



Check for updates

OMNES : The Journal of Multicultural Society

2020, Vol. 10, No. 1, pp. 1-29, <http://dx.doi.org/10.14431/omnes.2020.01.10.1.1>

Article

Filipina Marriage Migrants' Experiences of Human Rights Violation in South Korea and Their Negotiations across Structural Constraints

Jaran Shin

University of Massachusetts, Boston, USA

Abstract

Despite a worldwide trend toward the feminization of migration, international marriage migration has received less scholarly attention than other forms of gendered migration. Even though international marriage practices are complex, female marriage migrants are too frequently stereotyped as opportunists, victims, or active sovereign protagonists. To provide a more nuanced picture of their experiences, this study examines the narratives of three Filipina marriage migrants in South Korea through the lens of a human rights perspective. It (a) identifies the kinds of human rights violations that they have endured as brides-to-be, wives, mothers, workers, and/or residents/citizens and (b) demonstrates how they exercise agency in navigating structural inequalities in different settings. This study then discusses the broader circumstances that enable human rights abuses to occur in the ways that they do. Ultimately, it highlights the importance of incorporating the voices of female marriage migrants into the policy decisions that affect them.

Keywords : international migration, marriage migrants, family violence, human rights, South Korea

Introduction

Global migration has restructured demography in many societies. While both genders have contributed nearly equally to this movement, the way that women migrate has changed noticeably from family-depend-

ent movement to independent migration (Paiewonsky, 2007). In particular, women from less industrialized countries tend to follow three primary migratory paths—all of which involve paid or unpaid intimate, emotional, and/or reproductive labor that ultimately cultivates the global care chain (Lan, 2008): They get jobs as nannies, care workers, or maids; they work in the sex industry; or they marry men in host countries, form families, and become mothers. This “feminization of migration” not only generates a gendered and racialized order but also commodifies women and their labor (Constable, 2009).

International marriage migration, however, has received less scholarly attention compared with other forms of migration (Tseng, 2010). Certainly, the dividing line between these categories is not unequivocal (Piper & Roces, 2003) because, for example, sex workers may marry men in host societies and thus be involved in reproductive work within their homes. Likewise, marriage migrants may also become laborers in the money economy. Yet, reflecting the fact that female marriage migrants cross borders primarily as wives, this study focuses on those who meet their spouses through non-profit or for-profit marriage brokerage and thus use marriage as a means of migration.

As with neighboring countries where cross-border marriage has become a viable alternative for many citizens, South Korea (henceforth Korea) has seen a considerable influx of marriage migrants. Throughout the 2010s, approximately 7% to 10% of all marriages involved a Korean citizen and a foreign national, and more than 70% of these marriages involved Korean men and overseas women; as of 2016, 256,253 female marriage migrants were registered in Korea (Statistics Korea, 2016).

A substantial portion of the literature on female marriage migrants within Korea has focused on surveys and census data, which show general migratory patterns and offer snippets of their living circumstances. In this process, female marriage migrants are described almost exclusively as victims, and the complexity of their experiences is often glossed over. Accordingly, there is a need for more detailed accounts of these migrants’ lives, both to understand their day to day life and to overcome this

one-sided picture of victimhood. Because the number of women crossing national borders to marry is constantly increasing around the world (Bélanger, Lee, & Wang, 2010), an inquiry into their lived experiences as well as the nature and form of their struggles is needed now more than ever.

Examining the narratives of three Filipina women who were divorced from their Korean husbands, this study adopts a human rights perspective and uses this lens to identify the kinds of challenges that these women face as brides-to-be, wives, workers, and/or residents/citizens. It first documents their experiences of human rights violations both in the Philippines and in Korea post-migration; it also describes how they endured through these situations. The study then discusses the broader social, economic, and political conditions that enable these kinds of human rights violations to occur. Additionally, it captures the respective agencies of the participants in navigating structural inequalities within families, communities, and society. Ultimately, the findings of the current study suggest the importance of incorporating the voices of female marriage migrants into the policy decisions that affect them.

The International Marriage Practice in Asia

I locate this study within the tradition of research on cross-border marriage practice. The desires and goals of multiple parties, which are largely driven by societal ideology, make this form of marriage possible. Underprivileged men in more industrialized countries are marginalized within the local marriage market due to their age, educational background, social class, and/or health issues. As they cannot without marriage be extricated from the prejudice associated with singlehood, these men are encouraged to find wives alternatively within the global marriage market.

Marrying women from less industrialized countries allows these disadvantaged men to alleviate the burden of dealing with domestic work, child rearing, and/or care for their parents (Yeoh, Leng, & Dung, 2013). Through heterosexual marriage, disadvantaged men position themselves

as fully grown and perform their respective masculinities (Cheng & Choo, 2015; Freeman, 2011); this practice likewise reinforces the ideology of women's domesticity. This means that heterosexual privilege, rooted in patriarchy, has been reconstructed within the gendered power structures of international marriage practice (Kim, 2013): Men are breadwinners, while women are wives dependent upon their husbands, mothers who nurture their children, and daughters-in-law who tend to their parents-in-law with filial piety.

Female marriage migrants have reported a myriad of reasons why they decide to cross borders and marry foreign men. For instance, some women choose marriage migration over labor migration for residency concerns or citizenship rights; others report "love" or social pressure as triggering factors for migration (Constable, 2003). Still others regard marriage migration to more industrialized countries as a means of contributing to the finances of their natal families (Piper & Roces, 2003). In countries like China and Vietnam that have undergone recent ideological and economic transformations (e.g., communism to capitalism), many people are confronted by regional inequality and inoperative social welfare programs, and such factors push women in the lower stratum of society to seek husbands within the international marriage market (Hsia, 2009).

These men and women are mostly connected by international marriage brokers in the commercial match-making industry as well as through religious organizations. They collectively generate a market in which participants meet, select, and marry (Lee, 2008). The politics surrounding international marriage practice have been extensively researched (Constable, 2003; Freeman, 2011; Piper & Roces, 2003). For example, Halualani (1995) and Perez (2003) illuminate the process by which women are stereotyped by their race/ethnicity or countries of origin (e.g., Filipina women as exotic and seductive; Vietnamese women as innocent and submissive) and are treated as commodities.

International marriage becomes more complex as nation-states concretize it through the enactment of legislation and the implementation

of policy (Freeman, 2011). For instance, the Philippines encourages its (especially female) citizens to migrate to other countries to improve unemployment rates and to gain from remittances made by overseas citizens (Gulati, 1994). Though many receiving countries in Asia such as Singapore, Taiwan, Japan, and Korea often adhere to exclusionary labor migration regimes, they tend to offer marriage migrants a longer and more stable way to settle domestically (Cheng & Choo, 2015). This suggests that both sending and receiving countries have not only produced gendered mechanisms for marriage migration, but they have also rebuilt social hierarchies along the lines of gender, class, and race/ethnicity.

The Vulnerability and Agency of Female Marriage Migrants

Despite the involvement of multiple parties in the international marriage practice, female marriage migrants have been the main target of stigmatization. On the one hand, they are described as opportunistic, bogus, and deceiving women who lure men into marriages of convenience (Cheng & Choo, 2015). On the other hand, female marriage migrants are portrayed as wretches who are too poor to sell themselves as commodities within the market, which ultimately paves the way for their being labeled as victims of trafficking and exploitative marriage arrangements (Yeoh, Leng, & Dung, 2013).

These contradictory, biased images reflect the varying layers of vulnerability female marriage migrants face as both insiders and outsiders in their host countries. As new insiders who might benefit from societal resources, they are asked to take full charge of unpaid domestic work within families and to perform gendered roles (Kim, 2013; Piper & Roces, 2003). Yet, female marriage migrants are also outsiders, because they cannot independently obtain permanent residency or citizenship. As they are incorporated into societies precisely through their intimate relationships with local men, the legitimacy of their sojourn or even their position within society depends solely upon whether and how they are embraced within their marital families (Yeoh, Leng, & Dung, 2013). Female mar-

riage migrants therefore are both integrated and othered, while their roles as neighbors, workers, and citizens are often neglected (Kim, 2013; Piper & Roces, 2003).

To avoid the reproduction of the maternalistic, submissive, and/or victimized image of female marriage migrants, a growing number of studies have endeavored to highlight their agency in making decisions, dealing with difficulties, and correcting inequalities. For instance, Hsia (2009) shows how female marriage migrants from Southeast Asia utilize the discourse of multicultural citizenship to respond to the ground rule of *jus sanguinis*. Researchers like Freeman (2011) and Yeoh, Leng, and Dung (2013) introduce female marriage migrants who weigh their options (e.g., divorce), prepare for possible consequences (e.g., obtaining custody of their children), support their natal families, and/or build social and cultural capital within international networks. Moving forward, further scholarly attention should focus upon how female marriage migrants make sense of their own marrying, living, and working experiences and how they respond to the unique challenges they encounter.

Human Rights as a Theoretical Framework

The concept of human rights, as a widely accepted moral goal that encourages global concern for human life, provides marriage migrants with a meaningful tool with which to rectify the predicaments that they encounter (Bunch, 1990). Specifically, human rights exist to protect every single individual in the world from all forms of abuse. They are universal, inalienable, indivisible, interrelated, and interdependent. The Universal Declaration of Human Rights of 1948 serves as the first worldwide articulation of human rights; it imposes moral weights on all UN member states. Globally, the Declaration strives to create a fair and equal social environment by acknowledging that, regardless of individual factors like race and sex, human beings are inherently equal and free; thus, they should never face discrimination.

Nevertheless, the rights of women are not always respected. This

led to the proclamation of new conventions and treaties to respond to the vulnerable situations to which women are subjected. Representatively, the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) was adopted in 1979. The CEDAW obliges state parties to eliminate discrimination, sex stereotypes, and sex trafficking. It also outlines in detail women's personal, familial, social, economic, and political rights. For instance, Article 16 specifically instructs state parties to eradicate discrimination against women in the matter of marriage and family relations; it reemphasizes their rights to "choose a spouse," to "enter into marriage only with their free and full consent," and to own/administrate property. In the case of Korea, it signed and ratified the CEDAW in 1983; hence, the state is required to legally respect, protect, and fulfill women's rights and to report the progress it has made in implementing the convention within various social sectors.

Adopting a human rights framework to analyze violence against women has often been met with intellectual and political controversy. Some claim that states should not be held responsible for violations that occur within the private sphere and that do not involve public officials (Libal & Parekh, 2009). Others warn of potential, unintended consequences that might follow from the enactment of a human rights agenda, such as women being compelled to take up thorny positions within the moral hierarchy or being subjected to intensified social and legal surveillance (Choo, 2013).

Yet, this study argues that, a human rights framework can best address such violence because gender violence entails a deprivation of women's rights and resources (Stark, 2007). Further, the experiences of female marriage migrants—as racially/ethnically marked women who belong to both less and more industrialized societies—cannot be neatly categorized as either public or private. They, in fact, far too easily become the target of both private and public discrimination before, in, and after crossing national borders. Therefore, by making explicit the societal crack through which these women often fall due to their marginalized status, the chosen framework helps to augment their voices. It also offers an opportunity

to describe precisely what kinds of protections should be offered to these women at the state level. In the context of Korea, many advocacy-oriented groups have adopted a human rights agenda and have successfully made policy changes to protect basic rights (Choo, 2013). In these ways, an expansive approach to human rights both bridges the public and private divide and pays proper attention to the agencies of female marriage migrants as they operate within structural inequalities on a day-to-day basis.

Methods

Research Design

This study reports on one line of analysis from a larger project that investigates ways to improve female marriage migrants' human rights conditions in Korea. Adopting case study design (Yin, 2003), I aimed to "understand the complexity and dynamic nature of the particular entity, and to discover systematic connections among experiences, behaviors, and relevant features of the context" (Johnson, 1992, p. 84).

Participants

I focus on Filipina women who migrated to Korea for marriage in this study. This particular racial/ethnic group was recruited as Filipina marriage migrants have encountered the specific vulnerabilities. Underprivileged Korean men assume that Filipina women would not have a high expectation of husbands' economic power and that they are docile, for the Philippines is an economically less developed, less industrialized country than Korea (Kim, Yoo, Lee, & Chung, 2006). Further, the language and culture Filipina marriage migrants embody due to the colonial history of the Philippines are considered a means not only to take full advantage of opportunities globalization offers, but also to shackle them within the household (Kim, Yoo, Lee, & Chung, 2006).

Three Filipina women voluntarily participated in this study. My summer internship experience at a non-governmental organization that

supports female marriage migrants helped me approach, obtain consent for research, and work with the study participants. All participants who took part in the current study were in their 40s and divorced from their Korean husbands. These women were selected because they have experienced different human rights abuses in varying settings, which offers a fuller picture of the human rights condition within Korea. This diversity of experience also provides a clear picture of their unique agencies in responding to such abuses. Additionally, these women differed in important ways with respect to their individual migrant backgrounds (e.g., the way they met their Korean husbands, the districts in which they resided)—a feature that strengthens a small-scale, in-depth qualitative study.

Sheila. Sheila received two years of college education in the Philippines and had worked at a hotel in Manila. She moved to Seoul in 2001 when she married her Korean husband via marriage broker; he was 10 years older than her and had not finished middle school. Sheila became a naturalized citizen of Korea in 2004. She divorced her husband with whom she had had two sons in 2006. At the time of the interview, Sheila was living with two younger sons, born of a Filipino partner, and was pregnant with another boy. She was a homemaker and had worked at a farm, a factory, a restaurant, an English academy, and a community center at different times in the past.

Rose. Before moving to Korea in 2000, Rose finished middle school in the Philippines and had taught children at a Catholic church. She married her Korean husband via the Unification Church; they were 11 years apart in age. She initially lived in Gangchon, because her husband was a farmer in that region in that region. However, after leaving her husband, she moved to Suwon and then to Chuncheon with her son and daughter. In 2013, she and her children were living in a studio. Having had multiple jobs (e.g., an English teacher, a factory worker), Rose was working for a farm that grew vegetables in a plastic greenhouse. She was in litigation with her husband with the help of civil society and religious organizations.

Nicole. By 2013, Nicole had lived in Korea for more than 20 years

and resided in Uijeongbu. When she was a college student in the Philippines, she was introduced to her Korean husband through another Korean man who had been in a relationship with her cousin. After dating her husband-to-be for a month, Nicole moved to Korea in 1992 and gave birth to a boy in 1994. She was divorced in 1998; at the time of the interview, she was living with a Filipino partner with whom she had given birth to two children. In the past, she had worked in a restaurant and a factory; after receiving a certificate to be an afterschool English teacher, she began working as an English instructor in kindergartens and private academies.

Data

I conducted semi-structured interviews in August 2013 that aimed to understand the following key areas: Female marriage migrants' migration background, their living and working experiences, and their experiences of abuse and discrimination. Interview dates, times, and locations were arranged according to the convenience and preferences of participants. Interviews took place either at the focal women's homes or in cafés. While Sheila and Rose predominantly used Korean during their interviews, they sometimes switched to English. Nicole felt most comfortable speaking in English, so she exclusively used English with me. Each interview lasted about 100 minutes in length on average, and each session was recorded for audio.

Data Analysis

Transcriptions of recorded interview data served as the primary source of data for the present study. I read through the transcripts, focusing recursively on the specific human rights abuses that these three Filipina women had experienced and how they reacted against said abuses. Employing inductive thematic analysis (Boyatzis, 1998), I explored the content of their narratives so that recurrent themes could emerge. To topicalize and categorize repeating themes, I adopted descrip-

tive coding (Saldaña, 2009). A list of themes was composed of analytical categories such as *physical restraints*, *verbal abuse*, and *residence issues*. Then I elected to use discourse analysis (Blommaert, 2005) to re-examine the forms of the three Filipina women's utterances. Specifically, I zeroed in on their lexical (e.g., repeating words, cohesive devices) and rhetorical (e.g., quotation patterns) strategies. In addition to descriptive coding, I also used *in vivo* coding (Saldaña, 2009) to spotlight the ways they framed and made sense of their marriage migration experiences. Some new analytical categories surfaced at this stage, including "magic," *remittance*, and *fear*. Throughout the dynamic and open-ended two-step coding process, I continually added, modified, and/or removed different codes.

Findings

Human Rights Violations in the Marriage Process

Regardless of how they met their husbands, the three Filipina women in this study had to endure human rights abuses within the marriage process. For instance, Sheila was married to her Korean husband without full awareness of the situation, which suggests that certain structural facets of the commercial international marriage industry force female marriage migrants into vulnerable positions (Seol et al., 2005).

A certain Filipina woman came to my town. At that time, I had graduated [from college] but did not have a job. The woman never mentioned Koreans or anything like that. But because foreigners were touring, she asked me if I wanted to work with the tourists. "They will just tour for three days" [she said]. "Okay, I want to work. I want to earn money" [I replied] [...] But I had to bring my clothes and I was not careful in the very beginning. I wasn't careful. I wasn't thinking that I would need to bring nice clothes. And when I got there [the meeting point], I cleaned up the area. In the morning, Korean people or African people, men, came. We only saw men in that room.

We did not see women. But one man chose me [...] and without knowing what was going on, we [the man and I] went shopping together and had meals together. And then everybody together, all the women working with me, were wearing wedding dresses. Suddenly. Just like that. But we did not know. We didn't know. We didn't know well. It was like some kind of magic. So suddenly. I actually didn't even like the man. But suddenly we were married. We were already married. After three days, I knew I was married because my husband wanted to invite me to Korea. But I didn't know for sure whether I was married at that time. I did not know yet. After three days, the man left the Philippines for Korea.

Sheila was not conscious of her marriage until her husband later requested the documents necessary for her visa application. Describing how she had been "sold," she characterized her experience as one of deception. After realizing that she had been registered as a married woman, she could not revoke her marriage due to finances and resigned herself to the fact that she would live, explore, and work in a new country. Sheila's situation highlights the tendency for brokers in Korea and the Philippines to tempt groups of women into the international marriage market without fully explaining what it entails; they seem to typically do this to maximize profit and to meet the demands of Korean men who usually pay the brokerage fee.

The case of Rose, who married her Korean husband via the Unification Church, was not altogether different from Sheila's experience. Her marriage within the Church had little to do with religious faith: Her Korean husband's payment of brokerage expenses to the Church served as the catalyst for both their meeting and their marriage. When Rose first met her husband, she conveyed to him her urgent need to pay for her father's hospital bill. Shortly thereafter, he began sending money to the Church—to arrange for her marriage, to support her and her natal family's living, and to help her move to Korea. Nevertheless, Rose did

not receive anything from the Church.

My acquaintance followed the Unification Church in the Philippines, and I needed money [since] my father was sick. She said if I marry a Korean, he would do everything for me, even pay the entire hospital bill. [...] My husband said he sent money to me before we married, but I didn't receive any money. My husband was sending money to the Unification Church. He sent about \$750 per transaction. Yet, I didn't receive anything from my husband. "I keep sending you money, but why aren't you coming to Korea?" [he asked]. "How am I supposed to go? I don't have airfare" [I said]. "I sent it to you!" [he replied]. "But the Unification Church didn't give it to me."

It took Rose more than a year to arrive in Korea after her marriage in the Philippines in 1999, and these confusing situations led Rose to distrust her husband and vice versa.

Nicole's interview raises the possibility that, even when female marriage migrants meet their husbands in person, crucial and relevant information about these men can often be withheld (see Seol et al., 2005). She was introduced to her Korean husband through her Filipina cousin's Korean partner. Nicole enjoyed his company and after a short dating period, she accepted his marriage proposal in the Philippines and migrated to Korea. However, she had no advanced knowledge of either his prior marriage to a Korean woman or their nine-year-old daughter; she only learned about these things when she walked through the door in Korea and saw the child there.

When I asked him why he lied about his daughter for the first time, he threw a punch at my head. We fought about many things. [...] It's really hard for me to cope with [differences in] food, climate, and with everything. And then there is the stress [of] living with his family, his parents and his daughter. Yes, sometimes I got irritable, so I complained. He didn't want

me to complain about anything. He just told me, “Shut up. Just do what you have to do.” Or he said something like, “Go back to your country.”

Nicole’s husband never apologized for his improbity; rather, he asked her to rear his daughter as the child’s new stepmother. Despite resenting her husband, Nicole decided not to leave him; she was afraid of her impotent position as a recent migrant to Korea in the 1990s.

These kinds of abuses in the process of crossing borders to marry highlight the tension between legality and morality: While their marriages and migrations to Korea appeared legitimate in the documents, they could hardly be free from the ethical issue because of the way they were coerced into being married to their Korean husbands. The vulnerable human rights situation into which many female marriage migrants are placed is inseparable from the central role of Korean men in arranging and controlling these marriages. Their respective financial power as well as the economic and political power of Korea set the stage for potential violence against migrant women from less industrialized countries. Indeed, such fraudulent behavior within the marriage process reflects the multiple patriarchal facets of the international marriage market.

Human Rights Violations in the Home I: Domestic Violence

The well-being of each of the three marriage migrants was most frequently threatened by the home atmosphere in which they lived: The Filipina women in this study sued for divorce primarily because their abusive Korean husbands repeatedly hit them. Rose shared that her husband had beaten her “black and blue” since their first month of living together and that this behavior persisted even while she was pregnant. Soon after this battering had begun, she visited the Unification Church, the mediator of their marriage, and asked for help. The pastor of the church, however, sent her home. He simply said that physical violence sometimes happens to newlyweds when they fight.

I went to that Unification church and asked the pastor to help. He said, “That was just a small fight between husband and wife.” But I wondered why a fight [should involve] beating. [I said that] a fight between husband and wife is just about talking with each other. [...] Arguing is fine, but beating is not okay! But he said again, “Just go back home.”

Rose went to see this pastor multiple times, yet he did not take any action—legal or otherwise. Her attempts to escape abuse were silenced, while her husband’s violence persisted. Occasionally, after looking at scars and bruises on her body, Rose’s husband would give her \$90 or \$180 so that she could send remittances to her parents in the Philippines; he seemed to consider this money as appropriate compensation for violence. In the end, Rose determined to send her two children—potential victims of violence—to the Philippines to protect them. She also saved that remittance money for their uncertain future.

Nicole’s husband acted similarly to Rose’s husband. As she described her experiences of abuse, Nicole was on the verge of tears; it did not take her long to begin sobbing with grief. She described regular beatings and added that “he almost killed me once.” After enduring domestic violence for a couple of years, Nicole thought to keep a record of her hospital visits in case she ever needed to “fight back.” In addition to physical violence, she also suffered from verbal abuse and reported that she is still haunted by it. As a woman and foreigner who migrated to Korea primarily to marry him, she explained how his words brought her pain and shame—even though she talked back to her husband whenever he mistreated her.

There was a time when he almost killed me [when] he kicked me. Sometimes when he was angry, he [would] hit me and hit my head with his fist. This happened twice a month. I felt really bad and so I decided to leave him. I had some *jindanse* [written diagnoses]. I [had gone] to a clinic nearby

Uijeongbu and I had medical certificates, and I thought it was something [with which] I could fight back. [...] I was really sick. I felt really sick because of my situation. Then [when I told him] he said, “Just go back! You just go back to the Philippines! Go back home!” So I just said, “Am I really like a doll that you can just put me out and let me go? Fuck.” I was really angry. “I’m not just a street woman that you pick and then just let go and throw away.” I felt bad at that time. [Some of the] little things that he said really were abusive.

Moreover, Nicole’s husband forced her to stay at home all day because he was suspicious of her chastity. He controlled all household finances, and she was not permitted to go outside alone even when she went grocery shopping. Once in a while, as pocket money, Nicole would receive 10,000 won (approximately \$9) from her husband—and for this reason, she had been nicknamed “*manwon buin* (10,000 won wife)” by her Filipino/a friends in Korea.

In the case of Sheila, she was assaulted not only by her husband, but also by her in-laws; collectively, they kept watch on her movement. Sheila recalled that her daily routine for her first three years in Korea involved cleaning, cooking, and helping on the farm. When she would make a mistake, her husband and his family would say, “Go back to your country” or “Get out of my house.” Sheila had no economic rights in her household; she could not even buy a diaper without permission from her husband or her mother-in-law. As she expressed to me, the word “freedom” was not a part of her married life. The excerpt below describes an incident that occurred two weeks after Sheila had given birth. Having been forced to clean the house, she was kneeling and wiping the kitchen floor with a damp cloth. Due to wind, a nearby door slammed shut, and her sister-in-law ripped Sheila’s hair out because she thought that Sheila had slammed the door.

My sister-in-law did not like me. She asked me to clean the house. [...] Because it was right after giving birth, I did not feel well, but I tried to get up and clean the house. Why? Because my-sister-in-law made me do it. [...] Suddenly, the wind was blowing hard and the door slammed shut. My sister-in-law was mad, and all of a sudden, she got up and pulled my hair. My head hurt, but [...] my husband sat still and [just] looked at us.

While her sister-in-law attacked her, Sheila's husband neglected to act upon the abuse directly in front of him. She was unable to tolerate such oppression and ran away from her husband and in-laws innumerable times. Whenever she fled from her marital family members, however, they always found her; neither Korean police stations nor Korean government offices would help Sheila find a way to escape. After fervent requests to the Embassy of the Philippines and to a few NGOs, she was finally able to find legal protection and to make her voice heard.

Human Rights Violations in the Home II: Rights to Residency and Citizenship

In the case of Korea, the Constitution requires marriage migrants to provide a certificate of bank balance or property equivalent to \$28,000 when they attempt to obtain the right of permanent residence or citizenship after living in the country for longer than two years. This implies that marriage migrants have to wait and rely on their husbands' financial situation to establish legal standing as legitimate inhabitants of Korea. If they choose to leave their relationships, some may forfeit their right of residence altogether.

Indeed, two study participants—Rose and Sheila—expressed frustration over obtaining permanent residency or citizenship, for their husbands considered their lack of independent legal status to be a form of control. Rose's husband did not help her extend her F-6 status or apply for a stable legal status but postponed the process to keep power over

her. She retained her status as an alien for more than 10 years while living in Korea. When Rose finally ran away from her husband, she could not claim residency rights because she did not have enough money and personal references¹⁾ necessary to do so. Inevitably, Rose reached out to NGOs, women's shelters, and the Catholic Church. With their collective help, she filed a lawsuit against her husband so the court could rule about whether the fault in her divorce lay primarily with her husband and about whether she could obtain Korean citizenship.

My husband didn't help me obtain Korean citizenship. He thought I might run away [if I were a citizen]. [...] I contacted the court because of the divorce lawsuit. My husband was so surprised that I [understood] the process of filing a lawsuit. He said, "But why did you contact the court? Let's do this between you and me alone!" "I [talked to you about] this before," [I replied] "but you didn't do anything. You didn't do anything and so I went to the court." Then he said that, if I go to the court, I would get a lot of fines. I would get a lot of fines. [...] So I [told] my lawyer, "my husband asked me to cancel the lawsuit," [and explained why]. My lawyer [replied] "Why does he say there is a fine for divorce? There are no fines."

Sheila likewise struggled to obtain Korean citizenship. Her husband did not want her to become a naturalized Korean citizen; he wanted to test her commitment as a wife and mother and he worried that she might run away for good. For Sheila, obtaining a stable legal status seemed like the only way to fight back against her abusive husband. Thus, when she escaped from her husband, she approached various agencies such as the Embassy of the Philippines, the YWCA, and other NGOs to negotiate her Korean legal standing with her in-laws.

1) It was in December 2011 that the Constitution no longer required marriage migrants to submit a personal reference when they applied for permanent residency or citizenship in Korea.

In each of these cases, although the legal status of female marriage migrants plays a crucial role in terms of settlement and social access, those with social power used the notion of residency rights as a weapon to obligate them toward full dependence on their husbands or the espousal of expected gendered identities (Yeoh, Leng, & Dung, 2013), (i.e., trapping them in vulnerable positions).

Human Rights Violations at Work and in Public

Although all three Filipina women migrated to Korea primarily for marriage, they all joined different sectors of the workforce—such as education, agriculture, and the service industry. Despite the Labor Standards Act that guarantees the equality of treatment for Korean and foreign workers and castigates any discrimination made on the basis of race/ethnicity, sex, religion, et cetera,²⁾ the study participants often found their rights violated when searching for jobs or receiving payment. For example, two local academies refused to hire Sheila as an English instructor due to her Filipino accent and her darker skin color. In addition to suffering from payment delays, Nicole discovered that she and her Filipino/a colleague received only \$27 per hour; their Korean colleagues were paid \$34 per hour for identical work. Likewise, Rose's monthly salary on the farm, after working 10 hours a day for six days a week, amounted to approximately \$700; when she worked more than 12 hours a day for seven days a week, it would reach about \$900. Notably, Rose expressed satisfaction with her current monthly salary, implying that her present working conditions were superior to those she had tolerated in the past.³⁾

Further, the three focal women became an easy target for sexual molestation, especially when they worked in factories or the service industry. Nicole, for instance, was regularly harassed by her two factory

2) The Labor Standards Act and related laws correspond to the conventions of the International Labor Organization (ILO) that Korea ratified.

3) The Labor Standards Act excludes an employee engaged in agricultural industry in applying its provisions pertaining to work hours (Article 63). The case of Rose indicates the need to address the possible labor exploitation in the field.

bosses: One of them asked her to be a “mistress,” and the other persistently asked her to sleep with him—even offering money. Sheila was also asked to drink together with a group of Korean men at the restaurant where she worked. Simply because they were foreign women, they were regarded as easier to manipulate.

When leaving their jobsites, Sheila, Rose, and Nicole were routinely subject to verbal abuse and discrimination, including at the supermarket, at the kindergarten or school, and on the street. The most painful verbal abuse pertained to the idea that they had emigrated solely for money. Moreover, strangers in public spheres often asked direct and personal questions, such as “Where are you from”, “What is your husband’s job”, and “What is the age difference between you and your husband.” Once, immigration officers in civilian clothes chased after Sheila and her Filipina friend without cause. When the officers finally caught the women, they demanded that Sheila and her friend show their IDs. Sheila explained that the officers were suspicious of her foreign appearance and chose her at random to question about documentation.

[One time,] immigration officers did not know we have visas, so we ran and those people searched for us. Over there in Majang-dong, the immigration officers thought we were undocumented. They thought we were bad people. [...] We ran for a long time. [Eventually,] we stopped running. “Why [are you chasing] us?” [we asked]. [...] One of them asked “Where is your visa? [...] We are immigration officers.” “We are not undocumented people,” [we said]. “Then why did you run?” [they asked]. “We are sorry. We also thought you were bad people.” [These men] did not wear immigration officers’ uniforms and [yet] the car kept chasing after us. Three people ran [after us], but we were only two people. And they were very big people. We were so scared because we watched something like this happen on the news on TV so we thought it was like that.

According to Nicole, a female migrant in Korea often leads the life of a “second class citizen.”

The Tension between Structural Constraints and Filipina Women’s Agencies

The three Filipina marriage migrants’ narratives reveal injurious human rights conditions on multiple levels. For example, these women’s opinions about their own marriages were not always solicited, their rights to liberty and humane treatment in their homes were contravened, legitimizing their residence within Korea was not painless, and they were easily exploited and discriminated against at work and in public. Indeed, as most research that surveyed the human rights conditions of female marriage migrants in Korea has shown, their dignity as human beings was threatened.

It is then crucial to ask what broader conditions make these unremitting human rights violations possible. I would argue that both gender ideology and the imagined community of a homogenous Korea negatively impact these women. At the intersection of globalization and the feminization of migration, hierarchical gender relations drive female marriage migrants to the brink. When intimate human relationships are commodified (Constable, 2009), the process of getting married regardless of the mode of introduction, assumes that women from less industrialized countries become purchasable; men on the international marriage market believe that they pay for these women by clearing brokerage and paperwork fees or purchasing flight tickets for their wives-to-be. Within the neoliberal trend, the resources of marriage migrants, which are linked to the political and economic power of their countries of origin, are less likely to be valued. This places them into a subordinate position.

Once female marriage migrants arrive in Korea, they are then often treated as if they must pay back a debt to their husbands. Being ensnared within patriarchal, gendered ideologies, they are expected to perform unpaid domestic work in addition to rearing children and serving their pa-

rents-in-law (Kim, 2013). Indeed, the women from this study never worked outside the home until they left their husbands—such position- alities were inaccessible. Certainly, traditional and culture bound gender roles generate conflict between these women and their husbands as each party’s intention for marriage is never fully communicated. However, the presence of patrilocality and the absence of economic and social rights within these families appear to prevent these women from obtaining financial independence and searching for social networks in community (Kim, 2013). This, in turn, strengthens the patriarchal structure of family and lengthens the oppressive relationship that these women have with their marital families.

The ideology of ethnic, linguistic, and cultural homogeneity in Korea further increases the burden that female marriage migrants must bear. As visible non-Koreans, the three Filipina women from this study became an easy target for the xenophobia and racism inherent within society. For example, by imposing residency and citizenship conditions that are favorable to Korean men, Korean immigration law cultivates migrants’ fear of becoming undocumented or being deported (Choo, 2013; Lee, 2008). Additionally, in a society where the ability to speak the Korean language and to practice Korean culture functions as an identity marker, Korean men can exercise controlling power by reinforcing their wives’ linguistic and cultural dependency. For instance, Korean husbands are more likely to manage legal/official paperwork, control their wives’ relationships with others, and schedule family plans. These initiatives—which are sometimes genuinely helpful—not only deter women from naming, making sense of, and explaining abusive experiences in various settings, but they also consolidate existing power structures. Indeed, such structural constraints seem to exacerbate the perilous human rights condition of female marriage migrants in Korea.

However, as described throughout the study, these women are not passive agents in understanding their migration experience and processing its unexpected consequences. Even though it took several years for the three focal women to terminate relationships with abusive husbands, ma-

trimonial family members, and/or marriage brokers, they actively exercised agency on multiple levels and endeavored to create opportunities for themselves.

First, the three women calculated what they might earn and what they could lose when deciding to migrate to Korea. They took risks by marrying foreign strangers, but they inevitably decided to do so to overcome poverty, to escape from local struggle, to increase opportunity, and/or to pursue happiness (see also Freeman, 2011). Additionally, the female marriage migrants framed their border crossing experiences as “unfair,” “problematic,” and “not right.” These framings were possible only because they remained conscious: They were critical of institutional and patriarchal power and recognized their own vulnerable positions, which enabled them to take up positions as foreigners, wives, and mothers while simultaneously searching for ways to overcome power asymmetries.

Second, as a part of their fight for humane treatment, the three Filipina women looked for ways to stand on their own two feet. Rose sent her children to the Philippines so that they might avoid potential violence. In addition to approaching community and church leaders, these migrants also contacted multiple organizations and agencies for physical, legal, emotional, and/or financial help. Because of these efforts, Sheila was able to obtain Korean citizenship in 2004 and Rose secured her permanent residency in 2015. After suffering discrimination based on race/ethnicity and gender, Nicole publicized these issues and expressed her discomfort to those who had exploited or sexually molested her in the workplace. Further, despite the stigma and moral cost associated with divorce in the Philippines (Constable, 2003), all three women chose to end their difficult marriages. These instances demonstrate that they were courageous enough to address fractures in their lives and move beyond the structures that confined them.

Conclusion

This study reveals the detrimental human rights conditions that three

Filipina women lived through; it also highlights their voices and agency *vis-à-vis* social and ideological constraints. We learn that the same power structures that facilitate border crossing also prevent them from enjoying humane and equitable lives.

Certainly, there has been considerable progress in promoting social integration of female marriage migrants at the governmental and policy levels. For example, the Marriage Brokers Business Management Act was legislated in 2007 to prevent damage to both female marriage migrants and Korean men; Special Rules for Immigrants through Marriage (Article 25-2) was newly inserted into the Immigration Act in 2011 as a way to protect their rights to sojourn in Korea if their case is on trial due to domestic violence. Additionally, the Multicultural Families Support Act was enacted in 2008 so that the quality of life of marriage migrants and their family members can be improved; as a result, they are eligible to have better access, for example, to Korean language/culture education, vocational training, and counseling centers and protection facilities.

Despite this advancement, the findings of this study suggest that further action must be taken to comply with the statutes that Korea implemented within its own territory and the standards of the human rights treaties that it ratified. For instance, using the discourse that the CEDAW legally binds the state to respect female marriage migrants' rights, government agencies can formally recognize the coercive practices and abuses against them as illegal and prosecutable. Further, if female marriage migrants can report their experience of human rights violations in their own languages to police or other call centers (e.g., Korean Women's Hot Line, Immigrant Women Emergency Support Center), they would be more likely to receive more suited intervention (e.g., shelter, legal counseling).

The government and non-governmental agencies and Korean feminists networked with those in nearby countries can collaborate to end coercion and abuse for female marriage migrants. For example, although the Ministry of Justice requires Korean men to take an hour-long human rights session before they invite their foreign spouses to Korea, its effec-

tiveness seems minimal. To further raise female marriage migrants and their husbands' sensitivity to human rights issues, different groups of people in various sectors can collectively design and provide a paid, quality, compulsory human rights program for an extended period of time for the contracting parties in a marriage. This would ultimately function as a means for marriage partners to respect each other's rights and to empower these women.

At a more local level, a grassroots movement to enhance public awareness of female marriage migrants' circumstances might be initiated (Stark, 2007). The public tends to conceptualize marriage migrants as either burdens on society who take advantage of their husbands and the Korean economy or as saleable items that can be purchased and returned. Accordingly, some of the most basic, essential ideas about human rights should be publicly reaffirmed via diverse mediums (e.g., social media). Moreover, by re-signifying what the term "violence" entails, we might also raise public interest in human rights. Concrete acts of physical violence are not the only form of violence; rather, as a process, violence is "a more complex interplay of emotional, psychological, social, and economic abuse that is subjectively experienced not in any singular episode/episodes, but as a connected part of a transgressive and dissatisfactory continuous relationship" (Mitra, 2013, p. 1287). Espousing the latter perception of violence would enable the public to regard the abuses that marriage migrants endure as human rights violations rather than private issues that the state or extrafamilial parties should avoid. This would ultimately urge the state—as Article 16 of CEDAW suggests—to implement more active government intervention in order to assist marriage migrants in escaping abusive situations, accessing resources (e.g., shelters, legal consultation, counselling), and surviving violence.

It is also important to be mindful that the root cause of international marriage practice within Korea pertains to the political, social, and economic conditions that underprivileged men have had to undergo. Specifically, because of a flexible labor market and the privatization of public and welfare services, more and more Korean men suffer from

unemployment, poverty, illness, and/or criminal records. These factors—and the associated shame—push them to search for non-Korean wives in less industrialized countries. Without resolving structural issues related to their disadvantaged status, neither the attitudes of these men toward their foreign wives nor their violent actions will be eradicated. To produce more favorable conditions for both Korean men and non-Korean female migrants, the state should formulate policies that reduce poverty, achieve sustainable development, and offer better social programs. Additionally, it would be useful to conduct research on the experiences of such Korean husbands to provide a more holistic and nuanced understanding of marriage migration.

Because this case study involved only a small number of Filipina women within Korea, it would be inappropriate to generalize the findings of this study to global marriage practices. It would also be inappropriate to erect a false dichotomy of the innocent/pitiable female migrant and the infamous Korean husband. Nevertheless, this study gives a personal face to the statistics regarding a growing number of marriage migrants in Korea. Additionally, it allows us to better understand their constraints and their opportunities. Ultimately, it is hoped that the present study enhances our professional understanding of this population, reasserts the importance of respecting the rights of all groups of people, and encourages the development of a responsive policy that ensures a more equal society.

References

- Bélangier, D., Lee, H. K., & Wang, H. Z. (2010). Ethnic diversity and statistics in East Asia: 'Foreign brides' surveys in Taiwan and South Korea. *Ethnic and Racial Studies*, 33(6), 1108-1130.
- Blommaert, J. (2005). *Discourse: A critical introduction*. Cambridge, England: Cambridge University Press.
- Boyatzis, R. E. (1998). *Transforming qualitative information: Thematic analysis and code development*. London, England: Sage.
- Bunch, C. (1990). Women's rights as human rights: Toward a re-vision of human rights. *Human Rights Quarterly*, 12(4), 486-498.
- Cheng, C. M. C., & Choo, H. Y. (2015). Women's migration for domestic work and cross-border marriage in East and Southeast Asia: Reproducing domesticity, contesting citizenship. *Sociology Compass*, 9(8), 654-667.
- Choo, H. Y. (2013). The cost of rights: Migrant women, feminist advocacy, and gendered morality in South Korea. *Gender & Society*, 27(4), 445-468.
- Constable, N. (2003). A transnational perspective on divorce and marriage: Filipina wives and workers. *Identities: Global Studies in Culture and Power*, 10(2), 163-180.
- Constable, N. (2009). The commodification of intimacy: Marriage, sex, and reproductive labor. *Annual Review of Anthropology*, 38(1), 49-64.
- Freeman, C. (2011). *Making and faking kinship: Marriage and labor migration between China and South Korea*. Ithaca, NY: Cornell University Press.
- Gulati, L. (1994). Women in international migration. *Social Development Issues*, 16(1), 75-97.
- Halualani, R. T. (1995). The intersecting hegemonic discourses of an Asian mail-order bride catalog: Pilipina "oriental butterfly" dolls for sale. *Women's Studies in Communication*, 18(1), 45-64.
- Hsia, H. C. (2009). Foreign brides, multiple citizenship and the immigrant movement in Taiwan. *Asian and Pacific Migration Journal*, 18(1),

17-46.

- Johnson, D. M. (1992). *Approaches to research in second language learning*. White Plains, NY: Longman.
- Kim, M. (2013). Citizenship projects for marriage migrants in South Korea: Intersecting motherhood with ethnicity and class. *Social Politics*, 20(4), 455-481.
- Kim, M. J., Yoo, M. K., Lee, H. K., & Chung, K. S. (2006). Being Korean wives: Dilemmas and choices of Vietnamese and Filipino migrants. *Korean Cultural Anthropology*, 39(1), 159-176.
- Lan, P. C. (2008). New global politics of reproductive labor: Gendered labor and marriage migration. *Sociology Compass*, 2(6), 1801-1815.
- Lee, H. K. (2008). International marriage and the state in South Korea: Focusing on governmental policy. *Citizenship Studies*, 12(1), 107-123.
- Libal, K., & Parekh, S. (2009). Reframing violence against women as a human rights violation: Evan Stark's coercive control. *Violence Against Women*, 15(12), 1477-1489.
- Mitra, N. (2013). Intimate violence, family, and femininity: Women's narratives on their construction of violence and self. *Violence Against Women*, 19(10), 1282-1301.
- Paiewonsky, D. (2007). *Feminization of migration: Remittances, gender and development. Working Paper 1*. Santo Domingo: United Nations International Research and Training Institute for the Advancement of Women.
- Perez, B. E. (2003). Woman warrior meets mail-order bride: Finding an Asian American voice in the women's movement. *Berkeley Women's Law Journal*, 18, 211-236.
- Piper, N., & Roces, M. (Eds.). (2003). *Wife or worker? Asian women and migration*. Lanham, MD: Rowman & Littlefield.
- Saldaña, J. (2009). *The coding manual for qualitative researchers*. Thousand Oaks, CA: Sage.
- Seol, D. H., Kim, Y. T., Kim, H. M., Yoon, H. S., Lee, H. K., Yim, K. T., ... Han, G. S. (2005). *Foreign wives' life in Korea: Focusing*

on the policy of welfare and health. Gwacheon: Ministry of Health and Welfare. (In Korean)

- Stark, E. (2007). *Coercive control: The entrapment of women in personal life.* New York, NY: Oxford University Press.
- Statistics Korea. (2016). *Foreign residents statistics.* Daejeon: Statistics Korea. (In Korean)
- Tseng, Y. F. (2010). Marriage migration to East Asia: Current issues and propositions in making comparisons. In W. S. Yang, & M. C. W. Lu (Eds.), *Cross-border marriage migration in East and Southeast Asia: Socio-demographic patterns and issues* (pp. 31-45). Amsterdam, The Netherlands: Amsterdam University Press.
- Yeoh, B. S., Leng, C. H., & Dung, V. T. K. (2013). Commercially arranged marriage and the negotiation of citizenship rights among Vietnamese marriage migrants in multiracial Singapore. *Asian Ethnicity, 14*(2), 139-156.
- Yin, R. (2003). *Case study research, design and methods.* Newbury Park, CA: Sage.

Biographical Note

Jaran Shin is an Assistant Professor of Applied Linguistics at the University of Massachusetts, Boston. Her research focuses on how language/culture learning experiences enable individuals to (re)construct their identities and how they engage with others, using languages to negotiate linguistic, cultural, and ideological differences. E-mail: jaran.shin@umb.edu

Date of submission of the article: February 15, 2019

Date of the peer-review: May 16, 2019

Date of the confirmation of the publication: November 14, 2019