

Paper to be presented in the 5th East Asian Social Policy International Conference  
3-4 November 2008, National Taiwan University in Taipei, Taiwan

**Gender-sensitive analysis**  
**On the process to enact ‘multi-cultural family support Act’ in Korea**  
**: from the standpoint of married female immigrant**

Song-Yi Kim

(Department of Social Welfare, Graduate School, Chung-Ang University)

Eun Ae Chang

(Department of Social Welfare, Graduate School, Chung-Ang University)

Kyoin Kim

(Department of Social Welfare, Graduate School, Chung-Ang University)

**Introduction**

Since the 1990s international marriage has increased in Korea, and this has led to increased attentions to multi-cultural society. In 2007, the number of international marriages in Korea was 38,491(compared to 4,710 in 1990) and accounted for 11.1% of total marriages. Among them, international marriages between Korean men and foreign women 29,140 - over 3 times that of international marriages between Korean women and foreign men (Korea national Statistical Office, 2007). Over 110,000 foreign wives are residing in Korea. As a result, many studies about female immigrants emerged and the central government started to establish a diverse range of aid policies.

However, the government focused on fitting female immigrants into Korean culture and this kind of approach resulted in a one-sided policy for settling female immigrants into Korea: Korean language education, cooking classes, training for Korean basic manners and so on. Likewise, most studies have focused on the difficulties they faced: hardships with conversations, cultural conflicts and difficulties with child care etc. Such tendencies resulted in overlooking the substantial needs female immigrants have and raising obstacles to the essential solutions.

Feminist perspectives on female immigrants have proliferated in the last ten years. It is clear from feminist studies that the global mechanism for accumulation of capital associated with sexual division of labor has led increased female migration (Ehrenreich and Hochschild, 2002; Parrenas, 2001; Sassen, 2001). In this regard, one can say that the root cause of difficulties married female immigrants suffer in Korea is marriage process managed by the brokerage business and a patriarchal family culture (Kim, 2006; Kim·Kim·Kim, 2008; Lee, 2004; Hong, 2000). All such approaches, however, remain marginal to the discipline as a whole. Feminist perspective cannot be reflected in the policy, and there have been no studies that have attempted to analyze gender policy for female immigrants.

Therefore this study attempts to analyze the procedure to enact ‘The Multi-cultural Family Support Act’ from a gender-sensitive perspective. The act is very important because it will be the grounds for establishing the policy for female immigrants. At an era of increased attention to multi-cultural society, this paper is expected to serve two purposes. First, it will show us how the discourse on married female immigrants is shaped. Second, it will provide a gender-sensitive framework for future research efforts and policies.

### *Feminization of migration*

Numerous attempts have been made by feminist scholars to demonstrate the role of gender in shaping migration (Korean Women's Institute of Ewha Womans University, 2007; Piper, 1999). Their attentions were directed to fundamental differences between women's migration and men's. Compared with males, there are overwhelmingly more female migrants. And most female migrants from poor countries tend to be concentrated at the bottom of the employment ladder. Asian female migrants are often recruited internationally to do repetitive work in other people's houses or for service-sector jobs such as waitressing or entertainment which are poorly paid and marked by high instability and turnover. This is a tendency called 'Feminization of migration' (Castles and Miller, 2003; Parrenas, 2001). Female migration will continue reproduction and exploitation of gender inequalities by global capitalism (Ehrenreich and Hochschild, 2002; Parrenas, 2001; Sassen, 2001; Kim, 2006; Lee, 2004).

In her article, Sassen(2001) offered a useful analysis of feminization of migration: women's migrants are intimately linked with a changing role and status of women in immigrant and migrant countries. Globally changing labor markets have led an increased opportunity for women to participate in the labor market, and female migrants, subsequently, have been employed as cheap domestic workers to solve the growing demand for caregivers in wealthy countries. In addition, the neoliberal reforms of labor market have resulted in growing unemployment (of men) and increased poverty in poor countries. Women in poor countries have been pressed into survival circuits for their families (Tokunaga Risa, 2007: 140).

Another fuel for the growing gendered migration is international marriage industry,

managed by brokerages. The 'mail order bride' industry puts men responsible for most migrating and wedding expenses, so many women from poor countries prefer international marriages to others (Kim, 2006: 15). It treats women as commercial items in the global market and been problematic by failing to supply precise information and the right of decision making to the women involved. Married female immigrants have been under the influence of a gender inequality regime, because women can acquire legalization as a subordinate wife to a husband but not an independent citizen.

#### *Issues and problems Confronted by Married female immigrants in Korea*

In Korea, the married female immigrants are going through the violence in the family, abuse, and exploitation and such circumstances are continuously reported by the mass media. The difficulties of the married female immigrants are as follows:

- Difficulty in communications, Conflict with spouse, Conflict and Separation with husband's family members
- Economic poverty and double burden of work and child care due to the poverty
- Violence in the family, Constraining obedience to the husband, Husband's ignorance
- Discrimination and stigma as the woman came from poor country

Most of the studies indicated that the cause of such difficulties is the maladjustment due to the cultural conflict, and suggested that the supporting policy which can improve the level of the female immigrants' adjustment to the Korean society is necessary (Ku, 2007; Park, Park & Kim, 2007; Yang, 2006; Choi, 2007; Han, 2006).

However, it can be recognized that the difficulties of the female immigrant were

derived from the patriarchal culture of Korean society and several problems from 'immigration (or inflow) processes' by reviewing some studies (Ku, 2007; Shin & Yang, 2006; Jung, 2007; Han, 2006) that attempted the in-depth interview with the female immigrant. According to the result of the status examination of Ministry of Health and Welfare, husbands' attitude of emphasizing their authority is one of the most difficult situation that the female immigrant are facing, and the women dissatisfy with the fact that the husbands prefers to ignore them rather than treat them as a wife, and treat them with coercive manner unlikely the manner to the Korean women. When it comes to the relationship with the husband's parents, the female immigrants are suffering from the parents' attitude enforcing submission and obedience to the husband stating 'the man is the heaven(means 'top') and the women is the earth(means 'bottom')'. In addition to this, other members of the husband' family use violent language, or assault to the female immigrants, or even control the women's going out from home(Park et al., 2007: 5). Such conflicts with husband or his family members are caused by the patriarchal social culture, and the female immigrant goes through cultural conflicts due to the unequal culture which is different from their countries'.

Problems the female immigrants in Korea are going through are based on fundamentally their inflow process, that is, the marriage managed by the brokerage business. According to the result of the status examination of Ministry of Health and Welfare (2005), the marriage by the brokerage business reaches to the 13.4% of all marriages. If the examination includes similar brokerage, the percentage would be more than 50%. In such marriage process, advertising strategies deeming the woman as a product are come into being and the women's sexual right and the right to choose spouse are restricted due to the imprecise information of the man(the Ministry of

Education and Human Resources Development, 2006: 10-12). As such way of marriage has been habitual, certain kind of perspectives deeming the female immigrant as only 'wife' and 'mother' of Korean instead of treating them as subjective, and trying to assimilate them into the Korean society without their consents has been surging(Choi, 2007: 143).

Seen from the perspective above, to seek substantial policies for married female immigrants in Korea, we need to consider gender relationship, that is, 'mail order bride' industry and 'constraint in a patriarchal system' surrounding them.

### **Gender-Analysis Framework**

In this article, we shall define 'gender-sensitive perspective' as follows: "The necessary insights, skills and knowledge to understand social custom and dynamics of gender role and status, to consider the standpoint and experiences of men and women equally, and to eliminate influences of gender inequality when someone implements policies and projects (Ministry of Gender Equality, 2008: 107)". In other words, it is a gender-sensitive perspective to be aware of differences between women's and men's needs, and then examine whether a specific concept of policies is advantageous to a gender or not.

In 1995, Governments and the UN agreed to promote the 'gender mainstreaming' in policies and programs at the Fourth UN World Conference on Women. Since then, about forty countries and international organizations have executed 'gender-sensitive analysis' on policies and programs. The Korean government started that plan in December, 2008.

However, there is a flaw in the Korean governments: 'A Guide to Gender-Analysis

Framework'. It is excessively emphasized in a Korean guidebook that "A gender sensitive policy is profitable to both men and women (Ministry of Gender Equality, 2008: 55)". Although, this assertion has an advantage of reducing resistances of officials and policy-makers against a gender-analysis, it would be risky to overlook women's specific situations and needs different with men's. At the Fourth World Conference on Women, socialist feminists and feminists from developing countries had already suggested to emphasize both men and women in gender-analysis, de-politicize gender and overlook the importance of women-specific policy (Baden and Goets, 1998; Ma, 2007). We, subsequently, stress that gender-sensitive analysis challenges the assumption that everyone is affected by policies, programs and legislation in the same way, regardless of gender.

In this paper, we revise some parts of the gender-analysis framework of the Korean Ministry of Gender Equality and incorporate gender-analysis framework of Currie (1997) into our framework. In her article, Currie incorporated feminist perspective focused on specific experiences and needs into her gender-analysis framework.

<Table 1> Gender-analysis framework on process to enact ‘multi-cultural family support Act’

---

***Step 1. Examining sex-disaggregated quantitative and qualitative data***

- Is sex-disaggregated quantitative and qualitative data used in related legislation, policies and programs?
  - If the number of immigrants is different by sex, do policy-makers recognize the cause of that difference?
- 

***Step 2. Monitoring of gender-differentiated impact***

- Are gender issues of female immigrants central to the Act?
  - Are the diverse and different experiences of female immigrants, male immigrants and their Korean husbands taken into account?
    - Are fundamental factors influencing this issue (marriage process and patriarchal culture) considered?
    - To what extent the Act reinforces traditional family structure?
    - Does the Act contain the solutions to address problems emerged from marriage industry by brokerages?
  - How does it define target groups (multi-cultural family)? Is it comprehensive enough to include the experiences and needs of married female immigrants?
- 

***Step 3. Monitoring of the level of participation by women and men***

- What was the level of participation of the affected groups of female immigrants and female members of the National Assembly in the enactment process?
  - Have women’s perspectives informed the issue?
-



## **Results**

### *Step 1: Examining sex-disaggregated quantitative and qualitative data*

Many government reports utilized in the process of legislation are presenting statistics divided by gender, and including the results of status examination about the difficulties of female immigrants. However it only suggests current status, and it did not consider fundamental reason of the difficulties. That is, it does not present the result of analysis about why the immigration of female is different according to gender and what effect the increase of the immigration of female has to the society. And it ignores gender impacts on female immigration.

### *Step 2: Monitoring of gender-differentiated impact*

The Multi-cultural Family Support Act was legislated to solve the social problem (obstruction to the social integration) arising from the married female immigrant's maladjustment to the Korean society. In the examination report of the National Assembly and the draft of the Act, surrounding and purpose of the Act is stated as follows:

“Multi-cultural family is going through difficulties such as maladjustment to the Korean society, conflicts between family members, and hardship of children's education due to the language problem and cultural difference. Therefore, it is necessary that the members of multi-cultural family adjust to the Korean society with ease and are unified to the society.”

“... The most serious problem for the members of multi-cultural family to live in the Korean society is the atmosphere of that society treating them not as Korean but as foreigner simply based on their appearance despite they are making efforts to live with Korean identity.”

It is compelling adjustment and efforts of the married female immigrant one-sidedly regardless of their pain and anxiety.

Such problem also appears in deciding the target groups. In Korea, there is a tendency recognizing the female immigrant not as independent citizen but as a person who saves the male remaining unmarried for long time. The Act only protects the female immigrant as a wife of Korean male and a mother of Korean child in the range of normal family despite it can recognize the female immigrant as a crucial social member who reorganize the gender relationship of Korean society and pursue the multi-cultural society. This reflects hidden intent trying to subordinate female immigrants to the patriarchal ideology and the ideology of ‘good wife’.

Such problem can be reviewed more specifically by examining the contents of support manifested in the Act. The support policy focuses on the education and adjustment of the female immigrants and protection for the child of them

First of all, it strengthens traditional Korean family scheme being under the influence of the patriarchal ideology. To unify the member of multi-cultural family to the Korean society smoothly, the efforts to understand not only the female immigrants themselves but also the culture of the country from which they came. Especially, Korean male spouse and his family members have to cooperate in making equal relationship in the family. Despite this, in the Act, there are a few clauses regulated to

make equal family relationship. In addition, the contents are abstract proclamation without presenting specific programs(Article 7).

Second, there is no clause to get rid of marriage by the brokerage. One of the fundamental difficulties the married female immigrants are going through is the marriage managed by the brokerage business. Although the clauses to prohibit that kind of marriage are crucial to solve the problem, in the Act, there is no critical indication about it.

Third, the Act does not recognize the fact that there are various multi-cultural family scheme and the needs of the members of that families are also various. Especially, most of the Korea male who marries with foreign female by the management of the brokerage business belong low-income class making their living by agriculture or unstable job position. As a result of that, 52.9% of the household of the married female immigrant belongs to the level of blow the minimum cost of living. The Act, however, is binding various multi-cultural families into one category, and it leads to the situation that unique social and cultural surroundings of the married female immigrants are never considered.

Finally, the Act lacks of active job policy to strengthen the ability of the married female immigrants. The female immigrants have strong desire for the job. In the Act, however, there is no clause supporting the employment of the women. In addition, it also does not have possible solutions to the preceding problems which are to be solved for the women's employment such as the employers and the local communities' efforts to understand the culture of the country from where the female immigrant came, careful concern of the male spouse, and the issues linked with work-life balance.

In conclusion, in Korea, the Act does not name the problems of the female

immigrant as gender problem and regulate is gender related context by considering their own experience and needs. Such naming of issues and regulation of target groups result in the consequence making the difficulties the female immigrants are going through invisible.

*Step 3: Monitoring of the level of participation of women and men*

In respect to the legislation of the Multi-cultural Family Support Act, there were seven deliberations in the National Assembly during the year of 2007 and 2008. The ratio of female representative who participated in a proposal of the Act reaches to 30-40%, and who participated in an examination of the Act reaches to 80%. It is comparatively high percentage. However, considering the fact that the number of all representatives who participated in the examination of the two Acts is 10-13 and the fact that there are many double counting, it is inferred that the number of female representative is at most 10. Furthermore, none of the female representative participated in the final examination of the Multi-cultural Family Support Act, and the number of female representatives who participated in the consultation and decision process of the Assembly plenary session is 27 out of 165, and it is no more than 16%. Such fact that the number of female representatives who participates in the process of legislation is small shows that it is hard to give pressure to the process of deliberation and consultation and decision, and to reflect the needs of the female.

How was the attitude of the representatives who participated in the process of deliberation and consultation and decision? All representatives deem 'The Multi-cultural Family Support Act' as a individual act to realize the purpose of the Health and Family Act. However, they pass up the fact that the married female immigrant are facing with the severe conflicts and

inequality due to the marriage process in which the married female immigrant is treated as a product and the patriarchal family culture because the Health and Family Act assumes such patriarchal culture. That is, law-makers prefer to simply adopt gender-discriminative language and custom rather than pursue the gender-equal social culture.

During the legislation is proceeding, women's organizations strongly criticized the married immigrant policy of the government by holding conferences and campaign. However, their voices were not reflected to the draft of the Act, and the issues they had raised were never debated in the seven deliberations. Furthermore, the participation of the organizations related to the female immigrant was excluded, and even the business of the women's organizations was transferred to the Health and Family Support Center. Korean government still is focusing on the supporting business, and does not pay attention to the voice of the women's organization.

## **Conclusion**

This study analyzed the process to enact 'The Multi-cultural Family Support Act' from a gender-sensitive perspective, especially from the standpoint of married female immigrants. Results of analysis are as follow: (1) results confirmed that the Act was enacted following an idea that married female immigrants should fit into Korean culture lopsidedly. The Act doesn't contain provisions to encourage Koreans to admit cultural variety. (2) The Act put priority on the support services for the role of housewife in the family. And by that, it enforced the patriarchal ideology. (3) There were no solutions to address the problems of marriage industry managed by brokerages, i.e., inaccurate information, exploitation and violence against women, which is a fundamental cause for

the difficulties of married female immigrants.

To overcome these limitations, Korean society should seek the diverse way toward authentic 'multi-cultural society' more than it is currently doing. First, the efforts to recognize the married female women as independent citizen are necessary. For that, their participation in the decision making process should be magnified, and the capacity as a democratic citizen should be fortified. In addition, the work-life balance policy should be magnified, and specific programs to strengthen the economic ability of the female should be equipped. Second, programs to improve the social acceptance to the multi-culture should be invented.

This study provides a stepping stone for developing gender-sensitive policies for multi-cultural families. Although a meaningful attempt, this study has limitations. First, this study focused on the female immigrant, and excluded male immigrant from its analysis. In this case, the difficulties of Korean women who married with male immigrant can be invisible. Second, further discussion on the refugees who are excluded from the Multi-cultural Family Support Act and the family members of the unenrolled immigrant workers is necessary. The women in refugee family are excluded from the policy support target groups due to their contemporary visit, although they stay legally. The considerations of refugee family is crucial in debating the Multi-cultural Family Support Act, because the examination period of the refugee authorization is long and there are many families who give a birth and raise the child during that period. Therefore, further studies on different large-scale assessments are needed.

## Reference

- Baden, S. and A. M., Goets. 1998. "Why needs [sex] when you can have [gender]?: Conflicting discourses on gender at Beijing". Jackson, C. and Pearson, R. (eds). *Feminist Visions of Development: Gender Analysis and Policy*. Routledge.
- Choi, W. S. (2007). A study on the Social-cultural Adaption of Foreign Wives in Korea. *The Journal of Asian Women*, 46(1), 141-181.
- Currie, D. H. 1999. "Gender Analysis from the Standpoint of Women: The Radical Potential of Women's Studies in Development". *Asian Journal of Women's Studies*. 5(3): 9-44.
- Han, K. S. (2006). Family Life and Cultural Encounter of Foreign Wives in Rural Area. *Korean Journal of Cultural Anthropology*, 39(1), 195-243.
- Han, K. Y. (2006). Review of married immigrant family and policy of government, material for "review" of the married immigrant family policy of government discussion on 2006. 6. 12., Seoul center of International immigration institute, Korean Public Interest Lawyers' Group 'Gong-Gam', Solidarity of Immigrant Woman's Human rights, Association of Korean woman's call, The center of Korea female immigrants' human rights.
- Hong, K. H. (2000). Gender politics of Immigration reviewing through the Marriage between Korean Chinese woman and Korean man. Thesis for the degree of master Ewha Womans University.
- Jung, K. W. (2007). A study on the Sociocultural Identity of Migrant Women with Special Reference to Obstructive Factors of Identity Construction. *The Journal of Asian Women*, 46(1), 97-139.
- Kim, H. M. (2006). A Global Gender Politics of Cross-Border Marriage With a focus on marriages between Korean men and Vietnamese Women. *Journal of Economy and Society*, 70, 10-37.
- Kim, H. M., Kim, M. J., & Kim, J. S. (2008). "Safe Marriage Migration"?: Migration Process and Experiences of Mongolian Marriage Migrants in South Korea. *Korean Journal of Women's Studies*, 24(1), 121-155.
- Kim, J. C. (2006). Analysis of Model cases of Influence of gender in Chung-nam local authority : Focusing on Support Programs for Married Immigrants family in Ah-san city. Chung-nam woman's policy development institute.
- Kim, O. N. (2006). A Study on Marital conflicts and Abuse of Immigrant Women-Focusing on Socio-Cultural Variables. *Korean Journal of Family Welfare*, 18, 33-76.

- Kim, Y. L. (2006). Women-Immigrants' Lives and their Social-cultural Accommodation-related Policy for the Multi-cultural Society. *The Journal of Asian Women*, 45(1), 143-189.
- Kim, Y. O. (2007). Emergence of 'New Citizens' and Multiculturalism Discourse in Korea. *The Journal of Asian Women*, 46(2), 129-159.
- Koo, C. S. (2007). Study on the internationally married female immigrant`s adaptation of multicultural family. *Korean Journal of Family Welfare*, 20, 319-360.
- Korean Women's Institute of Ewha Womans University. (2007). Feminist Approach to Asian Women Immigration Policy- Focusing on 30 years experience of Korean Woman Study. Ministry of Gender Equality and Family.
- Lee, H. K. (2007). Analytic Models on Family Policies and Services for the Married Immigrants. *Studies of Multi-cultural Family*.
- Lee, S. J. (2004). Female Migrant Diaspora: International Gendered Division of Labour, Cultural Hybridity, Otherness, and Sexuality. *Korean Journal of Sociology*, 38(2), 189-219
- Ma, K. H. (2007). Reflections on Gender Mainstreaming: Transformative Gender Policy or Pitfall?. *Korean Journal of Women's Studies*, 23(1), 39-67.
- Ministry of Education&Human Resources Development. (2006). The Support Policy for Social Inclusion of Married female immigrants family.
- Ministry of Gender Equality. (2008). Guidance of Evaluation of gender influence for Spread of Equal Gender policy in 2008.
- Moon, S. Y. (2007). A Exploratory Study on the social Support System for Marriage Immigrants Women: Laws of Social Security and Tow alternative Laws for Multi-cultural Families support to be Enacted. *The Women's Studies*, 72(1), 109-142.
- Moon. K. H. (2006). Making Multicultural Korea: Can multicultural politics help foreign brides to fully integrate into Korean society?. *Journal of 21politics*, 16(3), 67-93.
- Park, J. S., Park, O. I., & Kim, J. H. (2007). A study on Family Conflict and life Satisfaction for Immigrant Women. *Korean Journal of Home management*, 25(6), 59-70.
- Parrenas, R, S. 2001. *Servants of Globalization: Women, Migration, and Domestic Work*. Stanford University Press.
- Piper, N. 1999. "Labor Migration, Trafficking and International Marriage: Female Cross-Border Movement into Japan". *Asian Journal of Women's Study*. Ewha Women's University Press. 5(2): 69-99.



- Piper, N. 2004. "Rights of Foreign Workers and the Politics of Migration in South-East and East Asia". *International Migration*, 42(5): 71-97
- Sassen, S. 2002. "Global cities and survival circuits" in Barbara, E. and Hichschild, A, R. (eds). *Global Women*. Metropolitan Books.
- Seol, D. H. and Yoon, H. S. (2008). Socioeconomic adaptation and welfare policy for immigrant women on marriage: similarities and differences among countries of origin. *Journal of Social Security Studies*, 24(2), 109-133.
- Shin, K. H. and Yang, S. E. (2006). Marital Conflicts of Intermarried Families in Korea. *International Journal of Human Ecology*, 44(5), 1-8.
- Tokunaga, R. (2007). The Global providing way of Care work. *Voice of voiceless people*, R.1.5, Grinbi.
- Yang, J. H. (2007). Representation of Migrating Women: News Depiction of Inter-racially Married Asian Women to Korean Men. *Journal of Media, Gender and Culture*, 7, 47-77.
- Yang, S. M. (2006). Adjustment and an Aspect of Family Life of the Rural International Marriage Couple-Focusing on the Chinese(Korea tribe), Japanese, and Philippine Immigrant Woman and Their's Husband. *Journal of Rural Society*, 16(2), 151-179.