

CHAPTER 3

The Outcome of Taiwan's Unique Immigration Policy

This chapter will provide a discussion about the kinds of experiences foreigners have in Taiwan, what motivates them to come here, and how legal institutions in Taiwan especially in immigration policy, have a direct impact on the lives they live. It will put the foreigner's experiences in terms of the government's development strategies and analyze the ways that the policies have shaped the character of migration and social stratification among foreigners in Taiwan and the development of foreign communities

3.1 Low-skilled and High-skilled Foreigners

While there is a limited amount of work that has been written about foreigners' experiences in Taiwan, we have found virtually nothing about how they feel about Taiwanese society, much less on their political inclinations. Among the studies that have already been conducted, by far the majority of the literature talks about the experiences of so-called 'migrant workers'. Since most 'migrant workers' come to Taiwan as unskilled workers, most of whom are paid less than locals and engaged in demeaning, dangerous and dirty work, much of this body of literature discuss their hardships, including but not limited to their difficulties in assimilating into Taiwan society and how they are exploited. For example, Li-jung Wang has noted, [S]ince it is businessmen who have the greatest interest in migrant workers, the government is happy to hand over responsibility for managing migrant workers to them. It is not interested in the relations between businessmen and migrant workers. In effect this means that businessmen can exploit and

oppress migrant workers, and that the rights of migrant workers are not protected by the government.”³⁵ Moreover, Phizicklea has pointed out the institutional marginalization for victimized groups, such as migrant women, and calls for their self-organization:

“Migrant women have repeatedly demonstrated their resistance to the exploitation they experience in the workplace and yet to date they have been marginalized by the very institutions of the labor movement which supposedly exist to protect and defend their interests as wage-labourers. Self-organization and activity may have been forced on migrant women in the workplace but self-organization is in itself a prerequisite for migrant women’s struggle against their triple oppression ... Many of the most pressing issues for migrant women are not over wages or degrading working conditions, they related to basic human rights; the right to stay in the country, to be joined by their children, to have a decent place to love, to be free of racist harassment and violence. There is increasing evidence that migrate women are setting up their own operations through which they can speak for themselves and articulate demands specific to their fractionalized class position.”³⁶

Thus by exposing migrant workers’ hardships within the legal institutions set forth by the government, they are actively calling for reform. For instance, Lorna Kung and Fang-ping Wang have noted that “The foreign labor management policy in Taiwan is rigid and overbearing since the government is worried that migrant workers might turn into illegal immigrants ... The government’s respect for migrant workers’ human rights deserves credit, but without sound regulations, we are worried the effort will be in vain.”³⁷ Scholarly work on migrant workers has become especially pressing as the domestic labor force faces massive shortage as the growing differentiation of international salaries in both the state and private sector are looking to migrant workers for their needs.³⁸ Thus it is perhaps unsurprising to find that cases of exploitation continue to persist.

Statistics from the Council of Labor Affairs of the Executive Yuan ROC, reveal that 336,812 migrant workers from the Southeast Asian countries Thailand, Philippines,

³⁵ Li-jing Wu, “The The Formation of Transnational Communities: A New Challenge to Multicultural Taiwan,” Yuanz-Ze University Taiwan, (no date given).

³⁶ Phizicklea, 111.

³⁷ Lorna Kung and Fang-ping Wang, “The Theory and Practice of the Management of the Migrant Workers In Taiwan,” Solidarity Front of Women Workers website at <http://www.isgnweb.org/pub/08-004.htm> retrieved 9/15/06, 2.

³⁸ Ting-Sheng Weng, Shin-Fa Tseng, Ming-Hsun Lee and Ping-Juan Juan, “Comparison on Foreign Worker Policy Between Taiwan and Japan,” (*BAI 2004 International Workshop on Business and Information* (conference paper): National Huwei University of Science and Technology, (2004): 5.

Indonesia, Vietnam were in Taiwan in September of 2006.³⁹ Of the four groups, the Philippines and Thailand hold a relatively larger share at 92,551 and 94,242, respectively, compared to the number of Indonesians and Vietnamese at 77,437 and 72,582 respectively. Moreover, the number of migrant workers from Philippines, Thailand and Vietnam held mostly steady between the last quarter of 2004 to the last quarter of 2006 at 89,318, 103,850, 80,892 in 2004 and 92,551, 94,242 and 72,852, respectively in 2006. However, the number of Indonesian migrants increased substantially in the same time period, increasing from 33,318, then decreasing to 19,605 in May of 2005 and increasing to 77,437 September of 2006. Intriguing is the number of Malaysian migrants residing in Taiwan, that reached its peak during the time period who reached a peak of 22 in September of 2004 and declined to 12 in September of 2006.

Moreover, the plight of foreign workers as well as their contributions to Taiwanese society is also well documented in the Taiwanese English-language press. For instance the *Taipei Times* recently ran a story reporting that “[s]till, life as a foreign worker is a struggle, marked by loneliness, unfamiliar food and customs, and worst of all, unscrupulous employers and job, brokers, who sometimes reduce pay packets and benefits to pad their own pockets.”⁴⁰ While foreigners who come here to teach English, and other foreigners considered to be “skilled workers”, may prolong their stay indefinitely by extending their work visas as long as they have a job, for those foreign workers considered unskilled originating from countries such as Thailand, Philippines, Vietnam and Thailand, they may only renew their visa once. Thus the scenario arises where skilled workers would have the potential to become more socialized into Taiwanese society.

And while there is definitely no dearth of information analyzing migrant workers’ experiences, few studies focus on the experiences of those migrants classified as “resident aliens” — namely, the migrants coming to Taiwan under the auspices of possessing special and technical skills or professional knowledge, such as technical personnel, language teachers, entertainers and so on. In contrast to the “unskilled” workers from Southeast Asian countries, these resident aliens, many of whom hail from

³⁹ J.R. Wu, “The Human Rights of Migrant Workers,” in *The Human Rights of Taiwan*, ed. J.H. Chen (Taipei: Xu-sheng Publisher, 2001):147.

⁴⁰ *Taipei Times* (January 16, 2006): 2.

countries in North America, Europe and Australia, are what locals would be referring to when they point someone out as a “foreigner”. So far, Mandy Huang’s Master’s thesis from Nanhua University has been the only source that we have been able to locate, which specifically touches upon the experiences of these so called “foreigners”. Unfortunately, while her study sets out to analyze foreigners’ experiences in Taichung using survey data completed by 102 respondents, the author neglects to include any respondents from Southeast Asian countries, nor has she included anyone who would be classified as a low-skilled worker. Namely, over half of her respondents were in Taiwan to either teach English or to tutor in university and over 3/4 of them were from USA, Canada, South Africa, UK, Australia or New Zealand.

This is not to say that all foreigners think alike. It should be acknowledged of course that they come from distinct national, cultural, ethnic, educational and economic backgrounds. Moreover, every foreigner is here for somewhat different reasons. Some teach English; some are learning Chinese; some work as maids and manual workers; others are engineers and a few are executives. But someone from Canada here isn’t just any other Canadian. He or she has made the conscious decision to become an alien in not just a foreign country, but in Taiwan — not China, Korea or Japan. How do the political, legal and other social institutions of their homeland shape their views on politics here? How do local institutions shape their political inclinations and how are their actions limited or fomented by them? Answering these questions is the main purpose of this paper.

3.2 Immigration and Development Strategy

Statistics from Taiwan’s Department of Statistics, Ministry of the Interior (台灣人口總數) reveals that in 2003 there were 405,284 foreigners were staying in Taiwan, which accounted for 1.7% of the total population of 22,604,550⁴¹. While about 1 in 56 was a foreigner, only 1,465 out of the total population had been naturalized. Chien Yu-chun, Du Yu, David Hu and Clare Su, point out that although the rate of naturalized foreigners to the total population in 2003 is especially low compared to countries like

⁴¹ Department of Statistics, Ministry of The Interior. (2004). 台灣人口總數.

France and the United States, it had been steadily increasing since the 1990s and following the 2000 and 2001 revision of the Law of Nationality by the central government. They attribute to the minimal levels in Taiwan due to the following: One of the laws concerning immigration is nationality laws. Law of Nationality in the Republic of China was promulgated by the National Government in 1929, later than USA's (1790) and France's (1803). It was not until 2000 that the law was revised the first time, and revised again in 2001. The law was revised, because there was the demand.⁴² For instance in 1995, the real naturalized population only numbered 129 in Taiwan, far less than in the US (488,088 persons, about 3784 times to Taiwan's) and also in France (92,410 persons, about 716 times to Taiwan's). Accordingly, the ratio of naturalized population to total population in Taiwan was 1 in 165,561; one in 539 in the US and 1 in 626 in France. This means out of a million Taiwan citizens, 6 of them are naturalized citizens, while in France there would be 1,597 and in the US, 1,855 naturalized citizens. All told, this means that from 1982 to 1995 Taiwan's rate of naturalization was less than 200 a year, but dramatically increased to 2,243 in 1997 and reached then reached a peak of 5,198 in 2000, then it declined to 1,465 in 2003⁴³. According to the Ministry of the Interior, the three largest foreign populations in Taiwan from 1982 to 1991 comprise of individuals from the USA, Japan and Malaysia⁴⁴, The numbers rose steadily between 1982 and 1987, reaching to approximately 20,000 foreign residents foreign residents each year.⁴⁵ However, after 1987 the constant rate saw several leaps like in 1988, when the foreign population suddenly increased around 3000, and continued onto 1990. Still, most of the foreign individuals were from USA, Japan and Malaysia.

However, after 1991 and 1992, the number leapt again, probably because Taiwan needed foreign manpower. It was in this time period that the number of foreigners increased dramatically by 14,153 to a total of 44,441. Of these, 9,857 were from Thailand. Since 1992, Thais have become Taiwan's main foreign population, followed by Filipinos since 1993. The gap in population of these two nationalities has hovered around 20,000. From 1992 to 1995, the population grew by around 60,000 a year, comprising mostly of

⁴²Chien Yu-chun, Du Yu, David Hu and Clare Su, "An Investigation of Access to Citizenship: Taiwan, France and the United States,"(unpublished manuscript), National Chengchi University, 2004.

⁴³ Department of Statistics, Ministry of the Interior (2004). 台灣國籍歸化及取得人數.

⁴⁴ Department of Statistics, Ministry of the Interior (2004). 外僑居留人數.

⁴⁵ See Table 1.

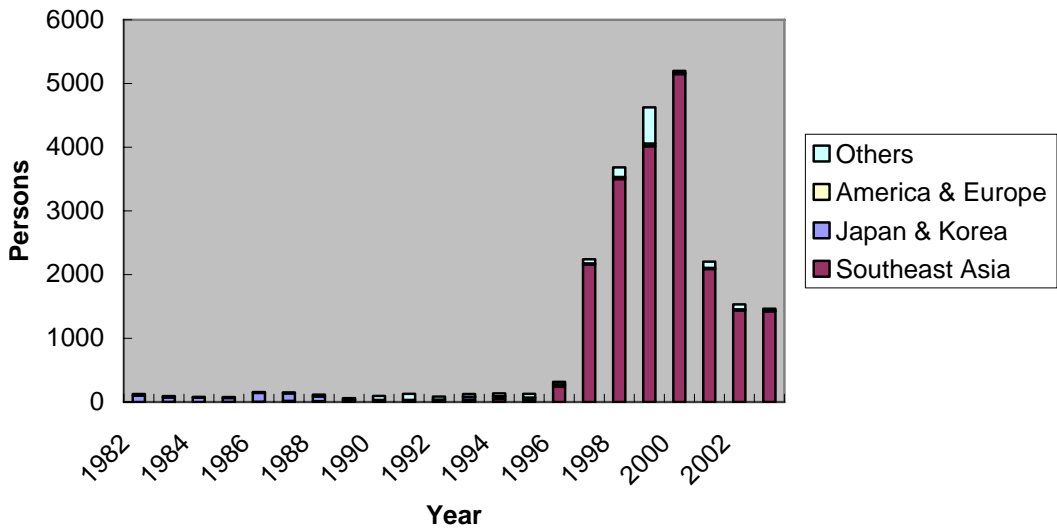
people from Thailand and the Philippines. After 1995, the foreign population in Taiwan increased by an average of 30,000 a year, mainly from Thailand, the Philippines and Indonesia.

Table 3-1: Foreign population and naturalization in Taiwan 1982-2003

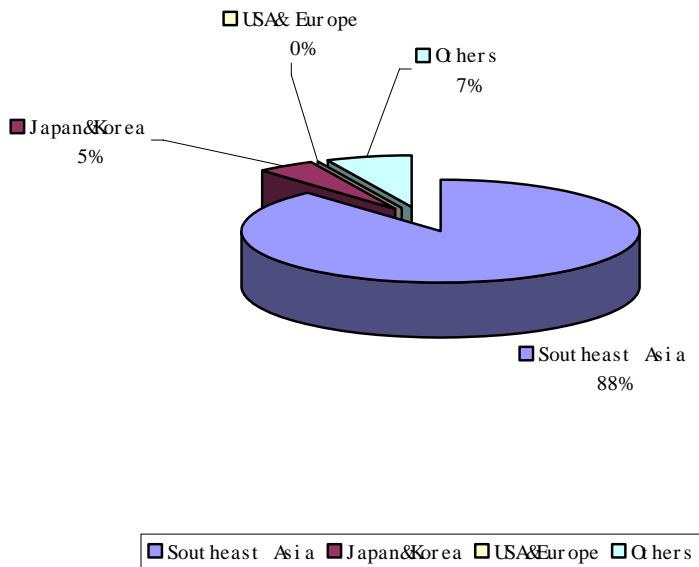
Year	Foreign population	Naturalization	Ratio	Year	Foreign population	Naturalization	Ratio
1982	22,963	127	0.01	1993	94,601	127	0
1983	21,982	92	0	1994	159,305	137	0
1984	18,835	80	0	1995	220,537	129	0
1985	19,099	79	0	1996	253,906	318	0
1986	18,999	156	0.01	1997	268,670	2,243	0.01
1987	22,676	152	0.01	1998	296,629	3,684	0.01
1988	26,192	116	0	1999	339,186	4,627	0.01
1989	29,051	60	0	2000	388,189	5,198	0.01
1990	28,640	95	0	2001	383,663	2,204	0.01
1991	30,288	130	0	2002	405,751	1,533	0
1992	44,441	86	0	2003	405,284	1,465	0

Source: Taiwan Ministry of the Interior

From 1982 to 1995, the naturalized populations in Taiwan were mostly from Japan and Korea. During 1996 and 1999, the largest naturalized populations were Indonesian females, but since 2000 Vietnamese females took the lion's share of naturalization. After year 2000, the number decreased continuously. In 2003, the total number of naturalization in Taiwan was 1,465 (1,411 females and 54 males), and over 80 percent was from Southeast Asia (407 Vietnamese females, 317 Cambodian females, 261 Indonesian females, 187 Philippine females and 114 Burmese females).



Source: Same as Table 3-1
Figure 3-1: Ratio of Persons Naturalized by Region — 1982-2003

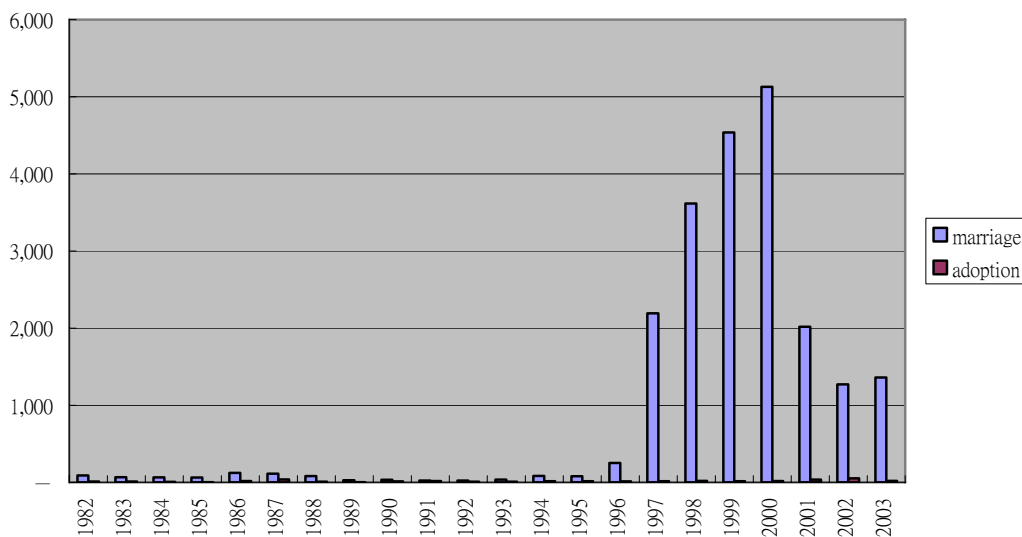


Source: Same as Table 3-1
Figure 3-2: Ratio of Persons Naturalized by Gender — 1982-2003

Taiwan’s unique patterns of migration and naturalization have led Chien, Yu, Hu and Su to speculate that because Taiwan is a geographically small island with a large population, the government has long adopted the “strict immigration, loose emigration”, whereby the ability to immigrate has been made difficult by government policy, but the emigration to other countries has been relaxed. They note that the nature of inflows of

outflows of peoples “have been imbalanced for years.”⁴⁶ For instance, they note that the imbalances manifest themselves with the prevalence of immigrants who are blue collar female spouses from Southeast Asia or China. In terms of emigrants, they note, are white collar workers or employees who have the ability to invest. They reckon that “[b]oth the quantity and the quality of immigration & emigration of Taiwan are seriously imbalanced. If the imbalance continues, Taiwan’s social development and demographic policies will be enormously influenced.”⁴⁷

This, the authors attribute the prevalence of “chain migration” that occur as the result of Taiwan’s Law of Nationality.⁴⁸ Chain immigration, according to the authors can be divided into marriage and adoption, and “marriage immigration overwhelmed adoption ones” This is revealed Figure 3-1). From 1982 to 1996, no more than 350 individuals were naturalized each year in Taiwan. In 1997, however, the number surged to 2,243. 2,191 of these were spouses of ROC citizens. This number proceeded to increase in the year 2000 to 5,198 individuals, and in 2003 dropped down to dropped down to 1,465. The authors note “marriage immigration had the lion’s share; on the other hand, other reasons became minor.”⁴⁹



Source: Same as Table 3-1

Figure 3-3: Comparison of Reasons for Naturalization — 1982-2003

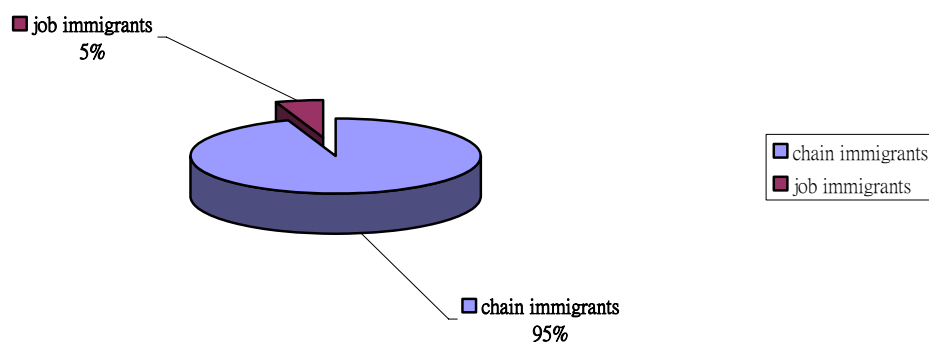
⁴⁶ Chien et al, 33.

⁴⁷ Ibid., 33.

⁴⁸ Law of Nationality: from article 2 to article 9, the contents concern with naturalization reasons.

⁴⁹ Chien, 14.

As pointed out by the authors, aside from chain immigrants, if immigrants of the other reasons and job immigrants, we can see that 95 percent of total immigrants were chain immigrants, while only 5 percent are job immigrants and immigrants of other immigrants combined in the period of 1982-2003. Thus, marriage can be seen as a deciding factor of for the main reasons of naturalization in Taiwan.⁵⁰

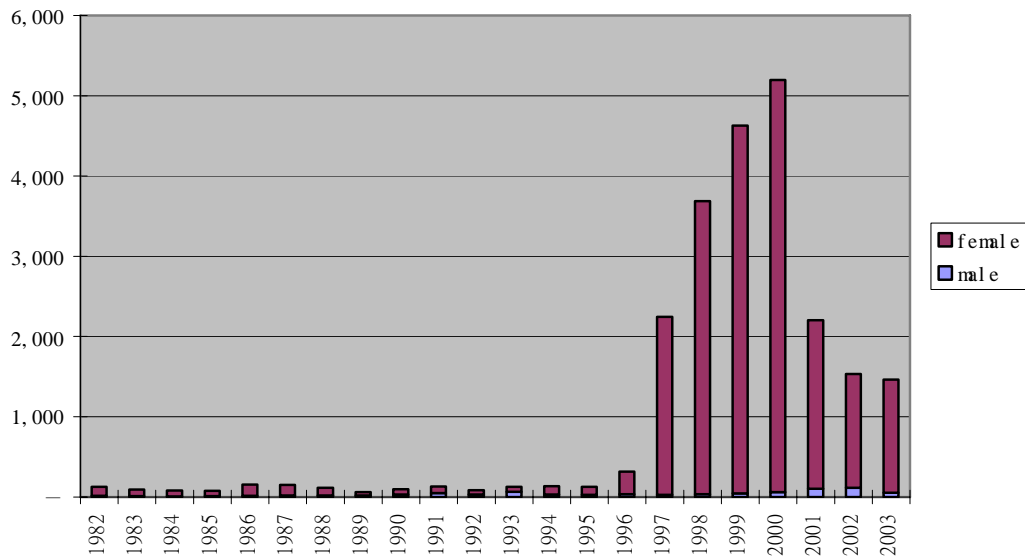


Source: Same as Table 3-1

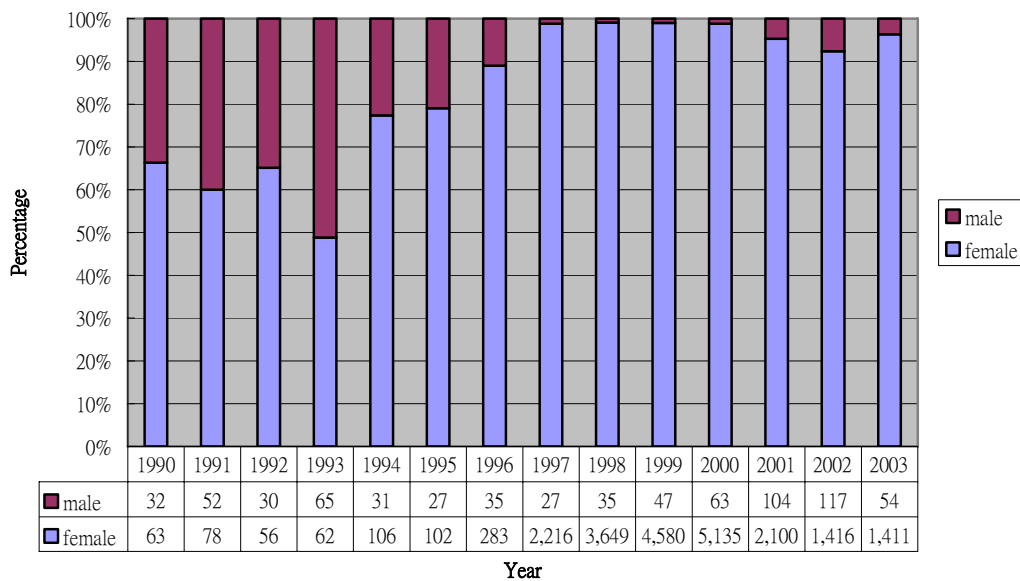
Figure 3-4: Ratio of Total Persons Naturalized by Reason — 1982-2003

The demographic imbalances become even clearer in terms of gender. The authors point out that between 1982 to 2003, there were always more foreign females naturalized than males, except in 1993 (65 males and 62 females). The gender imbalance (see Figure 3-5 and 3-6) became enormous since 1997, along with the marriage reason. Females overwhelmed males.

⁵⁰ Ibid., 15.



Source: Same as Table 3-1
Figure 3-5: Naturalization by Gender — 1982-2003



Source: Same as Table 3-1
Figure 3-6 Ratio of Persons Naturalized by Gender — 1990-2003

Based upon the preceding analysis we know that most of the foreign population and naturalization in Taiwan are from Southeast Asia (see Graph 5 & Graph 6). Many of them are from Thailand; few Thais, however, have been naturalized in Taiwan. The

authors point out that “[c]ompared with Vietnamese population and Indonesian population, most Thais come to Taiwan for job, instead of marriage.”⁵¹

3.3 Summary

While the media and most scholarly work focuses on the experiences of those immigrants — primarily from Southeast Asia — who do dangerous, demeaning or dirty work, Taiwan is rich with immigrants from all over the world who are in Taiwan for many different reasons. The concentrations of foreigners in Taiwan doing certain lines of work — commonly construction, being a caretaker, factory work or English teaching — is a direct result of government policy which should be seen as the government’s priorities within the context of global economic change. The development of Taiwan’s unique world economic positioning has led to dynamic networks of migration — like chain migration — processes which would significantly alter the composition of Taiwan’s immigrant intake, and thus promote economic imbalances. One of the key issues this paper seeks to explore is to see if these economic imbalances, among other difference, solidify pockets of differences within the foreigner community in their opinion on the cross-strait situation.

⁵¹ Ibid., 38.