

Rethinking the Status of the Korean Community in Japan through the Current Situation of Professional Groups: The Cases of Lawyers and Scholars

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Abstract | After World War II, Koreans in Japan have been attempting to improve their social status in Japanese society, facing substantial social and economic discrimination, as well as legal and institutional discriminatory barriers. They have built and taken advantage of their ethnic community by accumulating and sharing information amongst themselves. By analyzing several changes in the social status of Koreans in Japan over the last thirty years, Higuchi Naoto applied the concept of “model minority” to Koreans. The notion has usually been used to explain Asian Americans in white-collar jobs and their second generation’s high level of education. Higuchi argued that, in the case of Koreans in Japan, they took one generation longer than Asian Americans to reach the status of “model minority.” If we apply Higuchi’s hypotheses and conclusion to Korean professional groups, what would the result be? This is the main question of my study.

I assume that obtaining a professional job is one of the most important indexes that indicate the socioeconomic status of ethnic minorities. Under this assumption, this paper will shed light on the status of the Korean community in Japanese society by investigating the current situation of Korean professionals, particularly lawyers and scholars. I will address the following questions: What made Kim Kyŏng-dŭk’s becoming the first *Zainichi* Korean lawyer a huge issue, and what is the significance of this event in the history of the Korean community? What is the status of Korean lawyers in Japanese society and in the Korean community, and what insights can we draw from it? Are the characteristics of scholars similar to those of lawyers? When applying Higuchi’s hypotheses and conclusion to the two different professional groups, what different conclusions can we draw? In order to answer these questions, I will examine the current situation and status of the two Korean professional groups by using surveys and interviews that I conducted and my own experience in establishing the Korean Scholars’ Forum in Japan (*Kankokujin Kenkyūsha Fōramu*) in 2008. In doing so, I will argue that although the “model minority” approach is basically valid, the sample size is still insufficient to call Koreans in Japan “model minority” because they only attained such status from the early 1990s. Therefore, I argue that Koreans in Japan, especially

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professional groups, still need to make efforts to fight against the existing legal and institutional discriminations against them.

Keywords | Korean professional groups in Japan, lawyers, scholars, model minority, Korean Scholars' Forum in Japan (*Kankokujin Kenkyūsha Fōramu*)

Introduction

1. The Impacts of Two “Events”

I still clearly remember the memorial event to honor Kim Kyōng-dŭk, a lawyer who died on December 28, 2005 at the age of 56. The memorial rally was held on February 25, 2006, nearly two months after his death, at the Zendentsu Hall in Tokyo. At that time, the hall was packed with approximately six hundred *Zainichi* Koreans.¹ Such a scene was very striking to me because I knew nothing about the *Zainichi* Korean community at that time. Looking at the jam-packed hall, I felt how great an influence Kim must have had on the *Zainichi* Korean community. In 1970, six years before Kim passed the national bar examination, Pak Chong-sŏk was denied employment at Hitachi. Hitachi made this decision after learning that Pak submitted the initial application using his Japanese name. Through several years of trial, Pak eventually paved the way to greater employment opportunities for Koreans. Although Pak's case was a big issue, Kim's passing the national bar examination had a far greater and more profound impact on the Korean community.

On March 23, 1977, Kim Kyōng-dŭk entered the Legal Training and Research Institute of Japan (LTRI), a training facility affiliated with the Japanese Supreme Court. In June 1979, after a probation period of two years, he registered as the first non-Japanese lawyer in Japan. Since then, 164 Koreans

1. In this paper, the term “*Zainichi* Koreans” refers to “Korean old comers.” More specifically, it refers to 1) “special permanent residents,” the ethnic Koreans who migrated to Japan before WWII and continued to stay in Japan after WWII, and their descendants; 2) non-special permanent residents who illegally came to Japan when the Cheju Uprising broke out on April 3, 1948 after WWII; 3) non-special permanent residents who migrated to and settled in Japan after the normalization of diplomatic relations between South Korea and Japan in 1965. Throughout this paper, I used the term “*Zainichi* Koreans” interchangeably with Korean old comers, depending on context. When highlighting differences or similarities between Korean old comers and Korean newcomers, I used the term Korean old comers, instead of “*Zainichi* Koreans.” In contrast to Korean old comers, “Korean newcomers” refer to ethnic Koreans who settled in Japan after the normalization of diplomatic relations between South Korea and Japan in 1965, particularly after the 1980s.

have become lawyers in Japan as of April 2015.² In less than forty years, throughout Japan, the proportion of Korean lawyers to Japanese lawyers has become greater than the proportion of all Koreans to Japanese. A noteworthy example is that there are currently seven newcomer Korean lawyers, who attended law school and passed the new national bar examination in Japan after graduating high school or college in South Korea.³ In a short period of time, practicing law has become a popular job choice among Koreans in Japan.⁴

In the spring of 1998, a festive atmosphere once again took hold of the *Zainichi* Korean community. It was because for the first time in *Zainichi* Korean history, Kang Sang-jung was appointed an assistant professor at the Institute of Socio-information and Communication Studies (later it became integrated into the Interfaculty Initiative in Information Studies/Graduate School of Interdisciplinary Information Studies) at the University of Tokyo. In fact, the University of Tokyo, an undergraduate-centered former imperial university, hired him to establish a new graduate school, instead of letting him inherit undergraduate courses. However, the title of assistant professor at “the University of Tokyo,” the best university in Japan, was enough to draw the attention of *Zainichi* Koreans. Exceeding the expectation of *Zainichi* Koreans, Kang has become the best-known Korean academic in Japan since WWII.⁵ Accordingly, Kang, along with Kim Kyöng-dük, has become a symbol of vicarious satisfaction by fulfilling *Zainichi* Koreans’ wishes.⁶

As of fall 2015, approximately one thousand Koreans were working at Japanese universities or research institutes. Unlike the case of Korean lawyers, who are generally comprised of Korean old comers, most Korean scholars are newcomers. The majority of Korean newcomers who became scholars followed the first generation of Korean old comers who actively engaged in literary activities and criticism, such as Kim Tal-su, Yi Chin-hüi, Kim Sök-böm, and

2. Statistics from Japan Federation of Bar Association.

3. On November 21, 2015, the story of Cho u-sang, who first passed both the Japanese and South Korean national bar examination, was featured in *Kyunghyang Newspaper* [*Kyönghyang shinmun*]. Also, the morning edition of *Asahi Newspaper* (*Asahi shinbun*) introduced his case in its “people” section on December 27, 2015.

4. Although there is no accurate count available, some *Zainichi* Koreans seem to be employed in law-related jobs other than lawyer, such as judicial scrivener, administrative scrivener, patent attorney, and tax accountant.

5. Shimamura Takanori (2012) commented that Kang constructed an original idea that combines political philosophy and discourses on *Zainichi* Koreans. However, it is also true that Kang’s research focus gradually changed from academic study into literary criticism.

6. When asked about Kang, most respondents talked about how much they appreciate his emergence in Japanese society, rather than explaining what he does and how he does it.

Kim Si-jong. Although they were not able to secure positions in universities or research institutes due to ethnic discrimination, it is remarkable that the proportion of Korean scholars to Japanese scholars has become greater than the proportion of all Koreans to Japanese only thirty years after Japanese national universities opened their doors to foreign nationals.⁷ In this sense, the significance of the achievement of Korean scholars is similar to that of Korean lawyers, although the composition of old comers and newcomers is reversed.

2. Research Purpose

In any society, minorities who are being discriminated against try to improve their social status in one way or another. Typically, they prefer being self-employed or work in a professional field because it is difficult for them to become public officials or to work for major companies due to ethnic discrimination. In the case of diaspora, they tend to acquire citizenship in their country of settlement over time. Accordingly, discrimination against them gradually decreases, shifting from legal and institutional discrimination to a social and economic one. However, in the case of minorities with foreign citizenship, they face not only social and economic discrimination but also legal and institutional discrimination. Thus, elevating social status is always a difficult task. In the case of Koreans in Japan, because a large number of them still possess South Korean citizenship or *Chōsen-seki*,⁸ they face many limitations in improving their social status. Accordingly, in order to advance up the social hierarchy, Koreans in Japan not only have to overcome legal and institutional barriers while trying to accumulate wealth and climb the economic ladder, but also must acquire qualifications in order to become professionals who face less legal and institutional discrimination.

The immigration story of the Jewish people is well known. Although they tend to start as workers or small retailers in their country of settlement, later they often become successful businessmen and acquire an economic base. Moreover, they tend to emphasize higher education for their children and encourage them to have professional jobs such as doctors, lawyers, scholars, journalists, or writers.⁹ Particularly, Jews who settled in the US during the

7. The Korean Scholars' Forum in Japan recently started a quantitative survey on Korean scholars across Japan.

8. *Chōsen-seki* is an alternative nationality granted to ethnic Koreans in Japan who hold neither Japanese nor South Korean citizenship.

9. The story of Karl Marx's father is very famous. Although he was a Jewish lawyer, he converted to Christianity in order to succeed.

1940s-'50s tended to choose to become independent businessmen or professionals while avoiding positions in bureaucratic corporate organizations due to the discrimination against them (Glazer and Moynihan 1986, 186).

The case of *Zainichi* Koreans has similarities and differences with that of the Jews. Both groups have taken advantage of their ethnic economy, while facing substantial social and economic discrimination, along with high legal and institutional discriminatory barriers. Consequently, they have expanded their market size into the non-ethnic market and achieved economic success. Furthermore, the fact that there are many independent businessmen and professionals among *Zainichi* Koreans is also similar to the case of Jews in New York City. Higuchi Naoto (2010, 8) claimed that one should consider the characteristics of *Zainichi* Koreans as "immigrant entrepreneurs" to understand three factors contributing to this phenomenon. First, there is little difference in Japanese language ability and educational background between Korean old comers and Japanese people. Second, *Zainichi* Koreans built up social capital such as ethnic associations, the Korea Chamber of Commerce and Industry, and even ethnic financial institutions. Third, after WWII, Korean old comers have consistently occupied industries that would lead them to a low social status.

When it comes to differences, the number of *Zainichi* Koreans are self-employed as company officials, storekeepers, factory owners, and business owners in the service industry is greater than that of *Zainichi* Korean professionals, technicians, managers, and office workers. *Zainichi* Koreans entered into the latter group of professions relatively later than the Jews in the US.¹⁰ Many of them began to enter into professional fields in the early 1990s through continuous effort to enhance their social status against the unfavorable conditions for foreign nationals in the Japanese labor market under severe legal and institutional discriminatory barriers.

Higuchi (2016) analyzed the job distribution of Koreans in Japan between 1980 and 2010 and examined three different hypotheses: ethnic enclave, economic assimilation, and polarization. According to him, people born between 1946 and 1965 are still engaged in ethnic industry. However, people born from 1966 onwards are working in white-collar jobs, primarily because of reduced job discrimination. Consequently, along with decreasing ethnic discrimination, polarization between generations gradually emerged in the *Zainichi* Korean community. In addition, by investigating several changes in the social status of Koreans over the last thirty years, Higuchi applied the concept of

10. Yoo Hyuck-Soo (2015, 84). This paper draws upon five previous studies on job distribution of *Zainichi* foreigners after the 1990s, done by Higuchi et al. (2011a, 2011b, 2013a, 2013b, 2015).

“model minority.”¹¹ This term is defined by a white-collar job and the second generation’s high level of education, and is usually applied to Asian Americans. He argued that in the case of Koreans in Japan, they took one generation longer than Asian Americans to reach the status of “model minority.” I address the following question in this paper: If we apply Higuchi’s hypotheses and conclusion to Korean professional groups, what would the result be?

My hypothesis is that obtaining a professional job is one of the most important criteria to understand the socioeconomic status of ethnic minorities. Based on this hypothesis, I will shed light on our understanding of the Korean community’s status in Japanese society by investigating the current situation of Korean professionals, with a particular focus on lawyers and scholars. This paper will seek to answer the following questions: What made Kim Kyŏng-dŭk’s case a huge issue, and what is the significance of his case in the history of the *Zainichi* Korean community? What is the status of Korean lawyers in Japanese society and in the Korean community, and what insights can we draw from it? Are the characteristics of scholars similar to that of lawyers? When applying Higuchi’s hypotheses and conclusion to the two different professional groups, what conclusions can we draw? In order to answer these questions, I will investigate the current situation and status of the two Korean professional groups¹² using surveys and interviews that I conducted,¹³ as well as my own experience from establishing the Korean Scholars’ Forum in Japan (*Kankokujin*

11. Higuchi (2016, 21-22). Also, Higuchi made such comments in a telephone interview with Chŏe Chae-su, a reporter for the *Asahi Newspaper*, on October 9, 2014.

12. In my previous work (Yoo Hyuck-Soo 2015), I dealt with the whole Korean community after the 1990s. However, in this paper, I focused only on professionals by applying Higuchi’s theses to professional groups.

13. Eleven lawyers took part in my survey. Aside from the survey, I also conducted several individual interviews with old comers and newcomer lawyers. Although my sample size is only one-tenth of the total population of Korean lawyers, I tried to select the most active lawyers and I believe that the result is representative of the population.

The survey included basic personal information questions such as age, nationality, status of residence, the year of passing the bar exam, the name of the college they attended, and whether they attended Korean school or not. The survey proceeded with additional in-depth questions about being a Korean lawyer. An outline of these questions are as follows: 1) what is the motivation for becoming a lawyer; 2) has their Korean identity ever been an obstacle to the post-bar-exam career; 3) the career satisfaction of being a lawyer; 4) the effectiveness of raising social status through such a career path; 5) the effectiveness of lawyers and lawyer associations in promoting Korean society; 6) evaluation of the Korean associations, particularly LAZAK; 7) awareness of other professional associations; 8) opinions about the tasks of the current Korean community. The interviews were conducted in a similar structure. Yi Pŏm-jun (2015) describes *Zainichi* Korean lawyers in detail based upon his research that he conducted for three years in Japan by interviewing them. I referred extensively to Yi’s study. However, I approached the problems of *Zainichi* lawyers from a quite different perspective than Yi did.

Kenkyūsha Fōramu, KSFJ) in 2008.¹⁴ In doing so, I will suggest that, although the “model minority” approach is basically valid, the sample size is still insufficient to call Koreans a “model minority” because they only achieved the status of “model minority” from the early 1990s. Therefore, I argue that Koreans, especially professional groups, still need to make efforts to fight against the existing legal and institutional discrimination against them.

Current Situation of the Two Professional Groups

1. Statistics on Korean Lawyers and Related Associations

Since Kim Kyōng-dūk made his breakthrough in 1977, the number of *Zainichi* Korean lawyers has sharply increased over a short period of time. For them, lawyer has become synonymous with advancing their social status and jumping the barriers of ethnic discrimination. Although only Korean old comers had conventionally become lawyers, seven newcomer Koreans have passed the bar exam since the Japanese government enacted new laws, launched new law schools in 2004, and adopted a new bar examination in 2006.

According to the Japan Federation of Bar Associations (JFBA),¹⁵ as of April 2015, among the 177 foreign national lawyers, 164 are Koreans (this figure includes both old comers and newcomers). Out of a total of 36,373 lawyers in Japan as of November 2014, Korean lawyers account for 1.45 percent while the ratio of the overall Korean population accounts for only 0.4 percent. This is a remarkable achievement in merely forty years. In fact, before the appearance of Kim Kyōng-dūk, there were thirteen foreign nationals who passed the bar exam. However, none of these thirteen foreign nationals could become lawyers until after changing their nationalities, due to the nationality requirement as *jus non scriptum* (Yi Pōm-jun 2015, 29). If we include the number of Korean lawyers with Japanese citizenship, there are approximately two-hundred people.

The three most representative associations in which Korean lawyers actively participated were the Lawyers Association of *Zainichi* Koreans (LAZAK), the Human Rights Association for Korean Residents in Japan (HURAK), and the *Zainichi* Korean Lawyers' Forum (*Zainichi Kankokujin Hōsō Fōramu*, ZKLF). The second and third associations are affiliated with the General Association of Korean Residents in Japan (*Chae-Ilbon Chosōnin Chōngryōnhaphoe*, hereafter

14. For more information on the KSFJ, refer to its official website (<http://ksjf.jp>).

15. The main activities and functions of the JFBA are similar to that of the Korean Bar Association.

Chôngryŏn) and the Korean Residents Union in Japan (*Chae-Ilbon Taehanmin'guk Mindan*, hereafter *Mindan*), the two main organizations for *Zainichi* Koreans who have close ties to North Korea and South Korea, respectively. To provide more information on the three associations, LAZAK was established in July 2002, and currently 123 Korean lawyers (more than seventy percent) have joined this association.¹⁶ HURAK, an affiliate of *Chôngryŏn*, was established in 1994, and thirty-three *Zainichi* lawyers participate in this association.¹⁷ Lastly, thirty *Zainichi* Korean lawyers, who are members of *Mindan*, launched the ZKLF in November 2012.¹⁸ While LAZAK and the ZKLF accept only lawyers, HURAK includes a wide variety of people. Besides licensed legal professions such as lawyer, judicial scrivener, tax accountant, certified public accountant, and administrative scrivener, civil rights-related scholars and civic activists also take part in HURAK. In addition, there are more than ten Korean transnational lawyers who were admitted to the bar in the US but are currently working in Japan.¹⁹

2. Statistics on Korean Scholars and Related Associations

In terms of university faculties, due to the citizenship barrier, the first and second generations of Korean old comers did not enter into the Japanese higher education system until very recently. Although Sŏ Yong-dal, an old comer, was able to become a professor at a Japanese private university in 1963, his case was very exceptional. In fact, the first-generation Korean old comers were not able to become faculty members in Japan until the late 1980s.²⁰ This is because Japanese public universities did not open their doors to foreign nationals until 1983 (and this was with a limited term condition). Furthermore, although it is hard to prove using statistical data, many able Korean old comers seemed to pursue a career in law rather than as scholars. With the influence of Kim Kyŏng-dŭk, they believed that becoming a lawyer was an effective way to improve their

16. Refer to the official website of LAZAK (<http://www.lazak.jp/>).

17. Refer to the official website of HURAK (<http://k-jinken.net/>).

18. Some *Zainichi* Korean lawyers take a “neutral” attitude by participating in both HURAK and the ZKLF.

19. Comments from Tong Yu, a director of the Paul Weiss Law Firm's Tokyo office.

20. According to Chŏng In-sŏp (1996, 259), Kang Tŏk-sang was employed at Hitotsubashi University in April 1989. He was the first old-comer *Zainichi* Korean to obtain a position at a national university in Japan. In the case of newcomers, I was also employed in April 1989 at Yokohama National University. In this sense, Koreans, whether old comers or newcomers, began entering into universities in earnest during the start of the 1990s.

social status. This seems to be one of the reasons that only small number of Korean old comers entered into Japanese universities or research institutes.²¹ Contrary to the case of Korean old comers, a large number of Korean newcomers secured positions at Japanese universities and research institutes in the 2000s after the Japanese government adopted a new policy that favored professionals.

Although exact statistics are not available, the number of Koreans who are currently working at universities or research institutes in Japan is assumed to be around one thousand. There are several characteristics of these Korean scholars. First, while the majority of university faculty members with a Chinese or English background tend to teach language classes, most Korean university faculty tend to teach major courses. Second, because it is difficult to get a job at a university in Korea, recently there has been an increasing number of Koreans with degrees from Japan or English-speaking countries attempting to enter Japanese universities or research institutes that have English-related programs.²² Third, the majority of newcomer university faculty members seem to have studied humanities and social sciences rather than natural sciences and engineering although there is no statistical data available for these fields. Last but not the least, the percentage of Korean scholars who return to Korea is not high.²³

For scholars, an association usually refers to research-centered groups, such as an academic association. Of course, Korean scholars are actively participating in academic associations related to their major fields of study. However, because many Korean scholars major in Korea-related fields, they tend to participate in Korea-related associations that are built around groups of Japanese scholars. In some cases, they take the initiative to create such an organization. There are several representative associations related to Korean scholars. First, the Korean Learned Society (*Chōsen Gakkai*) is the most well-known Korea-related

21. Kim Woong-ki, an assistant professor at Hongik University in Korea, raised a question about this statement when I made a presentation in the Spring Semi-annual Conference held by Association for the Studies of Koreans Abroad on November 6, 2015. He argued that the increasing number of Korean old comers pursuing work as lawyers could be explained by *Zaimichi* Koreans' general tendency to enter into white-collar occupations. However, when considering that the number of old-comer scholars is very low compared to that of newcomer scholars, old comers' tendency to prefer lawyers to other professional jobs seems to be an important factor (Yoo Hyuck-Soo 2015, 86).

22. According to the KSFJ, the proportion of Korean scholars who received their degrees in English-speaking countries and entered Japanese universities or research institutes with English-related programs approximately accounts for ten percent of the total Korean scholars.

23. Although it varies by individual personality and situation, it seems that Korean scholars tend to settle in Japan, rather than returning to South Korea.

association in Japan. This association was established in October 1950 in order to research the language, religion, culture, and history of Korea, and it is based in Tenri University. The second association is the Society for Korean Historical Science (*Chōsenshi Kenkyūkai*). It was founded in 1959 by scholars studying Korean history. This association annually issues the *Bulletin of the Society for Korean Historical Science* (*Chōsenshi Kenkyūkai ronbunshū*), which is known to be the most authoritative academic journal on Korean history in Japan. On top of these associations, Korean scholars also participate in many other associations, such as the Japanese branch of International Society for Korean Studies and the Association for Contemporary Korean Studies in Japan (*Gendai Kankoku Chōsen Gakkai*).

Another important association related to Korean scholars is the KSFJ. This was established in May 2008 in order to promote networking, including both academic and personal exchanges, mainly amongst Korean scholars. This association has approximately 190 members, and holds workshop sessions and nationwide symposiums four to five times a year. There is a keen interest on whether this association can become an established “Korean ethnic intellectuals’ association” in the near future, similar to the Society of Chinese Professors in Japan (SCPJ).²⁴

Korean Lawyers’ Groups

1. The First *Zainichi* Korean Lawyer, Kim Kyōng-dŭk: A Milestone in Overcoming Discrimination

In the mid-1970s, the *Zainichi* Korean community actively started both individual and collective resistance against the constant, severe discrimination in Japanese society. Kim’s entrance to the LTRIJ as a South Korean citizenship-holder during this period had a remarkable significance. At that time, due to discrimination, it was hard for *Zainichi* Koreans to get proper jobs. In particular, the chance to hold public office was extremely limited for *Zainichi* Koreans because only Japanese nationals were able to become public employees under “the nationality requirement as *jus non scriptum* (*tōzen no hōri*).” Accordingly, most *Zainichi* Koreans worked in ethnic industries such as real estate, *yakiniku* (grilled meat)

24. The SCPJ was established in 2003. Since its establishment, it has participated in various activities led by Zhu Jianrong, the first president of the association and a professor at Toyo Gakuen University. The Chinese government provides significant support and exerts a great influence over the SCPJ.

restaurants, pachinko, the yakuza, and some other industries where Japanese people were not engaged. In addition, the majority of *Zainichi* Koreans used Japanese names instead of their ethnic Korean names due to significant discrimination. Under such circumstances, it was unimaginable for a foreign (Korean) national to become a lawyer. In this sense, the appearance of Kim Kyŏng-dŭk had both a historical and social impact on the *Zainichi* Korean community.

After graduating college, Kim decided to use his ethnic name instead of his Japanese name because he felt that he was losing his Korean identity.²⁵ Apart from his Korean name, Korean citizenship, and his experience of discrimination in Japanese society, he could not find any other traces of his Korean identity. He realized that he had to fight against discrimination with courage, rather than running away from it, in order to regain a sense of identity as a Korean, and eventually decided to take the national bar examination. At that time, a foreign national was unable to gain membership to the LTRI, even if he or she passed the bar examination in Japan. Kim believed that entering the LTRI with South Korean citizenship while fighting against ethnic discrimination was the only way to regain his identity.

For the *Zainichi* Korean community, Kim's attendance at the legal training institute was a watershed moment. Yi Pŏm-jun (2015, 31) pointed out that the Supreme Court's acceptance of Kim for legal training mostly resulted from the US's call for Japan to open its legal market and reduce trade friction between Japan and the US. However, it was enough to excite the *Zainichi* Korean community that a *Zainichi* Korean holding South Korean citizenship was allowed to enter the institute two years before the Japanese government ratified the International Covenants on Human Rights in 1979.²⁶

Many *Zainichi* Korean youths took courage from the splendid achievement of Kim and aspired to be lawyers themselves. According to Tanaka Hiroshi, Kim often heard from *Zainichi* Korean individuals saying that they were encouraging their children to become lawyers.²⁷ A large number of talented *Zainichi* Korean

25. In the same year (1972), Kim Kyŏng-dŭk and Kang Sang-jung decided to use their ethnic names instead of their Japanese ones. Thus the two most eminent and influential figures in the *Zainichi* Korean community started a new life as *Zainichi* Koreans around the same time.

26. Tanaka (2013, ch.6) pointed out that the Japanese government ratified the International Covenants on Human Rights due to the "external pressure" from the Indo-Chinese refugee problem.

27. Tanaka (2013, 146) stated that he understood how huge the impact of Kim's splendid achievement was. One of the *Zainichi* Korean lawyers participating in my survey also mentioned that he thanked Kim for opening doors to more employment opportunities for *Zainichi* Koreans.

youths started to study for the bar exam. However, because so many *Zainichi* Korean youths were studying to be lawyers at that time, only a few entered academic fields and became scholars at Japanese universities or research institutes.

2. Current Situation and Prospects of Korean Lawyers' Groups

(1) Elevating Social Status as the Motive for Becoming a Lawyer: Survey Results

The results of my survey show that Korean lawyers had complex yet genuine motives for taking the bar exam. According to the survey, most Korean lawyers chose law as a career path because they recognized the realities of job discrimination in Japanese society. The case of Korean newcomers who recently became lawyers might be quite different. Yet most *Zainichi* Korean lawyers did so in order to protect and improve minorities' rights in Japan, including those of *Zainichi* Koreans, by resisting the ethnic discrimination. They expected that lawyers could make a great contribution to the rights and interests of minorities through their legal power. A few people mentioned that one of the advantages of being a lawyer is that they can work using their ethnic names instead of Japanese ones.

The question "Has the fact that you are an ethnic Korean ever been an obstacle to your career after passing the bar exam?" received mixed responses. Some of those surveyed mentioned that Japanese people tend not to ask *Zainichi* Korean lawyers to defend their cases. However, the majority stated that they have not been affected by this. Interestingly, many people claimed that speaking Korean was a great advantage. Especially in the case of Korean newcomers who recently became lawyers, they could take advantage of their abilities to speak both Japanese and Korean when they were seeking employment.²⁸ In other words, although Japanese people tend to avoid foreign lawyers, being ethnic Korean itself does not necessarily have a negative effect on Korean lawyers in Japan. Rather, their ability to speak Korean gives them an edge because they can take cases related to South Korea.

The question "Do you feel satisfied with your job as a lawyer?" garnered a unanimously positive answer. Respondents mentioned that they are satisfied

28. When I went to Harvard Law School as a visiting scholar in April 1995, I found many Korean-American students studying Korean and trying to build networks with Koreans. They seemed to do so because they expected that the Korean market would expand as Korea raised its status in the world. In the case of Japan, *Zainichi* Koreans began to study in earnest abroad in Korea in the early 2000s. Kim Kyōng-dŭk and Pae Hun, who came to Korea to study in the 1980s, are exceptional cases.

with their job because they can help others and contribute to social justice. They said that if one works hard for litigants, regardless of their academic background, personal connections, or social status, one could be rewarded eventually because the Japanese judicial system is relatively fair and transparent, with the exception of political cases.

(2) Is Becoming a Lawyer an Effective Means of Elevating Social Status?

When posed the question “Is becoming a lawyer an effective means of improving social status?” the majority of respondents said “yes.” The respondents believed that Japanese society values and highly appreciates lawyers. According to them, this was because the number of *Zainichi* lawyers was still smaller than the number of *Zainichi* Korean doctors.

However, some people argued that the social status of lawyers is not very high in Japan, especially compared to their counterparts in South Korea.²⁹ In their opinion, the status of lawyers has gradually deteriorated in Japanese society as the number of lawyers has dramatically increased due to the reform of Japan’s legal system and the establishment of law schools. In addition, they responded that the general economic status of a lawyer is not significantly high and that it could even worsen in the near future. Accordingly, they considered becoming lawyers as an ineffective means of improving social status in the foreseeable future.

In conclusion, many outstanding *Zainichi* Korean youths have followed in the steps of Kim Kyōng-dŭk. Now, approximately two-hundred Koreans have become lawyers and have contributed to enhancing the social status of Koreans. It is remarkable that a large number of *Zainichi* Korean lawyers currently strive to realize social justice and protect ethnic human rights against the nationality clause, which burdens foreign nationals. This is perhaps the most fundamental impetus driving the Law Department of Korea University (Chosŏn Taehakkyo) in Japan to actively encourage and support *Zainichi* Korean youths to prepare for the bar examination.

(3) Current Status of Korean Lawyers’ Associations

In order to help others and ultimately contribute to social justice through the

29. Before the establishment of law schools, the number of lawyers was very limited in South Korea. Many lawyers in Korea served as judges or prosecutors before becoming lawyers. In contrast, in Japan, the large number of judicial apprentices who finished the training courses at the JRTI tended to choose to become lawyers from the very beginning. For these reasons, the respondents seemed to believe that the social status of lawyers is not very high in Japan, especially compared to South Korea.

legal path, Koreans spend several years preparing for the bar examination. But do such Korean lawyers need to participate in any group activities? After registering as lawyers, they are obligated to participate in the existing lawyer communities just like any Japanese lawyers. Apart from these traditional communities, do they need to join “(*Zainichi*) Korean lawyers’ groups?” And if so, what are the purposes of such specialized lawyers’ groups?

Most Korean lawyers who took part in my survey agreed on the necessity of Korean lawyers’ associations. Although their experience with ethnic discrimination might vary, they share a common view on advocating minorities’ rights both individually and collectively. However, they had divided opinions over the degree to which such associations should and could exist. Moreover, they expressed different views on the current status of LAZAK. In this section, I will introduce several Korean lawyers’ associations and explain their current situations and problems.

The founding charter of LAZAK clearly states its purpose and reasons for its foundation. In 2001, Japanese conservatives tried to pass “new legislation on the acquisition of Japanese nationality,” with a simplified procedure from the existing naturalization system. They did so in order to prevent the passage of a bill that would grant foreign nationals voting rights in local elections. In response to this, twenty-two *Zainichi* Korean lawyers issued a statement claiming that the new bill must reflect the will of *Zainichi* Koreans and also strengthen their human rights. Later, these twenty-two lawyers agreed on the necessity of a *Zainichi* Korean lawyers’ association and established LAZAK in May 2001. LAZAK had four main purposes with its foundation: to bring about the rule of law for Koreans; to advocate for the rights and liberties of all ethnic minorities; to create an assembly for Korean lawyers; to enhance solidarity among Koreans living around the world. Particularly, the implementation of the rule of law for *Zainichi* Koreans includes obtaining rights to participate in political processes (such as the acquisition of rights to vote or work in public service), abolishing ethnic discrimination, advocating for minority rights, and restoring ethnic identity with special education for ethnic minorities. These four goals represented the founding members’ firm conviction in the establishment of LAZAK.

In the beginning, the members of LAZAK participated in various activities in accordance with these four goals. For example, they held and actively participated in rallies related to affirmative action and were engaged in the trials of Japan’s postwar compensation to the former victims of colonization. In addition, they objected to the decision of the Supreme Court of Japan to deny employment opportunities for foreign nationals as conciliation commissioners

and judicial commissioners. Their effort aroused public interest in foreign suffrage in local elections.³⁰ Most importantly, in 2008, seventeen members of the association jointly published a book entitled *Zainichi Koreans in Japanese Courts: Moving towards a Better Understanding of Japan's Postwar History for Middle School Students* (*Chaep'ansok ūi Chae-Il K'orian: Chunghaksaeng ūi chōnhusa ihae rül wihayō*). The three main chapters of this book illustrate the main purposes and goals of LAZAK. The first chapter gives an overview of the historical background of *Zainichi* Koreans and their legal status. The second chapter describes the situations *Zainichi* Koreans generally faced when under trial. It focuses on criminal cases, postwar settlements, ethnic discrimination in their daily lives, and limited rights for political and judicial participation. Lastly, the third chapter identifies several important remaining challenges for improving the rights of *Zainichi* Koreans. Since the publication of this book, LAZAK has published several more books related to the new Korean Family Law and important precedents of the Constitutional Court in South Korea, and established relationships with legal practitioners in South Korea. However, the main focus of the association's activities has gradually changed from protecting human rights of ethnic minorities and publishing research results to socialization and community activities.

The most important reason for this transformation of LAZAK is the rapid increase of its members. LAZAK started out with only twenty-eight members. However, as of October 2015, 123 Korean lawyers and legal apprentices have joined the association.³¹ With such a large number of participants with different backgrounds and values, it has become increasingly more difficult to reach an agreement on the main goals and activities of the association amongst the members. Accordingly, LAZAK has faced great difficulties in adhering to its original purposes. In response to this situation, the majority of members agreed on a common goal of maintaining social networks by focusing on human rights issues. They regarded the human rights issue as the common concern amongst the members, and setting such a common goal as necessary to sustain the coexistence of lawyers with South Korean citizenship and *Chōsen-seki* under the national division. On the other hand, some people argued that, because the Korean community has become more diversified and complex, it was difficult to maintain a lawyers' group by only highlighting the status of Koreans and lawyers' ethical obligation to achieve social justice. These people claimed that it

30. See the official website of LAZAK.

31. Kim Ki-ŏn, a lawyer at Orbis Law Firm, provided me with the information about the number of LAZAK members.

was time to broaden their focus to a superset that included all ethnic minorities, beyond the scope of Koreans.³²

Yet as the bond that had kept the members of LAZAK together was weakening due to member diversification, LAZAK's identity as an activist group also weakened. Some of LAZAK members were not satisfied with its on-going transformation into a mere social gathering. In response to this situation, on November 8, 2012, they established a new association themselves, the ZKLF, as an agency of *Mindan*. The three main goals of the ZKLF are the following: 1) protect the human rights of Koreans; 2) study legislation related to foreign nationals and ethnic minorities in Japan, including Koreans; 3) provide consultation to *Mindan* (*T'ongil ilbo*, November 14, 2012). According to the association's statement of purpose, the ZKLF is founded in order to "provide practical advice that helps promote human rights to *Mindan*, as is closely related to both Japanese and Korean public institutions." As an agency of *Mindan*, the ZKLF is currently participating in activities such as providing seminars on human rights law, conducting research, and organizing forums for members of *Mindan*. However, it is still premature to conclude that its founding goals are being accomplished.

HURAK, another important *Zainichi* Korean lawyers' association, was founded in February 1994, even earlier than LAZAK. HURAK was established in order to contribute to the protection of human rights of *Zainichi* Koreans and the improvement of their standard of living. Although HURAK is under the umbrella of *Ch'ongryŏn*, it is known to have relatively independent activities.³³ Contrary to LAZAK and the ZKLF, in which only lawyers participate, HURAK consists of members from various professions. Besides licensed legal professionals such as lawyers, judicial scriveners, tax accountants, certified public accountants, and administrative scriveners, civil rights scholars, and civic activists also take part in HURAK.³⁴ Furthermore, HURAK has its own office and four employees working exclusively for the association. Consequently, HURAK is able to engage in various activities more actively and effectively than any other organizations. The main activities of the association mostly revolve around protecting ethnic human rights and providing legal consultation. In addition, it has conducted a series of studies and published several books in order to present their findings,

32. Results taken from respondents in my survey

33. Based upon the interview with lawyer Yi Ch'un-hŭi, a member of HURAK.

34. Kim Kyŏng-dŭk believed that a *Zainichi* Korean lawyer association must include not only lawyers but also law-related employees and jurists. Based upon the belief, he supported establishing a law association of *Zainichi* Koreans and did not join LAZAK since it only accepted lawyers.

promote its members' expertise, and encourage social and academic exchanges. HURAK also launched a journal entitled *Human Rights and Life* and has now published forty issues with periodic reports on topics related to *Zainichi* Koreans. In short, although HURAK is an agency of *Chōngryōn*, it is the most active and effective *Zainichi* lawyers' association with regular staff. For those who share the same vision as HURAK, it is a positive platform for people to participate in activities that have measureable impacts on society.

This section covered the current status of three Korean lawyers' associations and the challenges they face. To provide the big picture, I will briefly summarize the overall situation of Korean lawyers' groups by listing several problems and propose some possible solutions. First, the *Zainichi* Korean lawyers community has become more diversified and complex. There are currently more than two hundred Korean lawyers with different backgrounds, including those with South Korean citizenship and *Chōsen-seki*, naturalized Korean citizens, and newcomers. Under this circumstance, it is difficult for Korean lawyers' associations to find common interests that their members can all share. Second, due to the increasing number of Korean lawyers and their diverse values and opinions, it would be difficult to unite them by appealing to their work ethic and moral responsibility as lawyers or their common ethnic background. Therefore, both old comers and new associations must make the effort to undertake activities that supersede interests of Koreans for the interest of all foreign nationals in Japan. Korean associations should remind people that Koreans are only part of the foreign nationals and are only one minority group in Japan. Furthermore, they have to think deeply about how to make their activities more meaningful in Japanese society. Last but not least, since the Korean community is divided into groups associated with either *Chōngryōn* or *Mindan*, a consequence of the tragic national division of South and North Korea, Korean lawyers' associations must consider how to alleviate this tension and deal with the aforementioned challenges at the same time.

Korean Scholars' Groups

1. Evaluation of the First and Early Second Generations of *Zainichi* Korean Scholars

As briefly mentioned earlier, many Koreans began to enter into the academic field in Japanese society in the 1990s. Contrary to lawyers, Korean scholars mostly consist of newcomers who settled down in Japan since the late-1990s.

However, the activities and accomplishments of the first and early second-generation *Zainichi* Korean scholars deserve mention as well. The earlier-generation *Zainichi* Korean scholars can be divided into two groups. The first group consists of those who worked in the literature field, such as Kim Tal-su, Kim Sök-böm, Kim Si-jong, Yun Hak-jun, Yi Hoe-söng, and Yang Sö-gil, while the second group comprises those who achieved academic accolades in the fields of Korean history and Korean-Japanese relations by working at universities, such as Pak Kyöng-sik, Yi Chin-hüi, Kang Chae-ön, Kang Tök-sang, Sö Yong-dal, Kim Tong-hun, and Kim Yang-gi. The first and early second generations of *Zainichi* Korean scholars from both groups were fluent in Japanese, having settled in Japan since the 1930s.

With respect to the first group's achievements in literature, up until the 1980s, their work stood out in the field of "Korean-style" literary criticism in a progressive social atmosphere that admired socialism. At the same time, they also engaged in media activities, including publishing journals. One of the most famous journals is a quarterly journal entitled *Three Thousand-ri* (*Samchölli*). It was first published in February 1975 by Kim Tal-su, Yi Chin-hüi, and Kim Sök-böm, and ceased with the fiftieth issue in May 1987. The journal addressed various "*Zainichi* Korean problems" that emerged during the gradual progress of *Zainichi* Koreans' settlement in Japan. The journal served as a socio-cultural platform connecting diverse members of the *Zainichi* Korean community and *Zainichi* Koreans and Japanese people. Most first-generation *Zainichi* Korean scholars who participated in *Three Thousand-ri* were either abandoned by *Chöngryön* or chose to turn their backs on it. Despite the lack of cooperation amongst the existing ethnic community, these scholars actively engaged in literary and media activities.

In terms of the second group's academic accomplishments, Pak Kyöng-sik published a book entitled *A Record on the Forced Mobilization of Korean Laborers by Imperial Japan* (*Chosönin kangje yonhaeng üi kirok*) in 1965. His book has made it to a fiftieth printing, and is still in print. Yi Chin-hüi published a book entitled *A Study on the Falsification of Kwanggaet'o Monument* (*Kwanggaet'o Taewangbimun kaech'ansöl*) in 1972. At that time, his work caused a sensation in the academic communities of South-North Korea relations and Japanese ancient history. Sö Yong-dal, who was hired at Momoyama Gakuin University in 1963, and Kim Tong-hun, who obtained a position at Ryukoku University in 1982, were also quite well known in the academic world as accounting and international law scholars, respectively. At that time, due to the division of South and North Korea and institutional ethnic barriers, *Zainichi* Korean scholars faced great difficulties entering academic circles. They typically focused only on Korean

history, especially ancient and modern history, and Korea-Japan relations. Therefore, Sō Yong-dal and Kim Tong-hun, who studied accounting and international law, can be considered pioneers in the academic world of *Zainichi* Koreans.

2. The Rapid Increase in the Number of Newcomer Scholars

After the emergence of first and early second-generation *Zainichi* scholars, the general academic interests of *Zainichi* Korean scholars continued to lean toward Korean history and South Korea-Japan relations. However, the second generation of *Zainichi* scholars gradually gained academic recognition. As I described earlier, Kang Sang-jung, a second-generation *Zainichi* scholar, firmly secured his position in Japanese society as the opinion leader. He established the Korean Research Center at the University of Tokyo in 2010, and was elected as the center's first director. Furthermore, after he took an early retirement from the University of Tokyo, he was inaugurated as the president of Seigakuin University in 2014. In every sense, he has become the most outstanding and eminent figure in the Korean community. Apart from Kang, there are several other important second-generation scholars who paved the way for *Zainichi* Koreans. Yun Kōn-ch'a stands tall in the academic field in Japan, working at Kanagawa University.³⁵ Political scientist Mun Kyōng-su studies South Korea-Japan relation and *Zainichi* Koreans at Ritsumeikan University.³⁶ Yi Sōng-si works at Waseda University, known for his outstanding research in the field of ancient Korean history. And last but not least, Cho Kyōng-dal works at Chiba University and holds an unchallenged position in the field of modern Korean history. In addition to these figures, many *Zainichi* Korean scholars have steadily participated in the Japanese branches of the International Society for Korean Studies and the Association for Contemporary Korean Studies in Japan. Although it is premature to draw any conclusion on the field of natural sciences, it is safe to say that *Zainichi* Koreans have been active in the academic field since the 1990s.

The situation of Korean scholars changed after the Japanese government implemented "a policy of high-quality labor" in the early 1990s. Affected by the new policy, the number of foreign university faculties, including both old comers and newcomers, has dramatically increased over the last twenty-five

35. Iwanami Publishing Company published the three volumes of Yun Kōn-ch'a's book entitled *Zainichi Koreans' Spiritual History* (*Zainichi no seishinshi*).

36. Mun Kyōng-su, together with Mizuno Naoki, recently published *The History and Current Status of Zainichi Koreans* (*Zainichi Chōsenjin rekishi to genzai*).

years. According to the statistics, in 1991, 126,445 people worked at higher education institutions in Japan as full-time employees. 2,415 of these (about 1.9 percent) were foreign nationals.³⁷ However, since the 1990s, the number of foreign nationals working at Japanese universities has more than tripled. In 2014, 7,290 out of 180,882 full-time employees working at higher education institutions in Japan were foreign nationals, accounting for 4.03 percent. According to other data, in 1990, 77 people had a professorship visa and 85 had a scholar visa. However, as of 2014, the numbers dramatically increased to 923 and 189, respectively. Although the data on the number of professor or scholar visas does not necessarily reflect the number of foreign faculties in Japan,³⁸ it does, however, show that there has been a remarkable increase. From these statistical data, we can conclude that the academic exchanges between Korean and Japanese scholars have increased over the last twenty-five years.³⁹

The overall situation of Korean scholars can be summarized as follows. First, they entered various academic fields in Japan in the early 1990s. While still not receiving enough recognition in their own fields due to their late entry, Korean scholars have continued to contribute to Japanese academia.⁴⁰ Second, although I could not find any specific statistical data on the natural sciences, it seems that the majority of Korean scholars have studied the humanities and social sciences rather than natural sciences. Most focus on economics, business, sociology, or international relations. However, Korean scholars work in almost all fields, such as communication, education, linguistics, history, law, and cultural anthropology. Ironically, the proportion of Korean scholars studying either Korean language or Korean culture is relatively low.⁴¹ Third, their accomplishments are recognized by some of the most famous universities in Japan, including former imperial

37. I gained the statistical data from Kimura Kayo, who worked at the Tokyo Regional Immigration Bureau but is now working on a master's degree at the Graduate School of International Social Sciences, Yokohama National University.

38. This is because the professor visa of Japan includes only visiting scholars but not permanent residents and special permanent residents and the number of foreign university faculties, released by the Japanese Ministry of Education, Culture, Sports, Science and Technology (MEXT) is not classified according to nationalities.

39. On June 2015, the Japanese government adopted a new visa status called the "Highly Skilled Professional Visa." However, considering that entrenched discrimination against foreigners persists in Japanese society, I wonder if the new visa status can attract enough highly skilled foreign professionals.

40. According to Cho Ki-Chŏl, a professor at Ochanomizu University, about seven or eight Koreans with *Chōsen-seki* found positions at Japanese universities after graduating from Korea University in Japan. He gave me this information in an interview in June 2015.

41. Refer to the list of members on the official website of the KSfJ.

universities such as the University of Tokyo and Kyoto University. Moreover, some gained an opportunity to teach major courses in their respective fields, edging out their Japanese rivals.⁴² Lastly, a small number of them are involved in media activities as opinion leaders, aspiring to become the second Kang Sang-jung.⁴³

3. The Late Formation of Korean Scholars' Associations and Their Prospects

Unlike the Korean lawyers' groups, which started to engage with society after the establishment of LAZAK in 2001, Korean scholars' groups formed relatively late. Since Korean scholars consisting mostly of newcomers only began to receive attentions in the late 1990s, it took them longer to form their own networks and associations, many of which are still ineffective. Contrary to lawyers, who generally belong to both the lawyer community in their respective region and some common ethnic community, scholars tend to work individually and participate only in academic associations in their respective fields. Therefore, there is a lack of incentive to build a Korean scholar community. Furthermore, increase in members of the Korean community with a diverse academic background since the 1990s might also burden the formation of such scholars' associations.

As mentioned above, from the 1970s to the mid-1990s, the activities of the first- and early second-generation *Zainichi* Korean scholars mostly focused on publishing journals. Their most representative activities are the publications of quarterly journals entitled *Yard* (*Madang*), *Three Thousand-ri*, *People's Waves* (*Mintō*), and *Green Hill* (*Seikyū*). To be more specific, *Yard*, founded by Kim Chu-t'ae, Kim Yang-gi, and O Chun-hak, ran from autumn 1973 to summer 1975. *Three Thousand-ri* subsequently followed from autumn 1975 to summer 1987. After that, *People's Waves*, founded by Yi Hoe-sōng and Kim Ch'an-jōng in November 1987, continued to print until October 1990. Finally, with the help of Han Ch'ang-u, Yi Chin-hŭi established *Green Hill* in fall 1989 as a sequel to *Three Thousand-ri*. The journal was published until spring 1996. Contrary to scholars' active publication of journals, their engagement in research associations was very limited. The one and only representative research association was the Society for Korean Historical Science, which was established

42. Examples are the case of Yi Kwang-ho, a professor at the department of Sociology at Keio University, and Nam Kyōng-t'ae, an assistant professor at the law department at Kyoto University.

43. In the case of old comers, Pak Il, a professor at Osaka City University, is the representative case. In the case of newcomers, there are Yi Chong-wōn, a professor at Waseda University, and Kim Kyōng-ju, an assistant professor at Tokai University.

in 1959. However, for a considerable period of time, this association consisted exclusively of *Chōsen-seki* holders and focused only on the history of the Chosŏn Dynasty. Apart from this, only a few, local, small-scale research groups existed.⁴⁴

Korean Scientists and Engineers Association in Japan, which was founded in 1983, is an exception. This association actually cannot be considered a scholars' association in the strict meaning of the word because the prerequisite for membership is to be "a Korean living in Japan with a bachelor's degree or higher in any natural science field, including science, engineering, agricultural and natural sciences, and medical science, or any equivalent engagement in the field of industrial technology."⁴⁵ Unfortunately, the details on the activities of this group are not well known to the public. Furthermore, although no one knows for sure exactly when the affiliation started, it is currently connected with *Mindan*.

Despite the generational change in the Korean community and the increasing number of new Korean settlers in Japan, there has not been a Korean scholar community that encompasses the fields of liberal arts and natural sciences. After many years of anticipation, the first Korean scholars' association, called KSFJ, was finally established in 2008. Since then, many new Korean scholars' associations have also emerged. For example, Sō Yong-dal, an emeritus professor at Momoyama Gakuin University, established the Association of *Zainichi* Korean Faculty Members (*Zainichi Kankoku-Chōsenjin Daigaku Kyōin Kondankai*) in August 2012 by restoring the Association of Faculty Members (*Daigaku Kyōin Kondankai*) (*Mindan sinmun*, September 19, 2012). Since its foundation in 1974, the Association of Faculty Members greatly contributed to the passing of a law that allowed foreign nationals to teach at public universities in Japan. However, the Association of *Zainichi* Korean Faculty Members, the replacement of the Association of Faculty Members, has not undertaken any influential activities yet. In 2013, the Association of Korean Professors in the Kansai Area (*Kansai Kanjin Kyōjukai*) was established in Osaka. Centered around newcomer scholars and with professor Pak Il as its president, the members of the association have held several meetings. Finally, in December 2013, the Korean Scholars' Forum in the Tohoku Area (*Tōhoku Chiiki Kankokujin Kenyūsha Fōramu*) was established in the Tohoku region. Yi In-ja, an associate professor at Tohoku University, was elected as the president.

44. According to Yun Myōng-hōn, a professor at Kitakyushu University, there was one *Zainichi* Korean research association in the Kyushu region in the late 1990s.

45. Refer to the official webpage of *Mindan* (<https://www.mindan.org>).

To sum up, although the number of Korean scholars has increased at a rapid pace, they have yet to create a strong academic and personal network. They have not recognized the need to have their own scholar community as an ethnic group. Many Korean respected scholars in their fields often have negative opinions about the role and importance of the Korean community. Of course, it is understandable that scholars generally tend to work individually on their research. However, considering the lack of foreign professionals in Japanese society and the decline of existing Korean associations amidst their diversifying memberships, it is necessary for Korean scholars to form and promote networks among themselves through active Korean scholars' associations.

Other Professional Groups

In this section, I will briefly explain the current status of other Korean professional groups, with a particular focus on the field of medicine and mass communication. Doctors and dentists were the first professional groups that sought careers in Japanese society. In the 1990s, the proportion of doctors and dentists amongst *Zainichi* Koreans already exceeded the proportion of doctors and dentists amongst Japanese people.⁴⁶ In the 1970s, the second-generation old comers usually attended medical or dental college in South Korea to avoid the expensive tuition in Japan. After graduating college in South Korea, they returned to Japan and took the national examination for medical practitioners. However, as *Zainichi* Koreans' standards of living have generally improved, now most of them simply attend Japanese medical schools, and work in the Japanese medical field instead merely treating their fellow *Zainichi* Koreans.⁴⁷ Another interesting point is that the majority of *Zainichi* Korean doctors use their Japanese names instead of their ethnic Korean ones. It is because, unlike lawyers and scholars, doctors have to deal with people from all walks of life in Japanese society.

Although *Zainichi* Koreans' entry into the mass communication field was relatively late compared to that of the medical field, recently the number of *Zainichi* Koreans working in the mass communication industry has rapidly increased. Currently, dozens of *Zainichi* Koreans are working for national or local newspapers in Japan, including the *Asahi Newspaper* (*Asahi shinbun*).

46. For more information on the statistics, see Higuchi (2013, 82).

47. For example, Yi So-gu, the executive director of the Chiba Medical Association, is running seven orthopedic hospitals in Japan.

Furthermore, several studies on the characteristics of *Zainichi* Koreans in mass communication have already been published (e.g. Hayashi 2012). In addition, some *Zainichi* Korean reporters recently began to use their ethnic names when broadcasting on major TV stations, such as NHK. In addition, a few of them became anchors on television news programs or directors of metropolitan newspapers. In this way, Koreans are very active in the field of mass communication.

Conclusion

1. Applying Higuchi's Three Hypotheses and Conclusion to Korean Professional Groups

As I explained in the introduction, Higuchi suggested three hypotheses and argued that *Zainichi* Koreans have become a model minority with white-collar jobs and a decent level of education for the second generation. However, they took one generation longer than their Asian-American counterparts due to ethnic employment discrimination in Japan. If we apply Higuchi's hypotheses and conclusion to Korean professional groups, what would the result be? Because the majority of Korean lawyers were born after 1966 and the majority of Korean scholars, including newcomers, were born after the 1960s, Higuchi's hypothesis about economic assimilation and theory on "model minority" seem to be valid.

I agree that obtaining a professional job is one of the most important criteria to mark the socioeconomic status of ethnic minorities and that the socioeconomic status of Korean old comers has improved drastically when compared to the severe ethnic discrimination period of the 1950s-'70s. However, perhaps it is premature to call Koreans a model minority. According to statistical data conducted by the National Census, there is a clear increase in the number of *Zainichi* Korean professionals (Higuchi et al. 2015, 7). As of 2015, the number of Korean lawyers is approximately two hundred, and the number of Korean scholars working at universities or research institutes in Japan is approximately one thousand. However, as I explained earlier, apart from the case of doctors, Koreans' entry into professional fields began in earnest in the 1990s. Regarding the mass communication field, there are only a few *Zainichi* Korean professionals (Yoo Hyuck-soo 2015, 86). In addition, we do not know whether this trend of upward mobility fueled by the newcomers will continue. It is uncertain how the globalization of the labor market for talent will affect the "supply" of foreign (Korean) scholars in Japan. Conversely, it is also questionable how long the

“demand” for foreign (Korean) scholars in Japanese society will last. Therefore, it still seems to be premature to call Koreans a “model minority.” Thus, Koreans need to continue to strive to improve their social and economic status just as they have, rather than being satisfied with their achievements thus far.

Moreover, as they enter professional fields, Koreans still face ethnic discrimination under “nationality requirement as *jus non scriptum*.” For example, in the case of lawyers, the Supreme Court of Japan still does not appoint foreign lawyers as conciliation commissioners or judicial commissioners on civil and family cases, despite there being no legal basis for such discriminatory actions. Korean university professors also face ethnic discrimination to this day. For instance, the Science Council of Japan (SCJ), which represents 840,000 scientists and responsible for handling important scientific matters, still discriminates against foreign nationals. According to its official statement, the SCJ does not comply with the nationality clause of Japan. However, in the actual nomination and selection procedure, the SCJ only nominates and selects Japanese nationals. Moreover, the nationality clause still prohibits foreign scholars from receiving public funds for a sabbatical leave. In addition, various Japanese councils that determine important national matters do not appoint any foreign nationals (Yoo Hyuk-soo and Ūn Yong-gi 2015, 157). Therefore, we can see that a wide variety of ethnic discrimination against Koreans still exists in Japanese society.

In order to ease ethnic discrimination in the academic field, Korean scholars must develop their expertise and attain a high status in Japanese academic society. As Korean scholars gain respect through high-quality research that is equivalent to or better than other Japanese scholars, I expect that a positive change is possible. Although the prospect of removing “the nationality requirement as *jus non scriptum*” is still low, such achievements will indirectly bring about considerable positive changes in the long term.

2. Prospects for the Korean Community and the Role of Professional Groups

The Korean community has faced an identity crisis as its members have increased and diversified since the 1990s.⁴⁸ Meanwhile, for a long time there has

48. In July 2014, a third-generation *Zainichi* Korean living in Shizuoka who had used a Japanese name for a long time, demanded compensation from a Japanese president of a septic company where he had been working for more than ten years. According to him, the president had been repeatedly pushing him to use his real name (Korean name). The president of the company also revealed that he is a *Zainichi* Korean in front of other employees. This third-generation *Zainichi* Korean argued that he had suffered considerable mental distress due to the president's actions. At the time, this case drew the attention of many Koreans because it was the first such case regarding the enforcement of revealing one's real Korean name. On April 24, 2015, the judge of Shizuoka

been no effective and proper ethnic association that can adapt to social changes while offering a long-term vision and maintaining internal cohesiveness. The current situations of *Mindan* and *Chongryŏn*, the two most representative *Zainichi* Korean organizations, and other professional associations are not as desirable as they should be.⁴⁹ In the case of scholars, there is no proper ethnic organization except for the KSFJ, which was established eight years ago. In the mass communication field, although there are irregular meetings between those who work in the media industry and Korean lawyers, there still lacks any formal arrangements.

On the other hand, the substantial legal and institutional discrimination against Koreans still exist in Japanese society. The Japanese government agreed to make sincere efforts to improve the status of *Zainichi* Koreans through the 1991 Memorandum of Understanding made on January 10, 1991. The agreement was reached between the Foreign Ministers of Japan and South Korea. At that time, the Japanese government stipulated eight agreements, including a special permanent residency for old comers. However, although the special permanent residency and the abolition of the fingerprinting system have been implemented, the six other agreements still remain partially implemented or unimplemented. For example, the system for re-entry permits still exists, and the only change to the system has been the new Immigration Control Act in 2012 that replaced the “obligation to carry” a residence card clause with the “obligation to show” clause for old comers. In the case of minorities’ rights to education, the Japanese government has provided some basic guidelines for school-age children of foreigners but has provided no legal guarantees on the fundamental rights for these children’s education. Moreover, although there was some improvement in the employment of civil servants and teachers in local governments, the status quo is still unsatisfactory under “nationality requirement as *jus non scriptum*.” Lastly, the prospects for the right to vote in local elections remain dim for now, and it has not even been discussed since the 2000s (Yoo Hyuck-Soo 2015, 73).

To sum up, the identity of the Korean community amongst its members is weakening. More seriously, it also lacks a proper system to effectively manage

District Court ruled in favor of the third-generation *Zainichi* Korean. The judge claimed that using one’s Japanese or ethnic name is “a matter of personal identity.” The judge also argued that the president’s actions were an “infringement of the plaintiff’s privacy and self-determination.” The president of the company appealed the decision to the Tokyo High Court. Although shifting the emphasis of judicial decision, the judge of Tokyo High Court eventually ruled against the Japanese president on October 14, 2015. The Japanese president mounted a challenge at the Supreme Court of Japan over the decision, yet it was dismissed on June 16, 2016.

49. Yoo Hyuck-Soo (2014) analyzed several problems facing *Mindan* and suggested possible solutions.

the variety of members and maintain balance and harmony. Furthermore, the Korean community faces many difficulties due to various political tensions, such as recent anti-Korean movements and public sentiment, as well as the continuing legal barriers in Japanese society under “the nationality requirement as *jus non scriptum*.” Due to these unfavorable circumstances, the Korean community is facing great difficulties in improving and guaranteeing the rights and interests of Koreans.

Professionals are intelligent people. Naturally, professional groups are expected to play a greater social role in the Korean community. They serve as the opinion leaders. Especially in Japanese society that values the title of one’s position (*katagaki*) professionals, intelligent people play a significant role.⁵⁰ In particular, for the Korean community and other ethnic communities, professionals are the only group that can offer proper advice balance. As described above, currently the Korean community lacks a system that can assess the current situations of ethnic communities and offer a long-term vision. Therefore, professional groups, particularly scholars’ groups should serve as “think tanks” for the Korean community. This is the very reason that fostering professionals and developing professional groups is important for the future of the Korean community in Japan.

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