¹⁶ *New York Times*, 15 July 2009, available online at <http://www.nytimes.com/2009/11/10/world/asia/10xinjiang.html>, last accessed on 14 January 2010.

become a source of concern for the central government. Party leaders, who see the nation as a territorial unit irrespective of ethnicity and seek political identity involving a “national people” and strong multi-ethnic state while attempting to promote their view of state nationalism, regard this divergence as a serious challenge to national unity.¹⁷

In Malaysia, the government established an asymmetrically differentiated citizenship, which accorded basic citizenship rights to Chinese and Indians in exchange for special legal, political and economic rights for Malays.¹⁸ In a constitutional agreement that was worked out in 1957, resident Chinese and Indians were given citizenship rights in exchange for accepting Malay dominance in politics and culture. Thereafter, major Chinese and Indian political parties were incorporated into the National Alliance (BN), which was led by the United Malays National Organization (UMNO). When the Chinese (non-BN) opposition party challenged this agreement during the national election in May 1969, race riots erupted, resulting in the death of almost 200 Chinese. The government further instituted the New Economic Policy (NEP) in 1971, which lasted until 1990, in its efforts to tackle the economic imbalance between Malays and Chinese. The NEP was an affirmation action to assist/facilitate the economic interests of the *bumiputera* (indigenous Malays) in the form of government subsidies and contracts while discriminating against Chinese (and Indians). Such discrimination, which can hinder formal equality, constituted an important component of Malaysia’s asymmetrically differentiated citizenship. In Indonesia, a debate on whether citizenship rights (and duties) should be differentiated by religion was raised among the framers of the constitution. Leading nationalists, however, decided against such distinction.

In sum, formal citizenship implies equality of members of the polity, while substantive and differentiated citizenships do not necessarily require that rights be uniform between citizens. Deciding who enjoys which of these rights has often been as contentious among political elites as establishing the boundaries of the rights themselves. Women, who are typically associated with reproduction and relegated to the domestic sphere, are historically denied substantive citizenship.¹⁹ As this special issue illustrates, these decisions have been a central area of contention in much of Asia with an increase in transnational gendered migration.

¹⁷ Gardner Bovingdon, *The Uyghurs: Strangers in Their Own Land* (New York: Columbia University Press, forthcoming 2010).

¹⁸ Robert Hefner, “Introduction: Multiculturalism and Citizenship in Malaysia, Singapore, and Indonesia,” in Robert Hefner, ed., *The Politics of Multiculturalism: Pluralism and Citizenship in Malaysia, Singapore, and Indonesia* (Honolulu: University of Hawai’i Press, 2001).

¹⁹ Susan Okin, “Women, Equality, and Citizenship,” *Queen’s Quarterly*, vol. 99, no. 1 (1992), pp. 57-72.

Political Construction of Transnational Gendered Migration

The recent and dramatic increases in foreign migrant workers and spouses in East and Southeast Asia during the past three decades have become areas of contention for formal, substantive and differentiated citizenship. Before I discuss these areas of contention, it is useful to briefly review the international migration in these regions. Foreign migrants in East and Southeast Asia include *Nikkei* (Japanese descent) Brazilian manufacturing workers in Japan, *Chosŏnjok* (Korean–Chinese) domestic workers in South Korea, Filipino entertainers in Japan and South Korea, Southeast Asian domestic workers in Taiwan, Hong Kong and Singapore, Indonesian domestic workers and plantation workers in Malaysia, and Burmese manufacturing and sex workers in Thailand, among others. Mainland China is also experiencing an increase in international migration during the last few decades, particularly from North Korea. The steady influx of North Korean economic and political refugees and other foreigners into China further challenges its notions of nationalism, ethnic relations and social control.²⁰ North Koreans have been illegally crossing the border in search of refuge since the 1990s, when an estimated three million people died of starvation and hunger-related illnesses during the North Korean famine.²¹ Approximately 100,000-300,000 North Koreans live in hiding in northeast China, mainly in the province of Jilin, intermingling with the pre-existing ethnic Korean community.

Of particular interest in this international migration is the fact that many of these transnational migrants are women, albeit the percentage of foreign women migrants differs from one country to another. For example, about 75 percent of the North Korean refugees in China are women.²² In Indonesia, about 80 percent of the migrants (mostly domestic workers) who left the country to work in Malaysia and Saudi Arabia are women. In addition, transnational marriages involving foreign women have increased dramatically in Japan, South Korea and Taiwan, particularly in the rural areas. In Japan, the ratio of international marriages to the total number of marriages reached 5.2 percent in 2001, 80 percent of which involved a foreign wife. By 2007, Japanese men had married about 150,000 Filipina women alone. In South Korea, for example, 40 percent of all rural official marriages that occurred in 2006 were transnational, the majority of which were between Korean men

²⁰ Meanwhile in North Korea, increasing migration in the form of a steady outflow of these refugees has eroded the power of state ideology to maintain social control.

²¹ Andrei Lankov, "North Korean Refugees in Northeast China," *Asian Survey*, vol. 44, no. 6 (2004), pp. 856-873.

²² Rhoda Margesson, Emma Chanlett-Avery and Andorra Bruno, "North Korean Refugees in China and Human Rights Issues: International Response and US Policy Options" (Washington DC: CRS Report RL34189, 2007), p. 4.

and non-Korean women.²³ In Taiwan, about 10 percent of Taiwanese men annually marry mainland Chinese women. Women and children—mostly in the form of “entertainers” (and prostitutes)—migrated (as well as being trafficked) into Japan, South Korea and Taiwan also accounts for a portion of the female foreign migrant population. In this sense, international migration is gendered.

Geography plays an important role in the transnational gendered migration, for it carries symbolic meaning of places and the gendered messages which they transmit.²⁴ The two essays by Wang-bae Kim and Timothy Lim depict clear differences between Chosŏnjok women in the PRC and South Korea. In the PRC, young Chosŏnjok couples prefer to migrate together as couples and equal partners to and from major Chinese cities, leaving their children behind in the care of their elderly parents. In South Korea, Chosŏnjok women tend to migrate alone as domestic workers or future wives to Korean men. Such international migration confines them to the domestic sphere and relegates them to the household, thereby reinforcing long-held South Korean patriarchal values.

Government policies and actions are responsible for much of this transnational gendered migration. During the late 1980s, for example, over half of Japan’s municipalities reported a shortage of Japanese women willing to marry local farmers, who remained single into their forties. Some municipal governments (for example, Akita) responded by inviting foreign women to arranged meetings (*miai*) while others (for example, Yamagata) actively sponsored *miai* tours to East Asian countries, seeking wives for their local farmers.²⁵ In South Korea, international marriages with Chosŏnjok also have their origins in the intervention of government officials. In December 1990, the first example of such a marriage was arranged by a former assemblyman and professor in order to unite Korea and its diaspora in China.²⁶ After this, some local governments, assemblies, and related agricultural associations arranged marriage meetings between their local farmers and Chosŏnjok women.²⁷ In Taiwan, international marriages with mainland Chinese occurred after the Taiwanese government relaxed a ban on travel to the PRC in the late 1980s. War veterans then began to visit their hometowns on mainland China and found partners there. Then in 1992,

²³ Yean-Ju Lee, Dong-Hoon Seol and Sung-Nam Cho, “International Marriages in South Korea: the Significance of Ethnicity and Nationality,” *Journal of Population Research*, vol. 23, no. 2 (2006), pp. 165-182.

²⁴ Doreen Massey, *Space, Place and Gender* (Minneapolis: University of Minnesota Press, 1994).

²⁵ Yamazaki Hiromi, “Japan Imports Brides from the Philippines: Can Isolated Farmers Buy Consolation?” in The Migrant Women Worker’s Research and Action Committee, ed., *NGOs’ Report on the Situation of Foreign Migrant Women in Japan and Strategies for Improvement* (Tokyo: mimeograph, 1995), pp. 33-35.

²⁶ *Chosun Ilbo*, 16 December 1990.

²⁷ Hye-Kyung Lee, “International Marriage and the State in South Korea: Focusing on Governmental Policy,” *Citizenship Studies*, vol. 12, no. 1 (Feb. 2008), pp. 107-123.

the Taiwanese government allowed Chinese wives to reunite with their new families in Taiwan.

Government actions in sending countries also affect transnational gendered migration.²⁸ In the PRC, the Yanbian local government in Northeast China has been encouraging Chosŏnjok to find work in South Korea and even maintains a service centre in Seoul to assist them in adjusting to their lives in South Korea and transferring money back home.²⁹ Similarly, the 2006 Memorandum of Understanding (MOU) between Indonesia and Malaysia promoted and regulated the migration of Indonesian female domestic workers to Malaysia. The importation of domestic maids figures in the Malaysian “modernity project” (releasing Malay women from the bonds of patriarchy and freeing them from domestic work); the policy nurtures a modern Malay family with little regard for the rights and conditions of these foreign women.³⁰ As a result, there has been a drop in undocumented and rise in documented migration from Indonesia to Malaysia. According to Johan Lindquist (in this volume), this trend highlights a process whereby the mobility of migrants has become increasingly regulated, as government, market and civil society actors are largely in agreement regarding the form that emigration should take, namely regulated contracts in which return is guaranteed. Lindquist observes that debt-bondage transnational labour has become increasingly gendered as a result of market deregulation and government regulation of emigration. He details how agencies and moneylenders engage in gendered strategies. Moreover, while men usually have to pay prior to departure—often borrowing at 100 percent interest—women have to pay off their debt through salary deductions upon arrival. His findings reinforce the notion that men and women employ different strategies when migrating and that their migration has different consequences for the community as a whole.³¹

In addition to further complicating ethnic composition and gender balance, the recent demographic shift also raises concerns regarding class issues in Asian countries. Female migrant workers, whether they are entertainers in Japan or domestic workers in Malaysia, usually occupy the lowest class among foreign workers. The migrants’ expectation that international migration offers greater social mobility and empowerment when they emigrate to wealthier and more democratic societies is not always realized. In fact, their situation can also worsen as they encounter new

²⁸ Nana Oishi, *Women on the Move* (Stanford: Stanford University Press, 2005).

²⁹ Outi Luova, “Transnational Linkages and Development Initiatives in Ethnic Korean Yanbian, Northeast China: ‘Sweet and Sour’ Capital Transfers,” *Pacific Affairs*, vol. 82, no. 3 (2009), pp. 427-446.

³⁰ Christine Chin, *In Service and Servitude: Foreign Female Domestic Workers and the Malaysian ‘Modernity Project’* (New York: Columbia University Press, 1998).

³¹ Sarah J. Mahler and Patricia R. Pessar, “Gender Matters: Ethnographers bring gender from the periphery toward the core of migration studies,” *International Migration Review*, vol. 40, no. 1 (2006), pp. 27-63.

injustices in their host societies where they must live under confinement with restrictive movement.³² Moreover, they often receive lower wages and fewer benefits than their male counterparts who are working in factories or plantations. In Taiwan, Malaysia and Singapore, the governments even monitor them for untimely pregnancy.³³ Moreover, many of the transnational couples in South Korea and Japan end up in divorce after foreign brides encountered harsh conditions of the farm life and social discipline of their in-laws and community. Subsequently, they live in poverty and must find a new source of income to support their children (and possibly their parents in their homeland). In short, the political construction of transnational gendered migration reinforces unequal conceptions of citizenship.

Contentions of Transnational Gendered Migration to Citizenship

As political boundaries and ethnic composition increasingly shift with ever larger populations on the move, assumptions about how political communities are defined must also change. Women are central instigators of this change, because of their critical roles as care workers who sustain national families and reproduce citizens and non-citizens alike. While reinforcing traditional symbolic meaning of places and gendered mores, transnational gendered migration also challenges the traditional notion that confine women to domestic sphere as foreign female migrants actively engage in their own and other people's history. More importantly, it also challenges the notion of "temporary migration," which dominates the migration policy landscape in much of Asia.

In the case of East and Southeast Asia, the transnational gendered migration has created a fundamentally different structure to the racialized and gendered social hierarchy of citizenship than the one that previously existed. Social and class distinctions exist not only between native and foreign women but also within different groups of foreign women from various ethnicity/nationality.³⁴ Sara Friedman clearly shows that foreign wives are not all the same. Women from the PRC are preferred by Taiwanese men, yet political elites, most of whom are men, impose greater legal restrictions on them than other ethnic groups. She notes that the precarious legal situation of marital immigrants from mainland China into Taiwan exemplifies how the Taiwanese government's attempts to regulate immigrants challenge existing definitions and boundaries of national and ethnic identity. She

³² See Keiko Yamanaka and Nicola Piper, "Feminised Migration in Southeast and East Asia: Policies, Actions and Empowerment," *UNRISD Occasional Paper, no. 11*, (Geneva: UN Research Institute for Social Development, 2006).

³³ Brenda Yeoh and T. C. Chang, "Globalising Singapore: Debating transnational flows in the city," *Urban Studies*, 38, no.7 (2001): 1025-1044.

³⁴ Alison Murray, "Debt Bondage and Trafficking: Don't Believe the Hype," in Reina Lewis and Sara Mills, eds., *Feminist Postcolonial Theory: A Reader* (New York: Routledge, 2003).

details the long waiting period that Taiwanese officials deemed necessary for a mainland Chinese spouse to familiarize herself with a constitutional democracy and to integrate into Taiwanese society before she can sponsor her relatives. As a result, Friedman argues that the government is creating a two-tiered citizenship structure by discriminating against a select group of naturalized female citizens on the basis of national origin. This has become one point of contention around citizenship in Taiwan.

Family reunification claims are another arena where the gendered nature of immigration and citizenship features prominently. Whether these claims involve applications for an immigrant spouse, a minor child left behind in one's home country, elderly parents or others, they bring to light a host of gendered assumptions about how family units and kinship dependence are defined, how "effective" family ties are maintained over time and distance, and what constitutes "good" parenting. Moreover, family unification also raises questions about national integrity and population quality, inspiring both explicit and veiled debates about the racial composition of the nation and the productive contributions of immigrants defined as racial or ethnic others.

Nationality claims for children born out of wedlock to cross-border couples pose another area of contention in citizenship debates. In Japan, Nobue Suzuki shows that the sexual liaisons between Filipina women and Japanese men have resulted in the births of children whose political membership as well as various other entitlements have become another point of immigrant resistance and a national concern. According to Japanese nationality law, in effect since 1985, if the parents are not married at the time of birth and the father has not acknowledged paternity while the child was still in the womb, the child will not acquire Japanese nationality. In South Korea, as Timothy Lim notes in his essay in this volume, the increasing number of transnational marriages and the so-called "Kosian" (Korean-Asian) children as well as with the inflow of North Korean refugees into South Korea will force redefinition or serious reassessment of what it means to be "Korean" and how viable ethnic nationalism can endure in an increasingly multicultural South Korea. It is eroding the myth of ethnic homogeneity while challenging the belief that South Korea is only for Koreans.

Transnational gendered migration also poses a challenge to the maintaining of differentiated citizenship and its accompanying preferential treatment among the Chosŏnjok in the PRC. Wang-bae Kim observes that the exodus of Chosŏnjok to urban centres in China and South Korea is reorganizing the pre-existing social hierarchy. Surprisingly, circular migration actually lowers the social status of this ethnic group. Speaking Chinese with their regional accent in cosmopolitan cities of China, other Chinese view them as country bumpkins. As a result, young Chosŏnjok prefer to emphasize their "Chinese-ness" and increasingly marry Han Chinese, which then allows them to leave behind their ethnic minority status and its accompanying

marginalization. Meanwhile, their traditional regions, such as Yanbian, may soon lose their autonomous status as the population of Chosŏnjok rapidly declines.

Politics of (Reconstructing) Citizenship

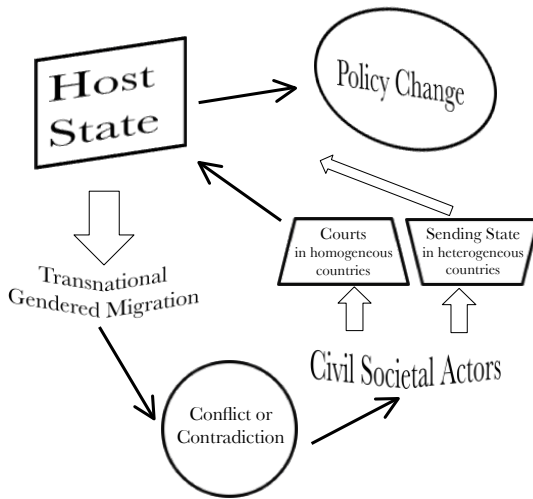
The dramatic increase in transnational gendered migration creates such new challenges to citizenship and forces its reconceptualization. Such a reconceptualization is necessary in order for state actors to reassert social and political control as well as to prevent a decline in levels of trust and loyalty between citizens.³⁵ Meanwhile, prolonged marginalization or exploitation of foreign migrants can lead to social and/or political unrest, such as the 2002 riots involving hundreds of Indonesian textile workers near Kuala Lumpur, Malaysia, and the 2005 riots involving hundreds of Thai workers in Kaohsiung, Taiwan. During this process of reconstructing formal and substantive citizenship, state actors together with societal actors may redefine or reinforce state interests, thereby creating a new social contract with their citizens. Figure 1 provides an illustration of how state and societal actors mediate conflict or contradiction when it arises as a result of transnational gendered migration and the different channels that democracies, semi-democracies, and communist China use in reconstructing formal and substantive citizenship.

This analytical framework follows a sociological perspective in international relations that stresses the importance of world political culture and ideationality (that is, international patterns of amity/enmity).³⁶ It emphasizes the effects that the external cultural environment may have on state identities and national security interests and policies. This is demonstrated most clearly, for instance, with the transformation of Japan's national identity from a multi-ethnic nation prior to World War II to one of a uni-ethnic nation after the war due to the negative images of the multiethnic state that was associated with aggression and expansion. After Japan acquired Taiwan in 1895 and annexed Korea in 1910, colonialism generated a massive influx of colonial labour and created ethnic diversity within Japan, transforming the country into a multi-ethnic society. Japan's colonial leaders began to embrace a theory that the Japanese people were a mixture of a continental people, Malay, and indigenous Ainu. This "mixed nation theory" conveniently served to justify Japan's further expansion into Asia. After having lost Korea and Taiwan in which the size of the non-Japanese population had plummeted, postwar

³⁵ On trust and loyalty between citizens, see David Miller, *Citizenship and National Identity* (Cambridge: Polity Press, 2000).

³⁶ See *inter alia* Ronald L. Jepperson, Alexander Wendt, and Peter Katzenstein, "Norms, Identity, and Culture in National Security," in Peter J. Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996).

Figure 1
Transnational Gendered Migration and the Politics of Citizenship



Note: Block arrows signify assertive pressure while straight arrows signify less assertive/spontaneous pressure.

intellectuals and political elites argued for a peace-loving “homogeneous” state to replace the prewar military multi-ethnic empire, which they began to view negatively.³⁷ The recent influx of foreigners is, once again, forcing a reframing of state identity for Japan as a multi-cultural but peaceful society.

As Hedley Bull demonstrates, the adherence to norms is a condition of participation in a society or the international system.³⁸ Sidney Tarrow has provided a mechanism he called “internalization” to explain how international pressures/norms can migrate into domestic politics.³⁹ The elimination of gender discrimination in the *jus sanguinis* of the nationality laws in Japan (1985), South Korea (1997) and Taiwan (2000) reflect this new positive image of a multicultural society as these East Asian democracies aspired to join other Western advanced industrialized countries by following the international norms. Similarly, the influx of refugees from North Korea has had a significant effect on China’s national identity. The PRC does not welcome their arrival, as it does not want to damage its relations with its communist brother or trigger the collapse of its friendly neighbour, North

³⁷ Eiji Oguma, *A Genealogy of “Japanese” Self-images* (Melbourne: Trans Pacific Press, 2002).

³⁸ Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (New York: Columbia University Press, 1977).

³⁹ Sidney Tarrow, *The New Transnational Activism* (New York: Cambridge University Press, 2005).

Korea.⁴⁰ At the same time, the PRC government wants to be certain that the increased interaction between North Koreans and Chosŏnajok will not lead to an ethnic nationalism and separatist movements.⁴¹

More importantly, J. Ann Tickner reminds us that *gender matters* even in national security.⁴² She advocates for a more inclusive version of global security that eliminates unjust social relations, including unequal gender relations.⁴³ In her study of military camp prostitution of Korean women, Katharine Moon eloquently shows how interracial sexual relations *de facto* buttress United States–South Korean security relations.⁴⁴ She demonstrates how state security can be built on the insecurity of the weak and exploited, as the South Korean officials tried to instill the idea in these women that what they were doing was a patriotic act.

The empirical essays in this volume add to the literature on citizenship and gender in international relations a mechanism to explain policy changes that emerged from the social struggle of civil societal actors through the courts and/or foreigners' home government. In various ways, most of the essays feature the roles of *state actors*, *civil society actors*, *the courts* (in East Asia) and *the sending country's state* (in Southeast Asia and the PRC). Absent in their analysis is the role of political parties (although the CCP may be synonymous with the Chinese state) and international non-governmental organizations (INGOs). The former is expected in Asia with strong states but the latter is surprising, given the amount of attention that has been given by international relations scholars to the role of transnational networks and NGOs in promoting policy changes.⁴⁵

Role of State Actors

On matters concerning nationality, state actors play a central role as they ultimately determine the criteria for citizenship. In setting such criteria, they are concerned with domestic and international security (that is, any political or military threat to their effective rule). For those who they want to standardize, they formally define the populations subject to the rule of their political community in such a way of creating some unity among them. They monitor certain activities of residents while extracting resources from them

⁴⁰ Margesson, Chanlett-Avery and Bruno, "North Korean Refugees in China and Human Rights Issues."

⁴¹ Summer J. LaCroix, Michael Plummer and Keun Lee, eds., *Emerging Patterns of East Asian Investment in China: From Korea, Taiwan, and Hong Kong* (New York: M.E. Sharpe, 1995).

⁴² J. Ann Tickner, *Gender in International Relations: Feminist Perspectives on Achieving Global Security* (New York: Columbia University Press, 1992).

⁴³ Tickner, *Gender in International Relations*, p. 128.

⁴⁴ Katharine Moon, *Sex among Allies: Military Prostitution in US–Korean Relations* (New York: Columbia University Press, 1997).

⁴⁵ See *inter alia* Margaret Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1998).

for the common good. They aim to cultivate loyalty among members to the state or primary allegiance over any other political entity/sovereignty. Given their interests in internal social order and external security, the existence of ethnic minorities and/or the influx of international migration pose challenges to the state's efforts to standardize its population. Friedman's essay in this volume illustrates clearly how foreign wives from the PRC can impact the security environment, because the marginalization of these populations might lead to social and political unrest and an increased economic burden. In Taiwan, she argues, government officials view marital immigrants from the PRC as a potential threat to national integrity and sovereignty, although their unions are considered as mono-racial sexual relations. This is because they fear a demographic and ideological invasion from the PRC. Taiwanese officials see potential security risks from mainland Chinese women, yet they accept their necessity. Therefore, officials impose more onerous requirements for residency and citizenship on mainland Chinese than any other ethnic category of foreign spouse.

Northeast Asian government officials' desire for social order and national security come in conflict with their economic concerns during the period of demographic shift involving an aging society, urbanization of unmarried women and increasing demand for cheap labourers. This shift affects economic productivity and tax revenue amidst labour shortages and rising welfare spending. It also affects the social fabric of homogeneous societies where men in rural areas increasingly find themselves without local partners. In homogeneous, developed Asian democracies like Japan, South Korea and Taiwan, government officials have decided to bring foreign workers, entertainers and wives into their countries but within a restrictive immigration framework and without adequate welfare provisions. In heterogeneous, developing Asian countries such as the PRC (and Malaysia), government officials responded to recent demographic shifts with some forms of state-sponsored nationalism as a way to consolidate national unity under increasing ethnic diversity.

In order to preserve their national identity, government officials prefer to have these foreigners looking like them. Hence, Japanese officials have a preference for *Nikkeijin* (foreigners of Japanese descendants), Korean officials for Chosŏnjok, and Malay officials for Indonesians. Officials provide these foreigners with preferential treatment, allowing them to live and work in the country for a limited number of years. They passed immigration laws guaranteeing preferential treatment such as the 1990 Revision of the Immigration Control and Refugee Recognition Act in Japan, the 1992 normalization of relations between South Korea and the PRC, and the 2006 MOU between Malaysia and Indonesia.

However, these countries differ in their strategies for integration of these ethnic groups into their societies. For instance, Japanese officials currently limit their integration policy only to *Nikkeijin*. In South Korea, the Ministry

of Gender Equality devised a “grand plan” in 2006 for the promotion of social integration of foreign wives, most of whom are Chosŏnjok, and an attainment of a multicultural society. Meanwhile, Taiwanese officials have imposed greater restrictions on mainland Chinese spouses and have constructed policies that limit their full integration into Taiwanese society while, at the same time, providing similar social welfare resources to Chinese and other foreign spouses. In Malaysia, not only is there an absence of any integration policy for foreigners, the Malaysian government prohibits foreign workers from marrying and has considered a new legislation that would restrict migrants to their workplace or living quarters.⁴⁶

In the PRC, Wang-bae Kim finds that the circular migration of Chosŏnjok to and from major Chinese and South Korean cities has reinforced Han/capitalist values; this in turn has accelerated the assimilation of younger *chosŏnjok* into mainstream Chinese society, and the concomitant dilution of *chosŏnjok* ethnic identity as well as a generational division within the Chosŏnjok community. Ironically, the dilution of Chosŏnjok identity and the weakening of “differentiated citizenship” appear to be a result of their international and internal migration rather than the state’s efforts to unite or integrate ethnic minority migrants with mainstream Chinese society. In effect, such migration is helping the Chinese state to solidify its national unity and to maintain its social order.

Role of Civil Society Actors

This volume also highlights the role of civil society actors in challenging the political rhetoric of homogeneity and/or territorial bounded identity, in influencing (im)migration/nationality policies, and in creating/advancing new norms on international migration governance. In considering transnational gendered migration, a clear contrast exists on the types of issues that civil societal actors engage. Activism for transnational migrants is gendered.⁴⁷ For male workers, non-governmental organizations (NGOs) typically engage in issues concerning workers’ rights and human rights. Issues concerning citizenship mostly involve foreign women. This is simply because foreign women play critical roles as care workers who sustain national families and reproduce citizens and non-citizens alike. State actors wish to maintain certain level of normalization of this reproduction by placing restriction on the types of foreign mothers. Societal actors find this practice unfair and discriminatory and fight to change the existing citizenship laws.

⁴⁶ <http://www.hrw.org/en/news/2007/02/20/indonesia-malaysia-overhaul-labor-agreement-domestic-workers>, last accessed 7 August 2009.

⁴⁷ Glenda S. Roberts, “NGO support for migrant labor in Japan,” in Mike Douglass and Glenda S. Roberts, eds., *Japan and Global Migration: Foreign Workers and the Advent of a Multicultural Society* (Honolulu: University of Hawai’i Press, 2003); Piper and Roces, eds. *Wife or Worker?*

In Japan, Nobue Suzuki illustrates that the transnational grassroots movements, which have supported the children born out of wedlock and without Japanese citizenship, have drawn on global discourses and various United Nations conventions to allow their Filipina clients to exert their agency. By doing so, civil society actors help to redefine Japan's criteria for citizenship. In South Korea, a strong social movement by migrant supporting NGOs and foreign wives associations contributed to the change of the country's Nationality Law in 2006.⁴⁸ Timothy Lim further observes that a change in the conception of Korean identity and belongingness after transnational migration has been due to a critical nexus between foreign migrant workers and Korean civil society organizations. This nexus has not only created the basis for concrete legal and institutional changes, but also more pervasive and, perhaps more importantly, discursive changes. In Taiwan, Sara Friedman notes that immigrant rights NGOs have been active in providing services for Chinese spouses as well as pressuring the government to revise laws and policies regulating Chinese spouses in their efforts to eliminate a two-tiered citizenship structure. In December 2008, their efforts partially succeeded as the government decided to revise its quota table for residency and citizenship of Mainland Chinese. By August 2009, the Act Governing Relations between Peoples of the Taiwan Area and the Mainland Area was amended, giving mainland Chinese spouses more rights.⁴⁹ They will be eligible to apply for citizenship after six (rather than eight) years of residence in Taiwan.

Role of the Courts in East Asia and Sending Governments in Southeast Asia

Societal actors in homogeneous and developed democracies of East Asia typically operate through the courts in order to promote changes in laws pertaining to nationality or citizenship. After their victories in the courts, the national government then typically revises the law to comply with the court's decision. For example, the Citizens' Network for Japanese-Filipino Children (CNJFC) won its case for the ten children born out of wedlock to Filipino mothers, when Japan's Supreme Court ruled in 2008 that denying nationality to children born out of wedlock to foreign mothers was unconstitutional. Soon after, the Justice Ministry revised Japan's Nationality Law by lifting the marriage requirement. Similarly in South Korea, the courts have been important in improving the rights of both male and female foreign workers, which prompted the national government to pass the 2007 Act on the Treatment of Foreigners in Korea.⁵⁰ By contrast, court cases brought by

⁴⁸ Hye-Kyung Lee, "Gender, Migration, and Civil Activism in South Korea," *Asian and Pacific Migration Journal*, vol. 12, no. 1-2 (2003), pp. 127-153.

⁴⁹ *Taiwan Today*, 26 June 2009.

⁵⁰ Timothy C. Lim, "NGOs, Transnational Migrants, and the Promotion of Rights in South Korea," in Takeyuki Tsuda, ed., *Local Citizenship in Recent Countries of Immigration: Japan in Comparative Perspective* (Lanham: Lexington Books, 2006), pp. 235-272.

Chinese spouses in Taiwan have generally been unsuccessful and have not led to the revision of unequal laws and policies, whereas NGO-sponsored public protests have put greater pressure on the government.

In heterogeneous and less developed democracy of Malaysia, by contrast, changes came about after numerous allegations of physical abuse of Indonesian domestic workers were reported by local NGOs in the news media and gained the attention of the Indonesian government. After a highly publicized case involving an Indonesian maid who had been beaten and scalded with hot water, the Indonesian government decided on June 2009 to suspend the official process for sending its domestic workers to Malaysia.⁵¹ This action reinforces the view that women embody national pride and dignity.⁵² Soon after, Prime Minister Najib Razak of Malaysia announced stern action against anyone abusing Indonesian maids and urged employers to show greater interest in their welfare.⁵³

Conclusion and Country Case Studies

Based on extensive ethnographic field research, this special issue focuses on various forms of transnational gendered migration, including international marriages and the migration of unskilled female workers and the implication for ethnic identity and gender roles. It illustrates how the arrival of foreigners can challenge collective self-consciousness and conceptions of citizenship, which presupposes the existence of a territorial bounded political community. This complex process of social transformation in the selected Asian countries and the human consequences of transnational gendered migration spark public debate over citizenship/nationality and political concern over integration and distributive justice of foreign migrants. Civil society actors play an important role in this public discussion and changing nationality laws to accommodate the newly arrived foreigners. They have done it through the courts and public protests in East Asia and through pressure from the government of origin in Malaysia. In essence, the experiences in Asia and elsewhere demonstrate that citizenship is neither fixed nor unchanging. A sense of belonging and common identity is constantly being redefined over time, especially during the present age of transnational gendered migration.

The essays in this volume are organized as country case studies, sequenced descending from countries in the northern to southern hemisphere with increasingly more ethnic heterogeneity; hence, Japan, South Korea, Taiwan,

⁵¹ *The Nation*, 26 June 2009, available online at <http://www.nationalmultimedia.com/search/read/php?newsid=301061308>, last accessed on 14 January 2010.

⁵² On this point, see Oishi, *Women on the Move*.

⁵³ *The Straits Times*, 27 June 2009, http://www.straitstimes.com/Breaking%2NewsSE%2BAsia/Story/STIStory_396144.html, last accessed on 14 January 2010.

Introduction

the People's Republic of China and Indonesia/Malaysia. Such form of organization allows for a convenient grouping of countries that not only highlights variation within and between regions but also provides a systematic analysis of emerging patterns on conceptions of citizenship, transnational gendered migration, government policies/actions, societal responses, channels of mediation and policy changes.

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