

**Democracy and Cultures of Democracy:
Women Marriage Migrants Agency and Rights**

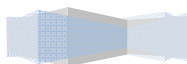
Migration in the age of transnationalism and globalization signals a new era of discourse and perspective vis-à-vis human rights and social development. For more than fifty years, our notion of a universal human rights regime is rooted in our concepts of states and national boundaries. It became the bedrock of democratic transformations and modern development paradigm of many states' nationhood projects.

However, the framework of the existing human rights regime came into a crisis when various human conditions all over the world started to surface a cracked snapshots of different forms of violence, abuses and other forms of exploitation. From ethnic killings in countries like Rwanda, Bosnia and Cambodia to discrimination, prejudice and intolerance experienced by migrants in regional hubs of Arabic Peninsula, Asia-Pacific, Europe and America, different forms of violation of human rights as we never imagined or recognized, started to undermine the current regime of human rights that committed is itself to protect human dignity and identity.

Migration is an emerging global concern. And the concern regarding migration differs according to specific interests of state parties involved. Asia, specifically the Indian subcontinent and Southeast Asia, significantly contributes in sending migrant workers to different parts of the world to serve their labor needs in the interest of the economic agenda of the destination countries.

As a matter of research, many agenda have been pursued in order to study the impact of migration to development. Most of this study links migration to the

¹ From study titled "Perspectives on Women Marriage Migrants Agency and Rights: A study on policy interventions and support services for women in marriage-migration" co-written by Mr. Elmer Malibiran, Prof. Mary Lou Alcid, Ms. Jeremi Panganiban, Mr. Karl Arvin Hapal, Ms. Marion Cabrera, and Ms. Tesa de Vela.



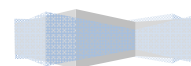
many faces of labor. Thus, the current migration frameworks are informed by studies that tackle migrant work and its impact to contemporary discourse on globalization and development.

Migration is as old as human civilization. However, circumstances that surround migratory patterns reveal a spectrum of faces of migrant men, women and children of different colors, age and beliefs. Migration is never a uniformed phenomenon. It is diverse as well as complex. And since migration involves different circumstances to different people, migrants also experience varied stories of abuses, exclusion, victories and triumph. They have stories of violence and rejection but also stories of multi-cultural integration and building diasporic communities.

A case in point is marriage-migration. Marriage-migration can be defined as “a collective term referring to cross-border marriages which often involves women migrating to the home country of their husbands. The trend shows that most women in marriage-migration come from developing countries while the husbands-to-be are from developed and advanced economies” (Malibiran, 2008). The trend suggests that for the next years, the number of marriage migrants will increase. Marriage-migration is a feminized phenomenon. Majority of people entering marriage-migration are women. Moreover, marriage- migration also presents the emergence of new migrant identities— from the dominant one of migrant workers to the gendered condition of marriage migrants. Many states already initiated policy frameworking to deal with it. However, most of them view marriage-migration using the lens of existing migration discourse which is limited and not sensitive with the concerns of marriage migrants, specifically its gendered nature.

In understanding and responding to marriage-migration, it requires a new frame— an understanding that is open and imaginative to these “new migration identities”. The challenge is to review our conceptions of migration and how these affects individuals who chose to migrate, how their identities are constructed in public policy and how their rights and dignity are protected by those who are suppose to protect them.

Democracy and Radical Democracy Defined

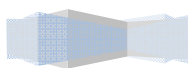


The processes whereby human security is assured or secured are ultimately democratic processes where human rights are respected, protected, promoted and fulfilled. Thus, it is imperative that women's security be located or contextualized in processes of democracy. The tradition of democracy that is taken to be the springboard for a definition of democracy is liberal democracy as distinguished from socialist democracy. A major principle that liberal democracy lays down is equality. People-centeredness is another. It is also a practice that is more representational rather than one of direct democracy. Participatory democracy strengthens all areas of governance and political participation of people, makes people's voices be heard and be substantially considered in decision-making in public life. This implies the need to strengthen the practice of citizenship to make democracy work.

The gendered condition of political participation, citizenship and democracy constrains women's participation, citizenship, and democratic practice. Patriarchy as embedded in social, cultural, economic and political institutions, in the everyday relationships and lives of men and women construct inequalities that substantially make democracy ineffective for women's participation and development. More so, in the case of poor, colored, young, aged, disabled women.

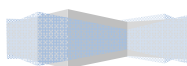
Housewives as liberal democrats seem to be valid only as they are identified with their husbands, their status and social power. Women are first constructed as wives, mothers, daughters and their roles and identities as citizens are subordinated. Women's participation and contribution to community and public life before marriage and before migration are constrained by inequalities in their relationships. These make women less informed, more domesticated and isolated, giving the impressions of dependency, docility, and non-resistance to a state of subordination and marginalization. Having the world of their experience, their needs and desires constantly subject to the interpretation and de-prioritization of men and families develop excluded, submissive and vulnerable women. They are ultimately rendered non-citizens.

Radical democracy takes this condition and challenges the positions prevailing around its understanding. "Radical democratic theory aims to generate an anti-essentialist politics that continually attempts to redefine itself in order to resist



the exclusion of individuals and groups in the formation of social order.” Drawing from the work of Ernesto Laclau and Chantal Mouffe, both Rasmussen and Brown frame their discourse in re-conceptualizing citizenship from a radical democratic experience. Their position leads to a redefinition of the category of ‘political’ in order to democratize the category of ‘citizenship’. “To expand the field of the political is to expose the hidden source of power within the private sphere” - levels where human beings shape their identity and their relations with the world – sexuality, the construction of the private, forms of entertainment, aesthetic pleasure, love, romance, etc. Consequently, democracy and its practice become very unfixed, contested and transformative. Citizenship, rather than becoming an identity, a signifying force, becomes an activity, referring to continuous political struggles to be included, to identify and be named.

Feminist perspectives have constantly sought to unfix the fixed, to challenge the givens of everyday existence. The boundaries of meanings, whether embedded in social structures and macro levels of analysis, or in texts and grand narratives, or in privileged strategies are ever pushed from their past rootedness, contested to stand the challenge of the realities of gender inequalities. Thus, marriage, love, intimacy, desire, pleasure are taken from their roots to become powerful sites of choice, autonomy and empowerment, freeing it from its dependence on the male human being, the male privileged social structures and the othering

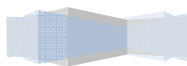


brothers and sisters, etc. are often taken-for-granted occurrences. Thus, whether citizenship is relinquished or not to husbands or men at the doorsteps of one's homes, is a critical question in this study on marriage-migration.

Democratic ideals and practices can be seen as also being characterized by a way of living, a culture, which fosters the value of caring, shared responsibilities and meaningful dialogue; as such, a democratic family is a family that fosters the aforementioned values and practices. The family that a Filipino woman and Korean man may have at the inception of their marriage may face a variety of challenges in the fulfilment of the ideals of one such democratic family. Their different and unfamiliar cultural backgrounds, their contradictory motives and expectations, disparities in their socio-economic status – all bring about further details of the consequences of such lack of commonalities- a common language, common food and fashion, common rules of family and other social engagements, common religion, etc.

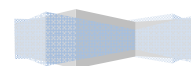
Difficulties of the relationship result in disagreements and tensions that are not easily resolved also because the strategies for communicating and negotiating of husband and wife, and in this case, the whole family are as well impaired by cultural and gender differences. Deep connections and care for each other may not easily come. The development of practice and value for equality and democracy in everyday lives of families, at the start of marital relationships and all thru out its ups and downs of harmony and conflict do not carry the advantage of love and care one normally finds in families and marriages. A daption, adjustments, compromises are unequally demanded from the Filipino wives by Korean husbands and their immediate families.

The different notions of "what a family is" can be seen in the more patrilineal-patrilocal tradition of Korean families vis-a-vis the more bilineal family culture of the Filipinos. Thus, communicating values of participation of wives in decision-making as well as exercise of a wife's autonomy and control over one's person, body, thought and emotions, may not be tolerated at all in the context of the Korean husband and his family, compounded by the practice of any monetary exchange for the Filipina wife. The non-recognition of a woman's reproductive work as essential to the well-being of the family renders wives as mere appendage of their husbands, one with subordinate status. Given all these,



it is a testimony to women's agencies, their capacities and resilience that they are able to again concretely and creatively develop spaces, intimate as well as public, in asserting themselves while attaining some harmony for and respect from their Korean families.

The stories and experiences of women of the ARMMNet study pointed to various "ingredients" that facilitated the development of an atmosphere of caring, meaningful negotiations and shared responsibilities - some sense of democratic spaces carved out from now their Korean family culture. The "ingredients" identified were strategies of working, learning about each other's culture and language, and raising children. Women, engaging in productive activities acquired some leverage in the decision-making processes in their households. Working wives developed some status being seen as also contributing to the fulfilment of some of the families' economic necessities. Women also increased their exposure to public life, ending any social isolation that they experienced early on in their marriage. Their cultural education was enhanced as well as more options opened up to them, reducing their utter dependency on their husbands and Korean families. Increasing their knowledge and use of the Korean language, much as their abilities to understand and speak English, not only contributed to more effective communication inside the family but also in the community, lending themselves to be more understood, accepted, and appreciated. Children, aside from securing the women's right to citizenship in Korea also provide opportunities to develop an atmosphere of democracy in their homes. Korean families put much value on women bearing children, both from a traditional view, further affirmed by current demographic shifts the consequences of which (such shifts) pose challenges to the traditional Korean families' survival. Being a mother, not just a wife, in a way adds value to a Filipina. Children also act as a bond between Filipino wives/mothers and Korean husbands/fathers. The presence of a child provides opportunities for common feelings of delight and concern, the development of an identity as one family, and other opportunities that can further develop emotional ties of husband and wife. A child's care and needs may also draw the attention and cooperation of father and mother, increasing spaces for dialogue, consultations and joint decision-making on child's welfare, extending to that of the whole family as well.



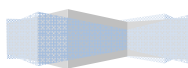
The Five Rights Towards Empowerment and Respect for Cultural Difference

A women's rights perspective puts specific focus on the state as duty bearers, accountable to various rights holders, specifically women marriage migrants. Contemporary policies, programs and services of states and civil societies do not yet fully appreciate and apply a rights frame to marriage migration, pointing to an important area of research and advocacy. Full rights entitlements of marriage migrants should be ensured, fulfilled, protected and promoted as they are citizens of their countries of origins as well as their adaptive countries, as they form multicultural families and diasporic communities, and as women challenging gender, race, and class discriminations.

The importance of rights as means for the achievement of democracy can easily be seen from the struggle of women to achieve equal status in marriage. The right of women to migrate thru marriage, a right to seek the means to escape poverty, to seek wealth, just like anyone else, without moral stigma, as well as the more acceptable right to divorce, which is still in most Catholic countries a negative sanction, actually has a major equilibrating effect. "Their balancing consequences do more than empower escape from an oppressive relationship, important though this is. They limit the capability of the husband to impose his dominion and thereby contribute to the translation of coercive power into egalitarian communication." (Giddens:nd)

Discrimination against women— because they are foreign wives, because they come from a lower economic status, because they are culturally different, because they carry many vulnerabilities— must be addressed by states, not only legally but more substantially, in a comprehensive economic, social, political and cultural thrust, reforming and developing appropriate social institutions and systems. Change must be sought in areas of results, substance and process as laid out in these human rights instruments.

"No rights without obligation" – this elementary precept of political democracy applies also to the realm of the pure relationship. Rights help dissolve arbitrary power only in so far as they carry responsibilities towards the other which draw privileges into an equilibrium with obligations. In relationships as well as elsewhere, obligations have to be treated as revisable in



the light of negotiations carried on within them.” (Giddens:nd)

Coming from a radical democratic notion of rights and citizenship, certain rights might be considered in constructing the everyday struggles of women migrant in the everyday processes of victimization and the exercise of their agency. These are: the right to marriage, the right to family and children, the right to work, the right to political participation and the right to cultural autonomy. The diagram below shows, schematically, their relationships to each other.

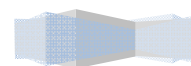
The right to marriage and the right to family and children define the accession of women to exercise her choice to marriage and her decision to build family and nurture children. These two rights define the agency of women to be secured from immediate violence in intimate relationships, her full entitlement to decide independently from her husband, her inalienable right to raise her children, and right to state protection and social security.

Deriving from this, the following translates a radical democratic notion of citizenship and rights into a set of core principles:

the right to marriage

- Guarantees women free from any form of violence including domestic violence and is a significant step to ensure women’s exercise of her rights and obligations free from intimidation and coercion;
- Recognizes women in marriage-migration as an individual with full entitlement to decide on her own, independent of her husband; and
- Assures freedom from discrimination and prejudice in the context of cultural diversity. Women in marriage-migration are vulnerable to discrimination and prejudice based on the assumption that the reason for their marriage is for their economic gain;

the right to family and children

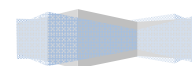


- Upholds the right of women to raise their children as part of their roles as mothers and right to child custody, especially after the dissolution of marriage;
- Respects women marriage migrant's entitlements to communicate with her family (her parents and siblings). Its implications to multiculturalism and national development must be fully examined and understood;
- Guarantees the right to social security of migrant women in the receiving country, once she has entered into a marriage contract with her foreign husband; and
- Promotes, protects and ensures that child support must be provided by both parents, including after the dissolution of marriage;

The *rights to work and political participation* are rights to obligations. The right to decent work and the right to political participation are rights for recognition. To be a productive citizen, these rights contribute to full development of women's capacity to have meaningful participation in community life. The following set of principles, in our mind, informs women's right to work:

- Migrant women must be provided information regarding their labor rights and employment opportunities. The government must encourage women to work by providing opportunities for capacity building and education. Women's choice of work must be ensured and the value of their work recognized.
- Migrant women are entitled to have working conditions free from exploitation. They must enjoy equal rights and entitlements with non-migrant workers and opportunities to have beneficial work towards self-determination and autonomy.
- The right to join trade unions for the promotion and protection of their economic and social rights must be guaranteed.

Citizenship rights of Filipino marriage migrants according to Korean laws are



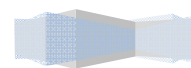
very much tied to their marriage condition. This can perpetuate discrimination of women for it attaches citizenship guarantees to her husband or, as in a new provision, to non-government organizations. Attaching citizenship to conditions of marriage affects women's security for it pushes her to endure marital abuse and violence for the sake of citizenship.

Her *right to political participation* has the following core principles:

- Entitlement to citizenship outside her husband's control promotes respect for women migrants' right to meaningful participation in the political life of the community. By providing full citizenship status to women in marriage-migration, the state recognizes her contribution to social and cultural development of society.
- Involvement in public life must be encouraged. Right of women to join organizations that promote social and political causes must not be restrained.

Lastly, women's *right to cultural autonomy* is a right that guarantees the recognition of her cultural identity. In a society where she is regarded as a migrant, her entitlement to practice her cultural identity that defines her values and beliefs must be respected, especially in a culturally pluralist society. Migration in a "bordered" global order often overrules identity assertion to accommodate social integration. The overruling of identity assertion undermines women's full participation in work and in politics. It also limits their full exercise of choice to marriage and to family and children. Thus, making other rights limited and disempowering. Therefore, the right to take part in the cultural life of the community by migrant women must not be restrained and limited. The right of migrant women to her cultural identity, ethnicity, religious or gender, and the right to form and join "Diaspora" communities must be guaranteed.

Cultural autonomy is an expression of identity and solidarity among migrants. The curtailment of this right violates cultural autonomy. In a globalized world, respect for multicultural identities in the context of cultural diversity is a challenge. Diaspora communities serves as an avenue to exercise migrant



women's right to cultural autonomy and difference. Their existence must be recognized, respected and protected.

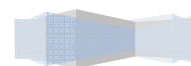
Agency and the Politics of Action and Change

Human agency can be understood "to mark the socially determined capability to act and make a difference" (Barker, 2004). It also indicates "the unconventional, independent, or emancipatory actions or practices of individuals who are oppressed or severely constrained... [an] active subaltern, a female with capacity to move and voice to express..." (Parker, 2005).

Agency can also be described as women's capacity to be creative in her situation an everyday resource of action and change. In a previous study conducted by Action Research on Marriage-migration Network, Cabrera (2007:51-52) translated agency as "women's experiences of making the most of the situation, including her ability to rise above the pressing situation, participation in the community, assertion of identity, [and] how she continues to survive and make changes for herself and her immediate environment and community."

In marriage-migration, woman's capacity to discern and make her decisions autonomous from her husband reflects her capacity to assert her fundamental rights without restraint from the state and the cultural establishment. Her capacity to decide and to choose which course of action to take for the betterment of her own interest within the limits of human respect and dignity reflects her will to take action and effect change. It is her ability to generate creative energies in creating realities that fuels her will to be more constructive in the midst of difficulties and despair. It is her call to make a difference free from interference and free from intimidation, enabling her to overcome oppressive situations.

There are three conceptual frames needed to elucidate agency in relation to Free Choice, Free Action, and Duality of Structure. While agency is linked to freedom, the question rises whether freedom is within the bounds of the social thus socially (re)produced or freedom is free from structural constraints making it possible to exercise freedom free from the ambit of social determinism. Thus, the freedom question involves posing the problem of structure and agency.



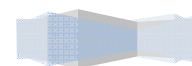
While free choice is limited to circumstances, free action attempts to question the very nature and construction of these circumstances. By questioning the nature of circumstances made by men to limit women's freedom, women exercise her agency more thru action rather than thru choice.

Having this in mind, the third element, which is the duality of structure in relation to agency, gives currency to a politics of action. Sociologist Anthony Giddens, in his structuration theory offers that social order is built by the "everyday activities and accounts (in language) of skillful and knowledgeable actors" (Barker, 2004:233). And these everyday activities, secured by those who wield skills and knowledge, create and recreate social order; produce and reproduce social structure¹. But this social structure "distributes resources and competencies unevenly between actors. That is, regularities or structural properties of social systems which are distinct from any given individual, operate to structure what an actor is... in and through their activities, agents reproduce the conditions that make those activities possible. [For example] having been constituted as a man or woman by gendered expectations and practices, having learned to be father or mother, we then act in accordance with those rules, reproducing them again." (ibid)

Since social structure is produced and reproduced by the everyday activities by those who have the monopoly of knowledge and skills (agents), one can also challenge this monopoly and call for an action. This is the duality of structure, meaning structures are "not only constraining but enabling." (ibid)

Structures constrain a woman to have the freedom to create by assigning specific gender roles and expectations to her that restricts her free choice. And by creating patterns of activities that contest, resist and negotiate everyday realities and practices (exercise of agency) that are outside of dominant social practices and structures, she re-creates the very structure that can enable her to be more aware of herself, to take action and effect change of her condition.

Marriage-migration does not automatically victimize. It is what women think and do under these situations that have the power to either turn women into victims or actors with increasing control over their decisions and their lives. The path of agency of every marriage migrant is made up of steps that challenge

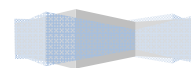


history, context, circumstance and structure. Women gradually gain ground, physically, emotionally, mentally and socially over vulnerabilities, crafting more positive identities of womanhood.

Women's Capacities Constitute Them as Agents of Their Own Empowerment and Collective Action

The experiences and stories of women participants in a recent study done by ARMMN et titled "Perspectives on Women Migrants' Agency and Rights", 2009, reveal that marriage migrants are far from being simple victims or passive pawns of situations and circumstances of their current condition. Women, in their time and in various ways, realized that they are capable of, and were able, to cope and affect change in their lives. They were able to open up spaces for dialogue and negotiation with their husbands and in-laws. They were also able to apply a wide array of options to choose from to better govern their lives by engaging in various activities, individually and collectively, exhibiting self-efficacy signifying their empowerment. Women asserted their identities as Filipinos and engaged in collective action, forming support groups for fellow Filipinos as well as other Asian marriage migrant families, expanding their advocacies for policy development for marriage migrants.

Women are, "actors", "decision-makers" and "choosers". As agents, the women were able to showcase "capacities to act upon their world and not only to know about or give personal significance to it (Holland et al, 1998, quoted by Kitayama and Markus)." Furthermore, as agents, the women were able to reflect on motives, able to critically act and decide based on consequences and recognize capacities and potentials that can be further developed. It is important to note from the stories of women that their choices, more often than not, were in reference to their families - their children as well as parents, a model of agency described by Kitayama and Marcus as conjoint rather than disjoint agency, an essential character of which is interdependency. "From this perspective, individuals experience themselves as interdependent selves - as in-relation-to-others, as belonging to social groups, or as significantly and reciprocally enmeshed in families, communities or work groups. There is agency and there are agents, but these agents do not experience themselves as "free" from others. Actions thus require the consideration and anticipation of the perspective of others and are a consequence of the fulfilment of reciprocal



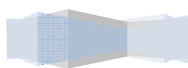
obligations or expectations. Actions involve interdependent selves referencing each other, adjusting to each other, and improving the fit between what one is doing and what is expected. A primary consequence of conjoint agency is the definition, expression, and affirmation of the self as interdependent.” (Markus and Kitayama, 2004)

The emphasis and appreciation of agency as a construct that significantly defines the women marriage migrants’ identity does not mean to discount the manipulations of their varied vulnerabilities that have in so many discourses identified them as victims. The priority of policies and services to act on victimization is acceptable and there are vast areas of improvement needed on these. Strategic approaches to addressing victimization can greatly benefit from constructs of women’s agencies evident in women’s stories in this study. Policies and services that significantly recognize the spaces where women pick themselves up, celebrate their ways and triumphs, interrogate the realms of women’s lives that patriarchal culture has for a long time subordinated, can make these policies and services more sensitive and effective. Moreover, these can integrate concerns over democracy, women’s assertion of rights and practice of citizenship as unique to women’s identities and cultures, addressing the more substantive areas of socio-cultural, economic and political change toward women’s empowerment.

Social Networks and Social Capital as Evidence of Agency

The women participants to the ARMMNet study were able to “act upon their world” specifically by seeking and creating social networks with other Filipino women marriage migrants in Korea. Opportunities for establishing these were spontaneously seized while in church, doing some shopping, even just leisurely walking. Relationships were often affirmed by just a lunch invitation. In the process, the women were able to develop their social capital based on empathy and friendship with fellow Filipinas. Social networks, as the stories and experience of women reveal, functioned as venues for mutual support for Filipino women. Moreover, these networks were able to help some women cope with their situation, “pick up the pieces” and go on with their lives.

Women’s social networks were sites for collective action. Festivals were regularly organized by Filipino women and held together with their children

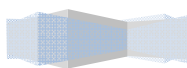


and other members of their expanding community. These were celebrations of women claiming and crafting new identities, proud presentations of their “yes we can” models of agency, and joy in their togetherness. They came in their country’s costumes, cooked familiar food for their guests, and planned an interactive program of games, songs, poetry and drama where audience became presenters and planners watched. Social networking produced programs and services for women, counselling services, referrals and relevant information, legal advice, media access, capacity building on culture and language, other technical skills trainings, including participation in research regarding their conditions. The networks were critical mechanisms for resource mobilization and political participation such as representation in valuable government sponsored policy consultations.

Social networking skills of Filipina women cannot be simply regarded as mere social activities much like ordinary birthday celebrations. These are also expressions of cultural abilities or agencies to weave oneself into the fiber of a different culture and environmental setting. These networks can become powerful symbols of the women marriage migrants’ claim of being part of the larger community while also in the process of proclaiming a community they have also built. They can, as in one case of the study, take on a more political role as recognized and credible organizations representing their voices and leadership in issues of their own interest as well as the wider public.

Commercialization of Women and Men in Marriage

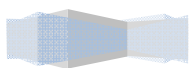
The commercialization of men and women in marriage denotes that they are being “sold” for some utility, use or value. In this sense, expected roles and functions are being sold to both men and women. Filipino women are being “sold” to Korean men by saying that they are to fulfil domestic and reproductive roles. The Korean men in turn are also sold to Filipino women by saying that they are “tickets” to a good life. The roles of men and women that are being sold to their spouses-to-be, signify the traditional roles of men and women; men as providers and women as domestic and reproductive workers. This “selling” of men and women based on their traditional roles signify the pervasiveness of the system of patriarchy in Filipino and Korean cultures. Men, too, are victimized by this system of patriarchy though women are rendered more vulnerable. Men are limited and stereotyped as items for provision and



domination while women are itemized, limited and stereotyped for reproduction, domestic tasks and objects of domination. Moreover, commercialization of marriage “packages” women in ways that appeal to sexual stereotypes as well. From women’s stories, younger and fairer women draw the most attraction from Korean men. Moreover, women’ and men’s “packaging” is a component of travel, tour and leisure arrangements of the very profitable tourism industry of many countries, developed and developing. Also, travel agencies are found to be aggressively advertising marriage services with their posters featuring a Filipina and a foreigner, a white westerner, Japanese, or Korean, offering to arrange introductions, as well as organize marriage events and “honeymoons” in some major cities and provinces of the Philippines.

The phenomenon of commercialized marriage however is not new in the history of marriage; it can be argued that commercialized marriage is as old as the practice of marriage itself. For example, the dowry system, where some material of value is exchange between families as part of marital agreements, was practiced even until now in some cultures around the world. Furthermore, like in Korea, commercial dating arrangements accessed by both men and women have long been in existence. Nevertheless, the phenomenon of commercialized marriage, as in the case of Filipinas marrying Korean men, panders to male superiority and female subordination, particularly in that men pay for the services and women’s vulnerabilities are manipulated and exploited. This has been done in a massive and organized scale involving networks and money such as through the Unification Church, and now increasingly through commercial brokers. Notably, no real money goes to the women or their families as was reported.

The law in South Korea recognizes legitimacy of commercial marriage brokers. It has moved to strengthen regulation in the face of reports of violations by some agencies. On the other hand, Philippine laws do not at all recognize commercial brokering of marriages. This difference of perspectives of the two countries has resulted in a big gap in the legal system that has allowed for the illegal operations in the Philippines of Korean agents and their Philippine contacts. Government corruption has facilitated a patently illegal system of marrying and migrating from the acquisition of marriage contracts to visa



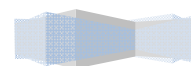
processing.

Marriages are contracted by people for numerous reasons. The potential to craft a unique relationship from which men and women can develop to their full potential is not always simply a factor of the processes by which one enters marriage. In many societies, arranged marriages are very legitimate and also prove to be rewarding, within limits of patriarchal expectations and traditions. Men and women's choices in marriage, as they are bound by a society's legal system, are accorded all rights guaranteed by the state. The future of marriages cannot be anticipated nor simply follow current moral standards. There are, though, discriminatory practices that are inconsistent to concepts of rights and systems of democracy and are exploitative of women's vulnerabilities.

Feminization of Marriage-Migration

Majority of people who enter marriage-migration are women. This has implications to the incorporation of a feminist perspective to the study of marriage- migration. The examination of the continuing application of obvious stereotypes of women, as brides, wives, mothers as well as victims of commercial brokers is deepened by feminist frames and discourses on radical democracy, intimate citizenships, and agency. The participation of marriage migrants in socio-political life and their activities to reproduce emerging cultural identities as well as to reconfigure notions of family, husband-wife relationship - the whole of personal life - are important areas in the consideration of appropriate and effective policies, programs and services. The marriage migrants' gendered condition and the challenges posed by such in, for example, developing processes and requirements for citizenship and the exercise of rights are located in such values and practice of equality not only between husbands and wives but in the whole family. In Korea, in-laws and husbands are central to everyday management and decision-making of the household. Thus, in time, wives creatively work out their own autonomous spaces within these arrangements, productively constructing harmony and continuity of life in the family.

The phenomenon of marriage- migration also presents the emergence of new migrant identities— from the dominant one of migrant workers to the emerging condition of marriage migrants. At the latter's level of interrogation, state

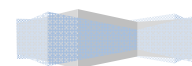


policies, programs and services enter spheres of social relationships such as intimate relationships, personal spaces, and cultural identities which have been traditionally regarded as private and peripheral to state and governance concerns. It is still an unmet challenge to apply women's rights and feminist perspectives in understanding marriage migrant conditions and concerns consistent with state obligations as well as notions of citizenship and ideals of democracy.

The Story of Marriage Migration is Also a Story of Love

The story of women entering marriage-migration is not only a story of abuses and violence against their lives nor is it also just a story of marriage based on utilities and expected roles. The story of women entering marriage-migration is also a story of romantic love. Some women entered marriage-migration because they were in love with their Korean husbands and not because they saw their Korean husbands as tickets out of poverty. Some couples, upon living together in Korea were able to develop relationships that enable the development of an environment that is intimate, nurturing and capacitating to them and their families.

There are a variety of marriages individually constructed by as many married couples. The emotional ties that couples develop for each other may be generally called as love but which this study was unable to probe at great lengths. Women marriage migrants who venture and risks to take on challenges faced on the way to seeking better lives find "love" as they gain ground towards equality inside their intimate relationships in the family as well as the community. The strength to survive and hope for change are made more possible with the arrival of children where both father and mother increase chances of more positive interactions, enabling an environment conducive to children's development. The increasing social experiences and capacities that contribute to better understanding and integration of Korean culture build confidence and self-esteem. At the same time, women marriage migrants continue to take pride in the little victories gained in asserting a combination of new and old identities, perhaps one on the way to multiculturalism. These can all form part of an experience of love, some peace and contentment, especially

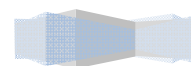


when these are recognized and appreciated by one's Korean husband and family. Not all surprisingly, women's agency becomes more real.

Korean Policy on Multiculturalism and Social Integration as Assimilation

The Social Integration Policy issues a strong call to eliminate discrimination against women marriage migrants but it is only limited to eliminate racial discrimination. Policies are weak, if not silent on inequality, marginalization and discrimination based on gender. Specifically, there is a need to address the following structural barriers:

- Many NGO workers, in their dealings with migrant women, find that most do not want to report their case of violence committed by their husbands before the courts because of the costs entailed and their assessment that they have poor chances of winning these cases.
- Violence is also increasingly experienced by children whose parents are in multicultural marriages. Although there are initiatives to develop multicultural courses in Korean schools, more work on curriculums, textbooks, special subjects, teacher education and school policies that incorporate values for plurality and diversity is needed. The development of a citizenry appreciative of multiculturalism at a very young age is one strategic way by which this policy can have more social impact.
- Existing marriage laws and citizenship rights that require proof of existing marriage to facilitate citizenship lend marriage migrants more vulnerable and insecure in their stay in Korea. Too many requirements for securing citizenship or permanent resident status are, in effect, discriminatory.
- Migration policies are mainly informed by labor migration. There are few countries that have a comprehensive policy related to marriage migration. Even the Philippines, which is a major sending country lacks a comprehensive policy framework that deals with marriage migration. Consequently, the right to work of marriage migrants as migrant spouse is not adequately supported. While the existing policy allows women



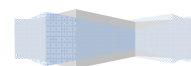
marriage migrant to find work, it seems that cultural practices limit the accession to this right partly because women marriage migrants are primarily expected to bear and raise children and not to work. This is also reflected in policy.

The commitment towards multiculturalism must also be complementary towards a multicultural, intimate citizenship. Democratic participation of women marriage migrants can be effective if they are given enough space to express their cultural identity in a regime of multicultural citizenship rights. Cultural autonomy is not the same as multiculturalism. Cultural autonomy can be a precondition to realize a multicultural citizenship and practice. Cultural autonomy is more than politics of tolerance. It is a politics of difference and politics of acceptance. Policy frameworks create the environment that encourages respect for cultural difference. Participation of marriage migrants and their families is a must in order to ground policies in their own realities and experiences.

Strengthening Programs and Women's Participation – Democratizing Public Spaces

The strong participation of social movements and other civil society actors in marriage-migration, especially in South Korea, bodes well for significant change to happen that benefits marriage migrants. Many closely interact with marriage migrant organizations, as well as provide support and sense of community to individual marriage migrants. But their reach to other marriage migrant communities is limited, lacking resources and committed staff.

Their valuable inputs in crafting policies and advocacy on marriage migration need to be further incorporated through the conduct of regular consultations among them, other marriage-migrants and government. These organization need to further develop knowledge on perspectives of democracy and citizenship as well as increase competency in service provision for marriage migrants in need. In the Philippines, there is a great need for more awareness-raising on marriage-migration. The critical participation of women's and migrants organization is not yet harnessed. Perspectives of democracy, citizenship and women's rights on marriage migration need to be further examined and their relevance made more evident.



Recommendations

At the end of this one-year research study that looked at the conditions of the women marriage migrants in Korea and its possible implications to policies and services the following key recommendations are being proposed. They fall under the following categories: recommendations for further study, gender and development policies and services and emerging advocacy issues and concerns. These recommendations are addressed to policy makers and implementers, service providers in the Philippines and Korea.

Further Studies

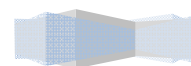
Although much has been achieved in terms of contributing to a better understanding of marriage-migration that has benefitted from the conceptual frames of radical democracy, feminist citizenship, diaspora, ICTs and cyberspace, and more recently women's agencies and rights, there are still many areas that can further understanding of marriage-migration and the conditions of women, their children and families. Some of these areas are:

Men marriage migrants

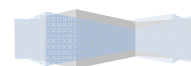
Not all marriage migrants are women. Male marriage migrants, though relatively fewer, have been observed to be in a unique condition as well as also share similarities with that of women marriage migrants. Inquiring into the conditions of men marriage migrants should give us a more comprehensive understanding of the phenomenon of marriage-migration. There are various situations, one is a Korean woman married to a white, western man or individual from a developed country. Another is when the woman marries a foreign man from a non-western or developing country. It would also be interesting to inquire about how Filipino men married to Korean women fare compared to Filipino women married to Korean men. Which relationship endures more discrimination, what are their problems and conflicts, how much worst and frequent are separations and divorce, and what are the various and differing ways of exercising agencies.

Non-heteronormative investigations into marriage-migration

As marriage-migration is a marginalized form of marriage, non-heterosexual



rela



South Korea to act to address marriage migrants' condition. There is unevenness in the extent by which policies and services have been developed as well as differences in views and understanding by the two countries. Both official and unofficial consultations on marriage-migration is proposed by this study to be organized with representatives from marriage-migrants and the migration and women's social movements to develop agreements that fulfill, protect and promote marriage migrants' rights and security.

Orientations on marriage-migration and pre-departure orientations

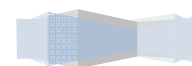
The current orientations and training modules emphasize explanations of cultural differences, providing women tips on how to adapt to Korean culture as well as the legal procedures covering marriage-migration that respond to some of women's conditions or problems. The study suggests that several education modules be also developed with a strong focus on women marriage migrants' rights such as citizenship rights, with substantial sections on knowledge of the women's culture, full length presentations of the multicultural policies and other legal instruments relevant to them, and a directory of non-government organizations that provide services and other support to marriage migrants.

Separate modules and information packages can also be provided men applying a gender perspective on marriage, marital relationships, forming families and raising children, sexuality, violence against women and children, and multiculturalism. These may bring up patriarchal views and tradition and challenge men to support equality for the better future of their families.

These educational materials can be more effective if consultations among women's organizations be held to solicit comments on content, language and forms of these materials.

Government support for services

Despite the limited resource of Commission on Filipinos Overseas try their hardest to prepare the women marriage migrants during their pre-departure through the assistance of their NGO partners. But if they are to deliver better services to their partners, resources must also be secured for their continued training and studies on migration, development and feminism, further research



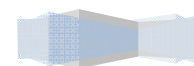
studies, and personnel in order to address the growing number of women marriage migrants in the Philippines and the different countries. The additional personnel who can assist in the receiving countries can also help in the continuity of these services from pre- to post departure.

Emerging Advocacy Issues and Concerns

Women marriage migrants' clubs and associations are proofs of their initiatives and commitment to improve their lives in Korea. Emerging from their intentions and activities are their own views of the agenda on marriage migration that must be advocated. Their determination is worth supporting. The Korean government can look for ways to recognize and provide resources for these women marriage migrant organizations.

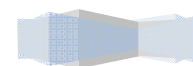
Moreover, the study supports the efforts of the Korean government to continue consultations with marriage migrant representatives and NGOs on the best way to implement the multiculturalism policy. It is hoped that these consultations do not become mere token participation of civil society. Also, the growing interest of academic institutions on the marriage-migration phenomenon, specially in South Korea, can be encouraged by organizing regional conferences on studies relevant to the phenomenon. The participation of marriage migrants and their organizations, women's organizations and migrants' organizations is particularly crucial in these events to ensure that their advocacies are put in the agenda of the meetings.

Because of the international nature of marriage migration and the diasporic communities it builds, international dialogues, involving varied international institutions like the United Nations, official government representatives and social movement leaders and organizations, can all contribute to a better understanding of marriage migration and its implications to democracy, citizenship and rights.

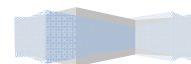


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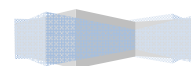
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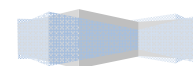
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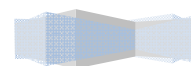
Conceptualizing the “International Families”: Reframing the Chinese and Southeast Asian Marriage Immigrants in Taiwan

Context

Since the late 1980s, when Taiwan reopened its border to welcome the international society, there has been an increasing trend of international marriages between Taiwanese men and women of other nationalities. It had reached its peak in 2003, when 30% of the married couples in Taiwan were of international marriages. After that, it started to slow down, and in 2008, there was only 14.03%. Till March 2009, there have been 417 thousand immigrant women entering an international marriage with Taiwanese men, consisting of 2% of the total populace in Taiwan. Of them, 66% are from China, and 30% from Southeast Asia countries, with Vietnamese the absolute majority, followed by Indonesians, Filipinos, Thais and Cambodians.

Nationality	China	Vietnamese	Indonesia	Thailand	Philippines	Cambodia
Amount	274,921	81,276	26,195	8,261	6,427	4,392
Percentage	66.3%	19.5%	6.3%	2.0%	1.5%	1.1%
Total Amount	417,083					

Since the outbreak of Cold War in the early 1950s, due to the historical and ideological gap created by the totalitarian Chinese Nationalist Party that had been defeated by the Communist Party in China and retreated to Taiwan, Taiwanese people have been barred from any realistic and comprehensive understanding of our neighboring nations: China, Philippines, Vietnam ... and the rest of the whole Southeast Asia. The shift of power in 2000 and the rule of



Democratic Progressive Party (~2008; the Nationalist has regained power ever since) did not change much of this geopolitical ignorance: to most of us, people of the "receiving country", the 417 thousand women remain immigrants from the neighboring and either poor, or backward, or primitive, or disease-ridden and inferior nations.

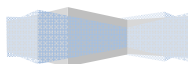
This might partially explain why, in general, both Taiwanese husbands and immigrant wives of the international families are often treated as the easy target of social stigmatization and discriminations. On the other hand, the Taiwanese husbands have often been depicted as belonging to an underprivileged social class, and as potential recipients of social welfare system. In short, either they are poor, old disabled or mentally disturbed. It is said that this is a group of men who live on the margin of the society. These socioeconomic characteristics are often cited to explain why they are doomed to be "losers" in domestic marriage market and why they have to turn to women from the "inferior" foreign nations.

On the other hand, the immigrant wives barred by the gap of language and culture differences have been pictured either extremely vulnerable or easily victimized in the process of traveling and entering an international marriage with the locals, or as greedy foreign gold diggers who marry Taiwanese only to use this marriage as a step stone for something else.

How much this characterization contains grains of truth is very disputable. More importantly, we are not entirely happy with the general "framing" of this phenomenal existence of the Chinese and SEA immigrants in Taiwan. These colonialist and chauvinist languages are dated, and should not continue to be deployed in conceptualizing these immigrants and their Taiwanese families.

Rather, we identify these men and women as "agencies" who are capable of decision-making in the process of entering their respective marriages. We acknowledge their "drive" to strive collectively for a better future by becoming husbands and wives of the international families.

What does TIFA stand for?



Taiwan International Family Association (TIFA) was established in 2006, but before that, most of our key staffs already had a history of working with immigrant and migrants for over ten years. In TIFA, 50% of our members are immigrant wives, 30% are their Taiwanese husbands and other family members, and 20% are local supporters of our cause. TIFA argues that all marriage immigrants, whether they are from China or SEA countries, should be treated as the righteous members of the Taiwanese society. Their existence, and whatever their existence stands for, should be properly acknowledged and fully respected.

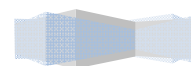
The same acknowledge and understanding can be extended to other members of their international families, the Taiwanese husbands included. In TIFA, we devoted ourselves to fight against all social stigmatization, decriminalization and injustices against the international families. In addition, we support them to support themselves. In achieving this, we have adopted the following methods: to organizing forums and talks to promote the understanding of the immigrants and their native cultures, to organize Chinese language classes to facilitate their integration with the Taiwanese society, to campaign for their social and political rights, and to provide all kinds of legal and life consulting services.

Networking and Empowering

The Taiwanese law demands all marriage immigrants to attend a compulsory 72-hours “life adaptation” class, with Mandarin studying as the core, before they become Taiwanese citizens. The political correctness of multiculturalism, as the authorities are kin to promote, cannot hide a racist connotations that these “foreign spouses” are primitive and uncivilized aliens, and that they need to be “cultivated” and “enlightened” so as to be adopted by our modern Taiwanese society.

In TIFA, we agree that for the immigrants, it is very important to familiarize themselves with Mandarin, the national language in Taiwan. The capability to speak fluent Mandarin and other local dialects could increase their visibility and competence in the local labor market. In addition, the more these women are familiar with the language, the more they are likely to become independent.

However, in TIFA, we see the language class as a medium of cultural



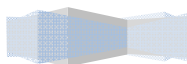
interaction and a space for social and political participations, rather than the place for alien cultivation and assimilation. There are at least three dimensions:

First, as the immigrants step into the class, they step outside the domain of their respective families. The class then serves as the interface between them and the larger Taiwanese society. To do that, we often have had to encourage their Taiwanese families to be neutral or better, to get involved. Second, as the immigrant students gather for the class, we encourage them to know each other and to form their own network. We encourage them to share their personal stories, and their life experiences back home and in Taiwan. Third, the class is always designed and organized according to the needs of the immigrants. The students are always encouraged to express their own viewpoints and personal feelings on all subjects. We also try to familiarize them with the local immigration and labor laws and regulations so that they can know what and how to fight for their rights.

In TIFA, to the Taiwanese public, we invite our members to introduce music, dance, delicacies and other culture elements from their motherlands, and we invite these members to give lectures or speeches in schools and communities. For us, their difference should be integrated, rather than assimilated, in the Taiwanese society. The term “multiculturalism” is not entirely satisfactory in conceptualizing what we are trying to achieve here.

First, our activities redefine the term “culture” itself. The immigrants are invited to tell their own stories, instead of broadcasting any stereotypic alien cultures, to the Taiwanese public. Any fragments of their personal stories can be identified as parts of their native culture. For instance, we do not expect all Vietnamese women here to be experts of the famous Vietnamese water puppet theater, but, if the theater happened to constitute part of her personal history, it is a Vietnamese culture for us.

Second, our activities redefine the boundary between the immigrants “other”. They are no longer inferior aliens whom we must cultivate with modernity. The “other” can speak for itself: the immigrants are people of alternative cultures, which the Taiwanese must see with equal respect.



International Family, Reframed

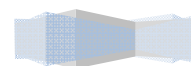
It must be emphasized that, in TIFA, we try to work with all members of the international families, and in particular, the Taiwanese husbands, the in-laws and the second generations, instead of focusing alone on the immigrants.

More than obviously, it is crucial to win the hearts of the Taiwanese, so as to win their support to the immigrant members of their families. This, however, is not what we try to argue here. The truth is that power struggles and domination structures, with usually the immigrant women as the weaker side, DO exist in the international families, just like any Taiwanese families. It is also likely that these family tensions, and even suppressions, can be reinforced in the international families, due to the more harsh challenges they might have to meet externally and internally. Saving this, we decline to simplify these family tensions as stories of victimization. This stereotypic "Abusive-Taiwanese-husband VS. Innocent-immigrant-wife" framework is problematic, as it continues to stigmatize the international family while failing to account for the complexity of the real. In TIFA, we argue that it is important to read this complexity outside the "family" boxes. It is crucial to relocate the family tensions in their social and historical context, and to see how economic and political drives of the macro level could have structure the family struggles of the micro level. It is our intention to revive the "public" dimension of the "private" family domain. We argue that the personal is always the political.

To reach out as many members of the international family as possible, TIFA do home visits. Besides, TIFA organize groups for Taiwanese husbands so that they can tell each other and the public their international family stories and challenges. We also help the immigrants to organize activities to familiarize their second generation with the languages, games, stories and cuisines of their motherlands, which are likely to be suppressed in the formal education system that the later are subjected to.

The minorities and the fight for equal participations in democracy

Till now, the authorities here only want to meet the immigrants' demands with minimized liberation of immigration laws and crumbs of social welfare. For instance, in 2008, arguably, the Government finally revoked the regulation that demand the immigrants to present a financial certificate of around NTD 420

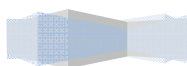


thousands before they become Taiwanese citizens, to prove that their international families have reached a minimum living capability. This small and slow step has been taken only in responding to a mass rally staged by groups of marriage immigrants and their supporters, TIFA included, a year ago. We protest strongly this discriminatory policy against the immigrants and the working class families. In 2008, as an immediate response to a TIFA demonstration, the Government also agreed to revoke its decision to exclude the immigrants, as it was about to launch its "consumer voucher" policy as a desperate measure to rescue the busting Taiwanese economy.

In TIFA, however, we refuse to be satisfied with these piecemeal improvements. For us, what matters is to change the socioeconomic structure, in which the international families live, rather than to resolve their individual difficulties, case by case. For instance, in 2008, we held a press conference to expose the five difficulties concerning the immigrants in the local labor market: little or no labor insurance, little or no overtime payment, racial discrimination, fragmented and long working hours.

In 2009, we held another press conference to expose the discriminatory immigration policy that increases the total hours of attending the "life adaptation" class from 72 to 200, and that extends the waiting period of becoming a Taiwanese citizen from 3 to 5 years for the single-parent immigrants.

To conclude, in TIFA, we argue that the international families, as one of the social minorities, have to fight for their equal rights to participate in the democratic procedure. That means, this is bound to be a process of political struggles, and solidarity between the underprivileged people must be built. In addition, we refuse to be enchanted by the authorities that only want to feed and fool us with crumbs of social and economic benefits. To do that, we will work more on members of our grassroots, instead of on members of the parliament. It is only by doing this that we can have the strength to refuse to be patronized by the latter, or to be any part of their token politics. We refuse to be the window dressing of the representative democracy in Taiwan, which has already distanced itself from the Taiwanese people.



Social Rights Conditions of Marriage Migrant Women in South Korea

1. Issues

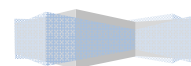
'This is a story of a South Korean student while studying abroad in Germany. Once in need of money, she took a job cleaning bathrooms of a building. On her first day at work, she was given detailed introduction on the labor conditions and rights from the company. When she left the job, the position was filled by a female migrant worker. The day the spot was passed on to the female migrant worker, the company officials once again brought the rules of employment, but since she didn't know any German, it was brought to her in her native language. Moreover, she was illiterate so a person who could read her language had come along to read and explain the rules of employment to her. It was indeed a surprising moment."²

Understanding the actual conditions of migrant women's labor rights in South Korean society begins first and foremost from whether the concerned individual is fully aware of the labor conditions or not. Compared to the German case above, to what level of condition has South Korea reached as of current? Before looking at cases which testify such realities, we will inquire into why South Korea shows a low interest in feminization of labor and laborization, but before anything else, examine the cause through the course of the government's migration policies.

First, the current social integration policy led by the government is potentially intended for migrant women to succeed traditional family and patriarchal ideologies and systems, therefore, consideration for women of marriage migrant families who have to enter the labor market sooner or later out of dire survival necessity, are not taken into account.

Consequently, numerous organizations dependant on government aid have turned away or are climbing aboard the bandwagon of presiding trends rather

² <Women's Labor> It's significant to note class differences amongst women and gender differences between laborers (Source: Jung-hung, Chung (<http://sosim.jinbo.net>), Hae-sun, Kim| Secretary General, Seoul Women's Trade Union



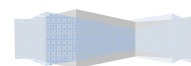
than seek independent support projects. Despite such limitations and conditions, efforts for mutual understanding with immigrants have initiated. In the past few years we have seen the flourishing of various migrant women's support projects encompassing diverse issues, touching upon the interest of over 100 thousand current marriage migrants in the country. But at the same time, when it comes down to conditions and issues of migrant women in need of economic participation and alternative plans in strengthening their social rights, such discussions are scarcely to be found.

Secondly, South Korea's government led migration and migrant policies show the tendency of regulating and ruling over the diverse scope of labor rights of social minorities. The employment permit system is a clear exemplary of such intentions. Despite the government's high expectations on the policy, many migrants became undocumented and kept that way for diverse reasons that only seem to grow. The government took advantage of such problems and ignored the real picture, carrying out inhumane practices, oppressing and deporting undocumented migrants.

The government keeps forbidding undocumented migrants from residing in the country, but seems to ignore the possibility of improving unreasonable labor market systems and laws toward migrant laborers which prevent migrants becoming undocumented. Such an approach also plays the role of a dominant ideology, blocking more citizens and institutions from further seeking interest on migrant labor issues. It is no surprise that female migrants and marriage migrants participating in the labor market with an insecure status or those who have to endure harsh conditions due to their limited status rarely receive any social attention. It is necessary to uplift consciousness to the critical reasoning level through training and educational programs directed to those very women suffering from presiding laws, systems and realities.

Such realities are not limited to female marriage migrants. Refugee applicants, female migrant workers, North Korean refugee women and all those who have come to this country as foreigners and have to live the life of minorities are all reflective of this reality. But due to the lack of collaboration between migrant women, marriage migrant women and refugee support groups in terms of campaign work, lobbying and other forms of activism to improve national laws and systems that rightfully reflect reality, have been maintained mainly through organizations campaigning over the issue of undocumented laborers.

Thirdly, as the number of migrant women increase, so are regional societies running different collaborative projects with migrants, but the majority of institutions and those engaged in the process perceive marriage migrant women's issues through the dichotomous lense of success or failure under the marriage and family system. In the process of evaluating the status and rights



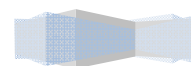
of female migrants, the dominant perspective of looking at marriage migrants as a wife and mother is diluting the problem, making migrant women avert attention from the reality of discriminative practices laid on them in the labor market.

An effort to understand the current social rights conditions of marriage migrants at this point of time is important for the following reasons:

(1) Most of married migrant women in the initial stages of settling down have to endure the predestined conditions revolving around today's patriarchal system and at the same time crave for economic participation. Distressingly enough, advertisements and calls looking for easily disposable female day-laborers are one of the easiest jobs migrant women can approach to earn money right now. Even if they were to get manufacturing jobs, due to language and technical insufficiency, they would first be categorized as unskilled labors. But since after marriage they lose the opportunity to enjoy individual economic activities, when they get the chance to enter the labor market, they do without even basic knowledge of labor market laws and policies. Besides women who enjoy permanent jobs, the big majority of migrant women work without labor contracts. It can easily be forecasted that as the years of residence of marriage migrants grow, so will the number of potential labor market participants and the competition within the market, whereas the quality of labor could further deteriorate.

Reflective of such a reality, concerned migrants, activists in the migration sector and the civil society's role should be to strengthen labor and social rights and find a vision and direction of progress while finding ways not to isolate any of the concerned actors along the way.

(2) When tackling the issue of social status and civil rights of marriage migrants, a plan to improve social rights should also be properly included. In the theoretical sense, social, economic and cultural rights are all components of social rights, and social rights a constituting factor of civil rights. Followed by the advent of neoliberalism, discussion over the protection of social rights has expanded beyond national borders, with voices that assert the right should encompass cultural, environmental, race and sexual rights, which was overlooked in the past. South Korea should also seek active discussion on the demand and establishment of a cosmopolitan citizenship and social right, as we are also facing an increase in the number of migrants, international refugees and migrant workers. Unfortunately, even within the labor and civil rights movement sector, alternative policies on issues such as gender, race, and female labor within the family are kept undefined.



The past few years are characterized by efforts from non-profit and migrant organizations to define cultural marriages and the meaning of such union and a process of finding alternatives. The task ahead is the non-governmental sector's role of actualizing the rights of laborers by paying attention to and tackling of irrational and discriminative practices in the labor market. At the same time it is a collaborative process of persons concerned in strengthening their economic rights and developing social solidarity between people in similar situations.

2 Case studies of the reality of migrant workers' social rights

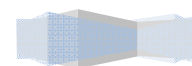
2-1. Social Rights: Social Security Rights (Social Insurance and Public Assistance), Social Welfare Rights, Health Rights, Education Rights

Increase in the number of disadvantages at the workplace due to insecure social status

Existing laws can be equally applied to immigrants in case of disbursement of overdue wages occurs. Before June 23, 2008, there existed a clause where immigrants with undocumented status suffering from wages unpaid, would have to go through rights remedy and thereafter report it to the Korea Immigration Service, but abolished the clause after continuous opposition from NGOs as an act of infringement of human rights. Retirement grants are also available for businesses with five or more employees and depending on a continuous service length of over one year. The retirement grant per year is around one month worth wage received pre retirement.

Before questioning whether a comprehensive social right is guaranteed to all immigrants, it is worthy to mention that the unstable status and residence conditions of marriage migrants(which is also our theme debate today) are a primary cause and hindrance to the full guarantee of social rights. Currently the ratios of marriage migrants who enter the country as female immigrants but undergo chance in residence status are increasing. The exact numbers are as follows:

Year	2004	2005	2006	2007	2008
Total number of unregistered migrants	3,249	4,359	5,937	7,130	



According to the late 2008 survey, in 2007 around 7.7%, and in 2008 around 8.4% of marriage migrant women became undocumented residents.³

The major reason for such downgraded status is because the divorce rates between international marriage couples have soared.⁴

Such a ratio is representative of not only female immigrants, but also a trend reflective of South Korea's current situation. The decrease of the second generation traditional 'husband, wife + children' households to the rise of 'single parent + children' families⁵ is also caused by such phenomenon.

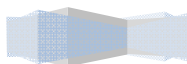
Marriage migrant women who have fallen into the undocumented resident category scarcely take full-time jobs, but mostly irregular posts, daily-labors and contract work. The position of women right after marriage might not be illegal, but when their social status is deprived from them or taken away, but the bread-winning responsibility still lies entirely on them. The more they fall into a trap they cannot resolve, the worse their social safety and security gets. Even supportive activists generally advice women to work anywhere they are welcomed as long as residence and livelihood problems are partially taken care of.

(Case 1) Anna arrived to the shelter with the help from acquaintances after having problems with her husband and mother-in-law and filed for divorce. It took her eight months to finalize the divorce proceedings. Even during her stay at the shelter she needed money. Even though she had won the divorce suit, she did not receive expenses to go back to her country, nor receive a penny for alimony. Furthermore, she was emotionally tired to extend the trial for any longer period of time. What she desired right away was to work. She had emancipated herself from the family, but she was in dire need of economic participation. Those who were helping her out submitted a petition to the Korea Immigration Service just two months before the expiration of her residence period, and accepted. During and right before leaving the shelter she got a job at a factory that paid her a 600 thousand won monthly salary. She wanted to transfer to another job that paid her better, but since the rules of the shelter said she had to return before seven o'clock, she had no other alternative than choose a post where extended work hours were not imposed. When the divorce was

³ The Grand National Party(GNP) 00 member's office

⁴ The number of divorces amongst international marriage couples in 2004- 3,345 cases, 2005- 4,218 cases, 2006- 6,197 cases and as of July 2007 reached 4, 510 cases and continuous to increase rapidly. In average this means around 4, 682 international marriage couples are seperated yearly.

⁵ The Ministry of Health and Welfare Statistics Survey 2007 on <Statistics on Family Policy>, MOHW



finalized, she left the shelter. Recently she moved to a workplace that pays her 800 thousand won per month and also provides housing. Although it is way better off than the last job, it still pays less than the required minimum wage. There are mid-sized companies that cling to the minimum wage of 900 thousand won and at the same time support food and housing.

Increasing numbers of marriage migrant women widowed or raise children as a single-parent after divorce

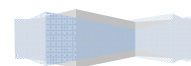
In South Korea, even if migrant women holds visas eligible for work application, most of them still live impoverished lives. According to current laws, people who receive regular monthly wages, despite the fact they are in the "working poor class" are excluded from the list of eligible recipients. Since irregular work that pays 1 million won shuts out their chance of getting any medical, educational and other forms of support from the government, some prefer to seek part-time jobs in order to benefit from it.

The Single-Parent Support System under the existing law is as such:

Consists of a household with a female or male single householder raising a child of 18 years or younger (but in case already attending school, 22 years old or younger) and satisfies the low income families of single parents (based on property and income) criteria of 2008. It also encompasses foreign recipients who reside in Korea and are married to a Korean and are rearing a child of Korean national. The following are the list of support recipients receive:

In case of middle school and high school students: tuition fee and matriculation fee; children eight years or younger: 50 thousand won; a single parent with children in elementary school: 40 thousand won per child, submission of monthly attendance verification document needed (receipt for after school classes need to be submitted); cost of fuel: daily/2,500 won for 160 days. Under request, support is also available during job training periods, but realistically it is strenuous for most single moms to attend these programs since bringing bread to the table everyday is in itself a challenge. For worse, those who are recipients of the National Basic Livelihood Security Act are not qualified for dual benefits.

The current law and system are for single head of households still far from perfect, but in worse cases there are many migrant women who are not benefitting from the system in the first place. Unless they learn Korean or are linked to any NGO through domestic violence and sexual violence consultations, most of them live separate lives. Especially women who are on their own cannot afford to attend any self-help groups or Health Family Support Center and other facilities. They lead strictly individual lives with the weight of having to making a living on their shoulders.



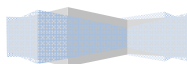
(Case 2) Husband suddenly passes away and leaves behind no livelihood plans. One migrant called Nabcha came from Mongolia as a migrant worker to South Korea, met the husband and gets married to him. They spend four years together but her husband dies from sickness two months before the new-born sees light. Nabcha, all on her own with a posthumous child cannot make ends meet nor pay her rent, decides to stay at a Mongolian friend's house. On top of that, she does not have access to denizenship status, for she has neither rental lease agreement form nor a bankbook with 30 million won. She would like to work immediately but has a child to bring up and on top of that wasn't aware of the fact that she is not entitled to child care benefits. She would be eligible for government subsidies if she were to apply as a single-parent household, but would still need a job to make ends meet. Since under the current system, those receiving a fixed wage are not suitable for a supplementary living allowance, she is looking inevitably for a part-time job at the moment.

(Case 3) Unable to apply for denizenship because of lack of support from family members

Despite the fact the freedom of residence lies on the individual, family members are uncooperative in the process of trying to apply for denizenship, in the fear that the daughter-in-law or the wife would run away or act independently. Such a response derives from the sense of crisis reflected through the increase of divorce rates in South Korean society.

(Case 4) Double responsibility of taking care of the child and working at the same time

Two years ago, Yan was married to her husband whom she lived with in Vietnam. The court admitted reasons attributable to her husband, ruled that she gain custody and receive child support payments from her husband. After divorce, she brought up the children on her own, but she never received child support payments from her husband. Thus she is currently working in a nearby factory to make ends meet. She takes care of two three year old daughters, sends them to the nursery and works at the factory. Working extra hours is impossible even when she is sending them to day care. Luckily enough, she did get payment support to send them to the center. Although she has a resident registration card and receives a monthly wage of 800 thousand won, after paying a monthly rent of 200 thousand won and pay for public imposts, 500 thousand won is left in her hands. She is considering moving into a rental house and save money from monthly rents, but even getting into a rental house is nothing but easy.



Husband has no access to medical insurance, directly affecting family members' access to the hospital.

The current health insurance system is divided into workplace health insurance and regional health insurance, but the numbers of businesses with foreign employees that have neither applied for medical insurance nor paid employment expense sharing have been increasing. It has become harder to force medical insurance on head of households who have been unemployed for a long time. In such an environment migrant women themselves and even their children have been disqualified from health and regional insurance and are thus ineligible to apply for medical insurance. In cases they are sick, but can not attend the hospital, the Ministry of Health and Welfare promotes the fact that they provide free of charge medical treatments to migrant workers. But in a time where unemployment rates are increasing, securing health rights is becoming harder for poor migrant families and multi-cultural families.

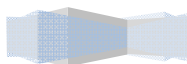
Despite limitations, multi-cultural families can also enjoy medical services once registered in the National Basic Livelihood Guarantee System. Since 2007, marriage migrant women who have a child with a South Korean counterpart are qualified as beneficiaries. The same year, under the Low Income Mother-Children Family Support System, if the mother has been separated from her husband by death or divorced, but has a child of Korean nationality, they are also eligible as recipients.

The immediate task at hand is constructing and developing a gateway system that can improve the basis where concerned parties can enjoy their health rights by getting proper information when they need it, and improve the reality where currently they don't even know whether they qualify for welfare support or not.

2-2 Economic Rights: Reality and features of labor rights of migrant women

Little access to job recruitment information

Most of migrant women have never heard of the government lead job recruitment information system (worknet). Language problems would be just one of the many barriers; few have even heard of the citizen information system, which provides effective job recruitment information. Most women get introduced to minor jobs or day jobs through neighborhood acquaintances from the same country. Immigrant women feel the need to find a job even before their Korean language efficiency reaches a certain level. This is mainly



because once they get married, unlike their prior expectations, it is hard for them to regularly support their families back in the country and all the pocket money they receive per day is one thousand to ten thousand won, thus feel their lives are being restricted by their husbands. Many women desire to work outside if they have the chance, not only because of financial reasons, but as a means to social participation.

The majority of migrant women I know found their jobs through friends who have already been working, whom themselves found a job through the newspaper (‘Flea Market’) and advertisement adds posted in bus stations.

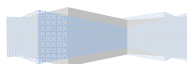
Most of them are well aware of the fact that the work they do is not a generous one. They are tempted in the beginning at the fact that after working regularly can receive around 700-800 thousand won per month, but gradually they learn that the wage they receive is not a sufficient one.

In such times where work is hard to find there are women out there who don't bother to take rigorous jobs spreading Ads leaflets in every house on the neighborhood. Such work requires go walking about all day from houses to apartments, posting and inserting ads. They receive four to five thousand won per day.

Even such posts don't come regularly. Some women pack a few rice balls to save lunch money and have the meals in nearby parks

Long working hours but minimally reward (women's labor and discriminative practices on migrant workers)

Most of immigrant workers get an average wage of 900 thousand to 11 million won. Recently migrant workers have expressed dissatisfaction and voices of criticism have risen over the fact that some mid-sized companies are deducting housing fees and charge for food from the salary, but it is a common practice seen in most businesses today. It is predictable that in the case of marriage migrant women, they receive even lower wages. Most of them are unaware of the national minimum wage. Su-yeon, originally from Vietnam, has lived in South Korea for six years and works for a sewing company, asserts that she receives 200 thousand won less or sometimes the same as Korean workers who take the same task. She tries to take jobs that allow her to work from 9 am to 7 pm. Even manufacturing companies tend to be paid on a monthly basis, because it is a good way of paying marriage migrant workers less overtime allowances.



The real problem is when there are months gone without any work to do. In such cases, if there are no orders given or tasks are reduced, employers usually ask marriage migrant women, without hesitation, to leave work. Because they never signed a recruitment or labor contract, even the subject themselves don't take it seriously. According to the law, daily laborers who work more than three months and monthly wage earners who work for six or more months are eligible to receive a dismissal allowance.

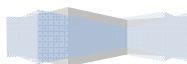
But in reality, concerned individuals were not aware of such a law in the first place, nor did the employers feel the need to follow such a regulation, because they felt that migrant women did not have the will to abide by the clause.

Lack of quality jobs

The truth of the matter is that women who used to work as school teachers, nurses, engineers (it is one of the jobs many women take in Central Asia) back in their motherland before getting married, hardly stick to similar types of work or other professional jobs once they move to South Korea. Language barriers might be one reason for such phenomenon, but the common social notion that is still prevalent might act as an additional barrier for migrant women to work as equal actors in professional occupations. Only a limited number of women with professional background get to do work such as translation and interpretation; Most of them have to satisfy with managerial tasks, domestic work, dining halls and other corresponding laborious posts.⁶ Thus, women after marriage hardly have the opportunity to expand their abilities or live in a society that enhances their self-esteem. Such a condition makes it hard for women to be an active social actor and expect active participation in the civil society sector also. The more vulnerable women's legal status is so is the scope of work they can get and the possibility of freeing themselves from the exploitive working conditions. Taking into account the fact that job and technical training programs have had little effect on South Korean women and the benefit was only enjoyed by a few, employers in the labor market should be the main actors in ameliorating working conditions and furthermore excavate better ways for migrant women to enter the wide range of professions available

⁶ According to the latest statistics survey by the 'Multicultural Family Social Integration Support Gangwon Forum 2008', the numbers engaged in the agro-livestock and fishing industries amounted to 340 people (11.2%), secretarial posts 131 people (4.2%), daily-workers 161 people (5.3%), foreign language instructors 109 people (3.8%) and homemakers 71.7%.

Source: Human Rights white book <In between adjustment and violence>, 2008, Women Migrants Human rights Center



for them. Such efforts will be further more helpful in developing women's capacity and self-identity.

Despite desire to work, husband and parents-in-law disapprove

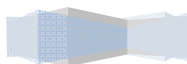
(Reflective of patriarchal reality of not acknowledging women's social labor)

Reasons for the low level of social participation of marriage migrant women lies not only in various social barriers, but its primary cause are found in the objection from husbands and parents-in-laws. In their perception, women's principal obligation is in the house; to assist labor within the family. Women's positions are even more submissive than back in their homeland and have to abide by her husband's decisions. And many cases can be seen where married men leave their decisions to be made by their mothers. It is probable that women who run away or those who think of filing a divorce and go back to their country, live very secluded lives at home, doing repetitive tasks, difficult to make conversation with husbands or lack sufficient leisure time; an overall lack of communication.

The idea women should not endeavor life outside the house, primarily roots from patriarchal thought; and migrant women's role in sustaining the current family system further strengthens such ideology. But families of migrant women should be fully aware of the fact that women themselves desire to keep the independent lives and engage in economic activities they used to enjoy even after marriage if possible. Divorce rates will continue to grow if families think married life is successful as long as the wife bears children and keeps her role as a domestic assistant, and dismiss women's need of self-identification in times of crisis.

In the end, it is imaginable that in the midst of an ever absent society protecting social rights of people, we will be living in a risk society where the individual lives a growing insecure life in and outside the house and issues of gender and race discrimination, exploitation of migrant women's labor will become even more prevalent and chronic in all sectors of society.

It is vital to bring the issue of social rights into civil society and activate further discussion and interest in the area before it is too late, to further prevent double victims of patriarchy and racial discrimination.



-Discussion paper-

**Socio-Economic Rights and Human (In)Security of
Marriage Migrant Women
-A View from Japan-**

1. Issues

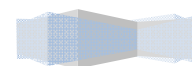
In contemporary Japan, in spite of the fact that Japan has signed and ratified all the major UN Treaties concerning human rights, the rights of women are not equal to the rights of men, and the rights of foreigners are not equal to the rights of Japanese citizens.

Women are traditionally less part of organized labour force where equal rights between men and women are guaranteed, and even with the increase of men workers in the unorganized and unprotected part-time workforce, a majority of women workforce belong to this sector. The women also play a major role in the unpaid work of homemaking.

Foreign workers, both old-comers who have a permanent stay status and newcomers who do not have it, are unequally treated, de facto, by the managers of their workplace and by the security services, even when they are duly documented. Many of them are duly documented as trainees, and exploited as such. Others lack any protection by the state, when they work undocumented, as many of them are forced to do.

It is important, in Japan, to develop a national human regime which can have a strong impact on patriarchy and xenophobia. It is where Korea can provide a precious example, in spite of shortcomings mentioned in the Paper on the "Social Rights Conditions of Marriage Migrant Women in South Korea".

The human rights of women migrants, especially marriage migrants can be



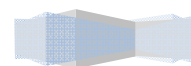
better understood in their complexities, when the universal principles of socio-economic rights can be connected with the existential living conditions of the individual migrant women. The concept of “human (in)security” can provide a means to determine concrete micro-situations where universal rights are violated. “Human security” is a powerful concept which detached the state from “security”, and put the women themselves as the deciders on their own security and insecurity. It is from that view point that we will try to define the geo-historical roots of human insecurity in Japan, in close connection with the living experiences of the migrant women themselves.

2 Myth of Homogeneity and Xenophobia in Japan

The Modern State of Japan, born as the Meiji Empire has been a typical counter-colonialist developmentalist state. In order to counter-attack Western colonial pressure, Japan has traditionally used an expansionist and a closed-door approach. It developed domestically a cult of Japanese homogeneity under the Emperor, which was both patriarchal and paternalist. The present day Japan inherits both its rejection of any factor breaking its homogeneity, especially its national minorities, like buraku people, Ainu and Okinawa peoples, and the foreigners, old-comer Koreans and new-comer migrants from inside and outside of Asia.

The homogeneity of the Japanese people has been based on a particularistic mode of social reproduction, socializing and indoctrinating the new generation of Japanese citizens, at home, at school, and at their diverse workplaces. The social reproduction of migrant communities was not accepted unless they agree to be integrated and assimilated to the homogeneous majority civil community.

The colonialist institution, which was one of the most unacceptable denials to the social reproduction of the colonized Korean nation, was the imposition of Japanese names. The fact that even today Japanese names are used in official documents is a proof that the contemporary Japanese nation wants to assimilate the naturalized Korean community without making due efforts to transform the homogeneous Japanese nation into a multi-ethnic and multi-cultural society.



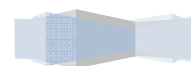
The treatment of new-comer migrants is also based on the xenophobic social reproduction principle. Any migrant status is not based on the legal right of the person but bestowed by the goodwill of the Minister of Justice, who is succeed to judge whether a migrant can be admitted into Japan. Unless married to Japanese, a migrant is assumed to return home when her or his useful services to the Japanese society is no more provided. Except for the case of refugees, who have the rights to settle down in Japan, no foreigner is expected to exercise her or his right to social reproduction.

The role of married migration is in this sense assuming a particular legal and cultural role in Japan. Marriage is the only normal way to obtain the right to stay in Japan and exercise her right of reproduction and social reproduction. She is thus assumed, not to contribute to the multi-ethnic development of Japan, but rather to become part of the homogeneous Japan. For her, marriage is the means to be integrated and assimilated into the Japanese civil society. Her security is guaranteed only to the extent that she fits into her family, and divorce can mean that she loses her right to stay in Japan. This creates an added dependence on her husband, on top of the traditional patriarchy. Many cases of DV are reported where this over-reliance on marriage forces the marriage migrants to constant potential human insecurity.

3 Marriage as a Stage of the Life Course of Women Migrants

Marriage migration can be defined as migration which is caused by the intention to marry. This intention, however, can be based on a formal policy providing a visa to migrants willing to marry with a national of the country of destination, based on the immigration policy of that state. The case of Vietnamese women migrants to Korea corresponds to this category, since their migration is part of a bilateral agreement between Korea and Vietnam providing an authorization to migrate from the latter to the former state to marry. However, the case of migrant women to Japan does not include such formal marriage migrants.

The immigration policy of Japan, at least for the moment, does not give any place to marriage migration although some recommendations are under

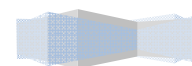


discussion in the Liberal Democratic Party where the introduction of women migrants is proposed as a solution to the demographic imbalance of the Japanese society where workforce reproduction has reached a critical point where foreign workforce reproduction becomes indispensable. This proposed "Japan-Style Migration Policy" however does not contain any clear proposition on marriage migration.

It is true that the immigration law of Japan allows for foreigners married to Japanese to obtain a permission to stay permanently and facilitates naturalization. However, this is based on a humanitarian facilitation of the Japanese citizens who want to marry foreigners, and does not imply any encouragement for foreigners to marry with Japanese citizens. The developmentalist State of Japan wants to introduce workforce but does not want to introduce non-Japanese citizens whose reproduction activities would break the homogeneousness of the Japanese people. As often cited, Premier Mori wanted to teach young Japanese that Japan was a "divine Country" while inviting Indian IT experts. They were supposed to contribute to the Japanese IT production, and should not lead to the reproduction of mixed-blood Japanese in contradiction to the "purity" of the "divine country" Japan!

Marriage migration tends to take, in this sense, an informal form. The case of Filipina migration to Japan studied by Seiko Hanochi shows that marriage is an important phase in the migration course of many Filipinas. She identifies marriage-related phases of the human insecurity of migrant Filipinas as follows. The insecurity experienced by them follows the following multi-local livelihood. Four regarding their life unrelated to marriage status, four others regarding marital status.

1) Insecurity at the community of origin, 2) insecurity during preparation and transiting in migration, 3) insecurity due to working conditions in Japan, 4) insecurity returning home. Inserted in some cases, there are 9 insecurities related to marriage status. 1) insecurity about marriage, 2) insecurity of married life leading to divorce, 3) insecurity related to child birth and rearing, 4) insecurity caused by relationship with other members of the family of the husband.



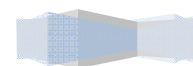
The above description is followed by a report of cases of empowerment which indicate not only the importance of marriage in the life course of the Filipinas, but also the initiatives of married Filipinas to organize an alliance among themselves, and in cooperation with likeminded Japanese, in view of developing their common fight for full-scale recognition of their marriage migrant citizenship by the Japanese state and civil society. A common cause based on common human security and human rights.

In connection with individual insecurity reduction, different modalities of marriage has to be distinguished, making the over-simplified definition of a "normal" marriage constructed by the racist and patriarchal "common-sense" prevailing in the Japanese civil society. The Marriage Migrant Research Committee in Japan has concluded after a long discussion the following points.

The Japanese patriarchal gender regime is based on the "koseki" (family record) which discriminate "illegitimate children" and "foreign members of Japanese families". The concept of "faked marriage" is an established concept in the Japanese Penal Code. However this concept is rarely applied to "faked marriages" between Japanese citizens.

The legal procedure preceding the decision by the Japanese immigration authorities to permit marriage migration is preceded and accompanied by a requirement of presenting proofs about cohabitation, sexual relationship, etc., which clearly violate the right to privacy of the couple. There are cases of "faked marriages" turning into genuine marriage caused by common suffering between the two parties involved.

The above two aspects of marriage migration research indicates that the human insecurity and human rights violations of marriage migrants is a tip of the iceberg of the gender and racist structure of human insecurity in Japan. The very notion of citizenship of the Japanese citizens must be reformulated in the context where the claim for equal citizenship of marriage migrants is compared to the cases of Japanese citizens.

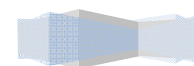


4 Human Security and the Rights to Production and Development

Human Security is an existential base where Rights must be grounded, or to put it the other way around, whether human rights are respected or violated depends on the existential conditions of the person in question. If she feels insecure, it is clear that some of her rights are violated. "Human security" detaches the state from "security" in such a way that the state is also treated as a potential source of "insecurity", and not as the only institution guaranteeing the security of its citizens.

Citizenship is thus detached from its traditional marriage to the state. Since the Westphalia Treaty and the development of state-based democracy under the Enlightenment in Europe, citizens and state are treated as an undividable pair of concepts at the base of any public philosophy. The citizenship now prevailing in Japan is an ethnocentric citizenship recognizing equal rights among only the Japanese. It is based on the false myth that the human security of the Japanese citizens will be threatened if the rights and security of foreigners are fully recognized.

Marriage migrants are experiencing different types of insecurity caused by their husbands, their families, some sectors of the majority civil society, and the state, and yet they are ready to cooperate with Japanese neighbours provided that they are treated as equal citizens with the Japanese. It is indispensable to develop a multi-ethnic citizenship crossing the borders of national identity, beside gender and class. This is where Japan can learn much from the Korean experience of marriage migration.

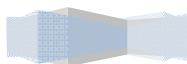


Multiple Identities of Marriage-Immigrant Women: Beyond the Nation-State

1. Introduction: The gap between the discourses on immigrant women and their actual experiences of immigration

The ever-growing and diversified migration in the 21st century has called a great deal of attention to the words such as 'border' and 'diaspora.' In the process of globalization, the sliding between the 'discourses' on diaspora or border as theoretical concepts and the historical and actual 'experiences' of the migrants has often been regarded as inevitable (Clifford, 1986; Avtar Brah, 2005). It is important to historicize the traces of different migrants and also to analyze their lives in which different identities play in different social relationships. However, what seems to be more important is to show their experiences of migration/diaspora not in a single unified analytical language but in multi-leveled 'languages of expression.'

The existing research on migration in Korea is mostly limited within certain types of social and analytical approaches, letting the voices of the people who actually practice migration only represented or spoken for as the Other. Some TV shows that allegedly demonstrate migrant women speaking their own voices are not so different in this. The women guests in the shows can tell only the stories that are not against what the broadcast stations want them to tell. When the migrant women are represented, they are represented as a homogeneous group. Thus, their motives and their diverse experiences of migration are all put into one single unified form of representative narration. A lot of those women immigrants have felt lost or even insulted by this homogenization of their identities. Narrations of women immigrants are often not so unified or coherent. They are rather contradictory and disunified. What does this mean then?



2 A Story of a Sri Lankan Marriage-Immigrant Woman

Let me talk about a Sri Lankan marriage-immigrant woman I recently met. She came to Korea over 6 years ago. Speaking Korean fluently, she has been on some TV shows for several years. (She often says her biological age is 35 while her social age is only 6 in Korea.) Thanks to the TV shows, she has now become a celebrity. She is very good at making friends especially with foreign women. She says she is "eager to learn everything." Highly talented at socializing, she has a list of phone numbers of more than one thousand people stored in her cell phone. She is very proud of all these. She speaks of her experiences of migration sometimes with anger, sometimes with pride, or sometimes with gestures of reconciliation. (She is a fast talker.)

Sri Lanka is one of the Asian countries that have led the 'feminization of migration.' Despite the government's policies that are supposed to control women's emigration in terms of age and marital status, she became a migrant worker at early age. She worked for several years for a garment company in Saudi Arabia, a country that had very strict policies against foreign migrant workers, and later went back to Sri Lanka. Then, after working briefly again in Saudi Arabia and in Singapore, she came to Korea. Each time, she worked for DKNY, a giant transnational garment company. (She seems proud of having worked for DKNY, because it is one of the world famous garment makers.) Her current mother-in-law was her landlady when she first worked in Korea. The landlady liked her, and introduced her son to her. Listening to her stories, I came to feel that her experiences of living in multiple countries over the past 13 years might have made her practice multiple identities, consciously or unconsciously.

- Experiences of Racism

She seems to have an extrovert, outgoing, and very positive personality. But she emphasizes how often she has been shocked and frustrated by the racism in Korea due to her 'darker skin color.' The prejudice and the discrimination against people of 'darker color,' along with the discrimination against marriage-immigrant women (that is 'women from the poor countries who come to Korea only for money'), are what makes her indignant about the most. As she has become a regular guest on a TV show, she has frequently heard from others

'how pretty and cute she is.' Together with this compliment, her experience of racism is a major mark of her identity stories.

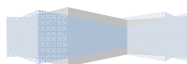
(" The first words I heard from a Korean in Korea were 'Gosh! What a startle!'... It was really the first words I heard! Well, I have some slightly different skin color. But, we all look more or less the same, don't we? How could a human being shout at another human being 'What a startle'? It's not right at all... If I had no arms or legs, if I had no eyes or anything, if I looked like an animal, well, you might get startled. It would be understandable. But I'm a human being, too. You can't say 'What a startle' to another person just because of the look. But it was the first words spoken to me in Korea. I felt 'wow, I may look funny to them')

- Her criticism towards 'Koreans' : from the position of a foreigner

The Koreans she has met in her life world all have shown somewhat negative aspects. The Saudi Arabians and the Singaporeans she had met in their countries, and her hometown Sri Lankans were all 'warm and affectionate.' But, to her, Koreans are different. They are indifferent to others. They are used to 'dumping' others. Sons dump dementic parents. Parents force their children to study until late at night. People don't even give a sympathetic look to old women picking up the garbage on the street. For her, all these are actions of 'dumping.'

"When kids become 12 years old, their parents just dump them. I don't mean they literally dump them outside. I mean, the parents who are both working say to their children 'You can do this. Why can't you? You should go to this private institute and study this! You should go to that private institute and study that!' They say such things all the time.. They see money in their own children... Kids should learn computers as soon as they become 10. Both parents are working, and their children get screwed. In my neighborhood, 12 to 15-year-old kids are just like gangsters.. They smoke and drink. They even make out with each other in public. Their parents are all to blame, aren't they?"

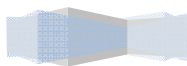
When she makes negatives sentences, the subjects are 'Koreans.' She says she wants to see good things in Koreans, but always ends up seeing bad things. Listening to her criticisms on Koreans, I feel she may want to say 'Hey, Koreans! You are not so great people, either. Don't discriminate against us!'



“Koreans still say 'We are a one-race nation.' As I told you, I've been living abroad for 13 years. I've lived in several countries. But, in other countries, it never takes such a long time for you to be able to hold other people's hands. But it takes forever in Korea. It's so hard here in Korea... When you truly embrace other people, you feel they embrace you, too. But it's not the case here. It may have happened once, twice, three times, five times... well, less than ten times at the most. It doesn't take this long in other countries. Never.”

When she says 'I've lived in other countries. But Korea is the only country where people don't get close to foreigners, where people draw lines between foreigners and themselves,' she bases the justification and authority of her judgements on her 13-year experiences of living in other countries. In other words, she knowledgeizes her own experiences. When she does that, she keeps certain distance from Koreans and Korean society. She says she sees things more clearly "because she is a foreigner." Here we might want to raise some questions. Doesn't she too 'objectify Koreans homogeneously'? Doesn't objectification of one lead to objectification of another? While her statement 'Koreans dump people' is worth paying attention to, her effort to knowledgeize her own experience of migration is also intriguing. However, in order for our experiences to become true knowledge, we need to stop relativizing each other, and, instead, to start speaking as an individual. No matter how hard she argues for her experiences as knowledge, it is destined to fail as long as there is no audience to approve or listen to it.

The current <Multicultural Social Indusion Programs> are based on the recommendations of 'prohibition of all forms of discrimination, and overcoming of the senses of racial superiority in one-race-dominated nation-states' from the International Convention on the Elimination of All Forms of Racial Discrimination. The Programs are also based on a domestic legal provision that rules 'proper education should be provided so that members of the nation and resident foreigners can understand and respect each other's histories, cultures, and systems' (Clause 18, Framework Act on Treatment of Foreigners Residing in the Republic of Korea). In order to fulfill these two goals, that is, in order to find out rather active and creative methods to encourage communications between natives and immigrants, we need to activate discussions on the identities of the natives as well as those of immigrants.



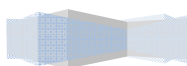
Through these discussions, those two parties can start to understand each other, talk about inclusions or exclusions, and finally reach some agreements.

- ' Give up her own nationality for this land' : The logic of ' land,' and the right to membership

The Sri Lankan woman says that the various Korean TV programs on multicultural families, in which she herself has participated, are nothing but a 'showoff' unwittingly revealing, in fact, deeply-rooted senses of discrimination against foreign women and their children. And then she asks why Koreans are not willing to guarantee full membership for the foreigners who have given up their own nationalities for this land. For her, 'multiculture' means 'marriage-immigrant foreign women.' Therefore, she thinks that it is acceptable for her to be called 'multiculture,' but that it is never acceptable for her children to be called that way. It is because her children speak Korean as their first language anyway.

"I had lived in my native country until I was 23. My parents, my whole family still live there.. My root is over there, not here. My root is not in here, you know. But the root of my children is in here. I've tried so hard, and I still will... I raise my children as hard as I can for this land. I've given up a lot. I've tried so hard.. But people tell me 'you are just a foreigner. Are you raising your children well enough? Can you eat this? You'd better live alone, away from us' When people say stuff like that, I feel just terrible. It's so depressing.. You know, I have this feeling.. inside of me I feel just being burned inside. I'm trying this hard. But why can't people just see that? I can look like a Korean, can't I? You can say 'her skin is a bit different from ours. But she is definitely a Korean,' can't you?"

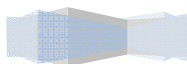
Her statements above show clearly that for her, the 'land,' the 'territory,' is the most authentic and the most important factor based on which one can acquire a nationality, a citizenship, or ultimately a membership in a nation-state. 'Root' and 'land' are among the words she uses most frequently. The increasing human mobility in the postmodern global era has provoked numerous debates upon 'land' in relation to rights to residence and migration, and also to



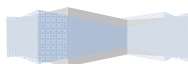
belonging. But discussions on migration are still limited mostly to the issues of nationality. It is understandable because most countries, under the ideology of nation-statism, have been reluctant to grant nationality to foreigners in the name of 'protection of borders.' As a result, most migrants are forced to think of the issues of getting nationality in relation to 'land.' But an important question here is 'What the new principles of membership norms should be like?' (Benhabib, 35). Actually, this question is more than the question about the rights to being granted nationality (that is, rights to rights) Benhabib argues for. This question can be answered only when we think of nationality, citizenship and membership together with and on the level of the feeling of embodied belonging. We should not deal with the theme of 'putting down roots' simply on the functionalist level of 'inclusion' policies. Instead, we need to discuss it on the level of 'belonging' that takes into account psychological, cultural, economic, and social contexts. Only by doing so, we can accomplish 'our' co-existence which the migrants truly desire to get. There are hierarchies and differentiations even among the marriage-immigrant women according to what country they are from, what language they speak, and whether or not they have Korean nationality. This tells us that it may never be an easy task to create a form of membership that fully guarantees equal participation and psychological stability.

- The Two Faces of Recognition Struggle: Against Marriage Migration

Nevertheless, her experiences of Korean society have not been only negative. She happened to be on a popular TV show as a regular guest for a long period of time, through which she has been 'recognized' by a number of members of Korean society including her family and neighbors. This experience of being recognized gave her a chance to regain her own 'self-esteem.' Thanks to the show, she has also met a variety of people, including the president, and had opportunities to tell them what she thinks. This 'accomplishment' gives her tremendous satisfaction. However, the fact that most of what she tells is stories about her successful appearances on TV and critiques on Korean society is pretty symptomatic in her life as a marriage-immigrant woman from a Southeastern country.



What draws more of our attention in relation to what is discussed above is her criticism towards other marriage-immigrant women who want to send money to their birth families in their home countries. She emphasizes that women from Vietnam, the Philippines, or Sri Lanka tend to particularly care about their birth families. They consider their birth families as 'families until death.' She too used to make remittance to her birth family when she worked in Saudi Arabia and in Singapore. But she argues that, once a marriage-immigrant woman comes to Korea and makes a family there, she should not send money to her birth family unless she earns the money on her own. It is because, by sending money, the woman might strengthen the existing biases towards the 'multicultural families,' and consequently make harder the life for her.

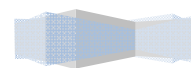


are those of others, and which are her own opinions and which are those of others. Considering her educational backgrounds both in her native country and in Korea, she might not have been able to access to enough information on diverse discourses, policies, and social meanings of 'marriage immigrants' in Korea. But she started to be invited on the TV shows when marriage-immigration-related policies were just set off in Korea. She could probably learn, indirectly, about those 'multicultural' policies from the broadcast 'scripts' or from the conversations with the TV staff. And her experiences of 'unfairness' in Korea might have made her see those current multicultural and marriage immigration policies as 'inflexible,' 'disposable,' 'ineffective,' and 'inconsiderate' of the immigrants and their families.

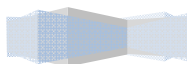
Unlike most of the immigrant women in Korea who have few chances to make their voices heard, she has been enjoying a lot of 'social recognition,' and accordingly, seems to play tug of war between 'being a spokeswoman for marriage-immigrant women' and 'being an ordinary foreign wife from a Southeastern country.' Currently, she is participating in the 'Project of Making a First Immigrant Woman Politician,' a project performed by Korea Women's Politics Institute. The Project has set up a target that it would make an immigrant woman candidate run for a public office at the 2010 national elections. If she becomes a member of a municipal council, what changes her 13-year experiences of immigration will bring to Korean society where people still hold on to the 'one-blood' nationalism, and what type of a new global civil society Korea will become by that?

3 The Rights of Hospitality for Migrants

Both the native citizens and the immigrants have a long way to go to reach the point where those two groups can have genuine dialogues with each other, recognize each other without hurting and totalizing one another, accept that they rely on each other, and finally defeat the dichotomies between nationals and non-nationals, citizens and non-citizens, and national states and transnational states. For this, we can refer to Derrida's concept of 'hospitality.' He stresses that 'the problems of the strangers' are the problems that the strangers raise (towards the natives/the mainstream) rather than the problematic situations caused by the strangers. He says, therefore, that the



conditional hospitality that involves nationality, citizenship, and/or membership should be implemented in the light of absolute hospitality that is unconditional and exaggerated, and does not even ask the names of the strangers. The absolute hospitality may not be fully realized in real-life politics. Without the regulative horizon of the absolute hospitality, however, the conditional hospitality bound by legalities would completely lose its directions. Kristeva's statement, 'We are all strangers to ourselves,' reminds us that we all are strangers to each other, and that we meet others as strangers. As we can see from the Sri Lankan woman I have discussed above, when a stranger comes to a strange place, the receiving residents in that place are also no more than strangers themselves to the newcomer. This is why it is necessary for the two parties of strangers to learn how to meet each other in the spirit of the 'absolute hospitality.'



Beyond the Boundary of Nation-State

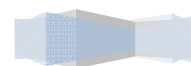
1. Who am I?

One of the inevitable questions that arises in the course of a person's life would be "Who am I?" Who on earth am I? I guess this question about my identity is the easiest and at the same time most complicated one to answer. How many times, in my 37 years of life, have I asked myself the same question; only to find myself short of an answer? "My name is Idawa. I'm 37 years old, and come from Mongolia. I graduated from XX University...." An introduction like this is merely an aspect of how I appear to others. What matters is the true nature of me. Extrinsic facts cannot speak for what I really am. I have to explore my inner most mind, asking myself what thoughts I have, how I contact and feel about others, what philosophies I subscribe to. Then, with a little help from self awareness, I may be a step closer to knowing who I am. The following is a summary of my identity from an outer perspective.

After completing my medical study in Mongolia, I had worked 2 years in a public health center as the general manager before I decided to study again. A year later, I was financially troubled because of change in the school education system. I came to Korea in 1999, with a Korean dream like many other young people, to make money and met my husband after working 1 year as a worker in the manufacturing industry.

2 The turning point in my life as a married migrant

It has never been easy for me to leave Mongolia – where I was born – behind and live a life in a strange place. No matter how much satisfied I was with my life here, I couldn't help feeling somewhat desolate. Shaking away from all those memories I have with my mother country was simply impossible. I met my Korean husband in 2000. For the first 5 years my married life as a housewife and mother, I used to stay mostly at home chiefly because of my husband's excessive care. I wasn't able to do anything or candidly open my Mongolian identity to people around me. First of all, the language barrier made it difficult for me to express myself. And there was another question that bothered me a lot; whether I am a 'Mongolian' or a 'Korean' since Korea is where I live in now.



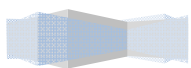
I was also confused by cultural difference because issues that were considered right and natural in my country were unacceptable and challenged in Korea. For example, perceptions on women's status, gender equity, or human relationship in Korea were different from those of Mongolia. And religious difference would sometimes invite conflicts as well. **Though I may look like a Korean, having to use the 'Korean' language and encountering many differences in everyday life brought nothing but mental confusion.**

When I was in Mongolia, I was full of pride and confidence with my profession as a doctor because I would be able to earn enough money for the rest of my life. Regrettably, I was not the same woman anymore in Korea after marriage. Meeting people and talking with them were always challenging for me because I was all the time concerned about hiding my identity. There was even a time when I refused to make friends with anyone because I felt like an inferior who 'comes from a poor country.' My identity as a 'married migrant' prohibited me from thinking freely, and moreover, I couldn't express whatever was in my mind because of the language barrier. I couldn't get a job and spending time with my children didn't help me come up with positive conclusions. Though my life as a migrant already alienated me from the surrounding, it was how I chose to protect myself and get adjusted to the Korean society so that I survive without being discriminated.

I once told my mother-in-law that I might have to change my name if I filed an application to acquire the Korean nationality. I got upset to hear her ask me why I would do that when no one will be calling me by my name anymore. I came to realize after a while of thinking that, in reality, I may not be called by my name if I were to stay at home and raise kids. While I was called 'my son's mom' by my family and neighbors, hospital staff or public servants would call out my name. It was then when I decided to get socially involved for fear of living by the name of 'my son's mom' forever. I couldn't go to work because my child was small, so I tried to learn Korean and swimming in YWCA nearby my house. But I had to learn Korean by myself because there was hardly a foreign woman who wished to learn Korean then.

3 Some things change, some things don't.

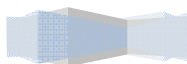
Culture can be compared to the clothes we put on. Just like the clothes become



mine when I feel totally comfortable in them, culture is also something that one should get used to. Living in Korea may not allow one to become familiar with everything about Korea. There are some aspects I can identify myself with, but there are some I can't. I guess a migrant has no choice but to follow the host country's way of treating issues like family culture, children upbringing, or education. I find it hard to identify myself with the way Koreans use a lot of water and disposable goods every day. Also, my country tends to require a high level of gender equity in families since it is founded on the principle of socialism. My idea on gender equity has not changed after all these years of marriage. The institutional level of gender equity in Korean society is considerably high. On the other hand, however, people usually think women migrants should follow the patriarchic family culture because Korean women have coped with it so far.

One of the greatest changes that have taken place in my life is related to nationality. My nationality was changed in 2006. I chose to change my nationality partly because having the Korean nationality would make my life a lot easier, but particularly because of my son. I was worried that my son would be disadvantaged because his mom was a 'Mongolian' and came from a 'poor country.' It didn't take long for me to realize that the real barrier was not the sense of inferiority but my lack of ability to deal with Korean culture and language.

Until I changed my nationality, probably because I wasn't able to communicate well, I was not interested in what kind of changes the Korean society was going through or what contribution I can make to the country as a Mongolian migrant. There was a time when I hardly watched social issues broadcasted on TV or read major Korean newspapers but updated myself with as much Mongolian news as possible. Now, it's the other way round. I had to return the certificate of birth, my ID card, and my passport to my mother country at the time of nationality abandonment. In doing so, I was admitting that I am no longer a citizen of my mother country and bear no political or social rights. For me, a nation is not what it used to mean to me before the immigration. There is another kind of nation in me that goes beyond a geographical boundary. Yet, my Mongolian blood lives in my body and I breathe in it.



I used to say I was a 'Mongolian' when someone asked. It feels somewhat inappropriate and awkward to give the same answer now because I carry a Korean ID card, so I say "I am originally from Mongolia." But in my mind, I still think myself as a Mongolian. Then again, I could feel that my body is getting more and more used to life in Korea.

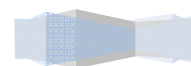
I thought hard about whether I need to change my name or not after acquiring the nationality. A person's name in Mongolia is difficult to change because it is closely related to Lama Buddhism. I eventually decided to keep my first name and attach my husband's last name. One may see that, unlike other migrants, I wanted to keep my identity as a Mongolian and include a Korean aspect in my name.

4 What it means to live in Korea as a married migrant

I worked as a consultant for Mongolian migrants in the Emergency Support Center for Migrant Women (ESCMW) since September 2006. The center provides counseling and interpretation services to women migrants in Korea so as to help multi-cultural families settle down and protect human rights of women migrants who suffer from domestic violence, sexual violence, or sex trafficking. It provides 24-hour counseling and interpretation services in 8 different languages (Vietnamese, Chinese, English, Pilipino, Mongolian, Russian, Thai, and Cambodian). The staff would personally visit multi-cultural families, individuals, police stations, hospitals, or relevant authorities to provide such services, if necessary. Also, the center accessibility has improved from 2008 with 4 regional centers operating in Suwon, Daejeon, Busan, and Gwangju.

From 3 years of providing counseling service to migrant women, I found that they too feel like I do. Difficulties they face in Korea were very similar in many cases. The few differences were time taken for getting adjusted to the Korean society and culture or learning Korean; whether shorter or longer.

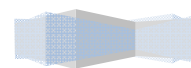
In their early marriage life, migrant women are put under huge stress and feel confused because of cultural difference, language barrier, and unfamiliar environment. Korean families demand migrant women to accept the relationship with their husband's family, and their rights in family remain very



weak. Since a social agreement is formed that children born from a woman belongs to their father, a married woman is considered merely a tool for reproduction in Korea. A woman's right as a family member is given only after when she gives birth to a son or children and her status will rise provided that her contribution to the family is recognized.

In Korea, the key to maintaining family relationship is with the daughter-in-law who should manage events of the family and relatives. It is likely that a foreign daughter-in-law would end up doing more domestic work compared to senior or subordinate sisters-in-law. Also, because there is often a huge age gap between wife and husband, awkward situations can be created between a young but senior foreign sister-in-law and an older but subordinate sister-in-law. Husbands usually have poor economic status in the family, which forces the migrant daughter-in-law to follow the decisions of her husband's family. Women who can earn money tend to do less domestic work in Korea. Men who cannot find a Korean woman to get married or tasks that cannot be requested to Korean women are put before migrant women. There are many migrant women who complain that Korean husbands got married to them just because they needed someone to have sex with, do the housework, and take care of their children or parents. Married migrant women, therefore, are highly exposed to human rights violation in addition to social and cultural sufferings.

Not only do married migrant women suffer from Korea's male-centered family structure, but they also often get laughed at in their mother country. In some cases, they are rejected from both their mother country and host country. Their husbands or families would ask questions like "Do you have TV or refrigerator at home? Do you eat with your hands? Do you ride horses in Mongolia?" and their dignity is damaged. Also, their own people in Korea may ask heartbreaking questions like "Did you get married for money? Are you married to an old man? Are you a farmer?" When women migrants log on to Mongolian internet websites feeling lonely, they find so many ugly articles about women who are married to Koreans. As a result, they often voluntarily alienate themselves from others refusing to meet people around them. Whenever they get accused by Koreans of coming from a poor country and by their own people of selling their body for money, they get confused whether they belong to one or another country. Of course, some people are well adjusted while others don't



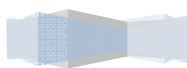
Learning a different country's language, culture, and way of living is never an easy task. For women migrants to successfully assimilate into Korea, a social change is required in addition to their efforts.

Though Korean society may show superficial interests in supporting multi-cultural families, it looks as though people are highlighting the issue of multi-cultural families for the sole sake of their own economic benefits. Instead of providing trendy and temporary supports, I believe that there should be a fundamental self-examination on how to accept the multi-cultural society and where the Korean society stands in terms of racism. Koreans may ask weird questions out of sheer curiosity not because they disrespect foreigners but because they really do not know about them. If so, however, people need to show more consideration about others in such circumstances. For issues about children from multi-cultural families being socially bullied, my opinion goes that different approaches should be employed depending on whether bullied children are from multi-cultural families, of migrant workers, or brought from their native country.

5 Conclusion

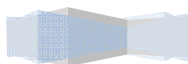
For all of those who are about to start their life as a married migrant, they come with their own motivation and purpose. An individual's motivation and purpose may differ from others; but lack of proper identity as a migrant would lead to failure and one may become totally clueless to "Who am I?" Finding true values of oneself, respecting others, and fulfilling one's responsibility are prerequisites to building up an intimate relationship with others. Having senses of inferiority and shame in one's mind only generates criticism, disrespect, and irresponsibility. Therefore, in order to maintain one's own identity, each and every migrant woman should make efforts in developing their competencies to get accepted in Korean society. More importantly, however, Koreans should become open to multi-cultural aspects.

Again, when it comes to identifying my own identity, it is still difficult for me – a migrant who crossed over the border to this country – to say whether my perspective on a nation has changed. It is true that I was confused in the beginning. But now that my nationality is Korea and I use a combined name of Mongolian and Korean, I do not feel so attached to the significance of a nation



than before. It has thinned away from within.

From now on, I wish to become a "full person" as a woman, as a social constituent, and as a mother of a child rather than a 'married migrant.' And I also hope that Korea can develop as a country free from gender discrimination and with happy women.



Tales of Transnational Mothers: Fixities and Flexibilities in Gender Constructs

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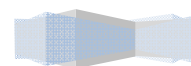
I. Introduction

It is my 19th year in Japan and I have learned so much from my interactions with various Filipinas in Shikoku, Hiroshima, Hokkaido, Kyoto, Tokyo, and Aichi. Listening to diverse tales of the sojourn of my compatriots has brought me to the world more real than I had known through formal education—i.e., a world of migrants where I am a part of. I have listened to stories that are awakening, horrifying, life-changing, and empowering—stories that shape the complexities in the lives of women cross-cutting national borders, gender, culture, and race.

This paper is about the tales of transnational mothers in their gender fixities and flexibilities.⁷ As I write, I am reminded of my two teen-age daughters who chose to study in the Philippines because of their disappointment with Japanese school system, their painful experience of bullying, disillusionment with the society they were born and raised, and because of their life-stage experiences and identity formation as teenagers.

Their departure obliged me to reflect on my own struggles as a woman, an absentee mother and a migrant. My family in Japan had a reputation as the "ideal, perfect, happy family" because its structure espouses that of the ideal—i.e., where the father, mother and children are together in legal matrimony. But that was only until my children chose to study in the Philippines.

⁷ I used pseudonyms to protect the privacy of the women included in this paper.

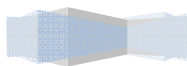


Thereafter, my personhood as a mother has been questioned by those who do not know the actual circumstances surrounding their decision to leave Japan. The truth is my eldest daughter, along with her best friend, was beaten by a group of out-of-school girls and boys [6 altogether]. They took her wallet, money, and cellular phone. After this incident, she lost interest in school and decided to quit Senior high school.

My second daughter was caught by the police along with other children writing graffiti on the wall of a building in a housing complex. The following day, someone set fire on the same area and she was implicated in the arson case. Some boys in her Junior high school threatened and bullied her. Although her name was cleared by the police in the arson case, she was stigmatized in school. As the stigmatization and bullying got worse, and as school authorities became weary and annoyed by her presence as a “bad kid”, she lost interest in school. We took them for a vacation to the Philippines in spring, 2007. After that, they voluntarily decided to study there and live with my relatives.

My marriage with a Japanese was also scrutinized, as well as my role as a “busy” working mother, and a graduate student, was viewed as the culprit of the perceived disintegration of the ideal. I was bombarded with unsolicited comments and criticisms because of the distant proximity of my daughters. The circumstances behind their departure were put aside because I have defied the “ideal” family structure, hence subjected to stigmatization and scrutiny. My role as an organizer of a Filipino organization was questioned, likewise. Yet, as a realist, I have to wrestle with these circumstances in my life course. It is far better and a lot liberating to be “deconstructed” as not the idealized family, nor an idealized woman because the “ideal” is nothing more but a social construction.

The bright side of this is I have become part of the realities I have been studying and writing all these years. And to the many Filipinas around me, I have been perceived as one of them, sharing the everyday casualties of migration—i.e., wrestling with marginalization and expectations of normative gender roles, class, and racial differences. Definitely, my struggle did not begin when the children left for the Philippines. It has been part of my own sojourn for nearly two decades. But, it only became obvious to my compatriots because of the



perception that my present family structure defies the ideal type, and I was positioned in the dichotomy of motherhood as “bad mother” by some.

Interestingly, positioned as a “bad mother”, and my family no longer epitomizing the ideal, I have become a common case, a reality that they could relate with. This perceived defiance of the traditional notion of motherhood has opened the door for many Filipinas to share with me many of their “open secrets,” stereotyped as defiant migrant-mothers, and wives.

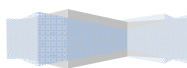
Here I write about, are 11 mothers who left their children to the care of substitute mothers and caregivers back home. I begin my paper with a discourse on family and gender roles.

II. Debunking the Ideal Filipino Family Construct

The normative construction of a Filipino nuclear family depicts the traditional, patriarchal structure where it composes the mother, the father, and the child/ren—i.e., the father, as the breadwinner and the mother, as the housekeeper. Despite the changing patterns attributed to economic and social conditions of families and Philippine society, the preference for the normative, idealized structure is persistent.

The idealization of a state-constructed normative Filipino family stigmatizes other kinds of family structures [Parreñas 2006], as for example, the transnational family; and sometimes even family with single parent and children. Parreñas [2006:35] notes that “transnational families are persistently perceived as being, not the right kind of family in the Philippines”. It is a perception shared by the law, media, and local community and religious figures, school counselors, and even by the board of education as reflected in the subject on value formation.

In a transnational family, either the mother or the father leaves the family to work outside the country. The departure of one parent in a transnational family is often viewed as a threat to the ideal family structure. The pressure is often taken on women who leave young children to work overseas. A number of studies depict this dislocation, disintegration and separation of family

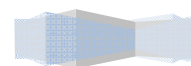


members as part of the social cost of migration [Okamura 2000].

The 1987 Family Code of the Philippine Constitution upholds family values and takes a moral stance when it declares: “The Filipino family is the foundation of the nation.” The Filipino family as nuclear with an extended kinship base should be founded on absolute marriage, women’s maternity, men’s authority, and filial piety. It states that the Philippine government aims to protect, promote, and develop these features of a Filipino family [Ibid].

With these characteristics of the Filipino family promoted by the government, transnational families are already differentiated from the ideal construction of the right kind of family in Philippine society. Yet, contrarily, the Philippine government, from the Marcos regime through the present, has been encouraging and promoting the “export” of Filipinos abroad, including women, in order to generate dollars to support the economy and to pay off its foreign debts. In fact, the undeniable contribution of transnational migrants to the Philippine economy has driven the Philippine state to declare transnational migrants as the new heroes—i.e., a moral pay-off to the sagging ego of migrants. The social, economic and political realities in the country are part of the push factors for the dislocation and even disintegration of transnational families. But it is not always appropriate to label transnational families as doomed to disintegrate in migration process. In fact, transnational families have become a ready human resource for chain migration. Also, there are a lot of cases where members of transnational families positively negotiate their dislocation to their advantage, thus contributes to the strengthening of family bonds despite the geographical separation.

Turning the discussion to the Philippine government’s declaration of the normative family as the foundation of a nation, its weak economy and unreliable governance as well as unstable political condition, are recognized by its citizens. It cannot respond to the needs of the families it aims to construct and promote. As such, it can only promote the mass migration of Filipinas abroad even if such migration policy contradicts the principles established in the Family Code. This incongruity of the law with reality is supported by the number of Filipinos working abroad—i.e., about 8 million, with about half are women.



III. The Gender Role Reversal of Filipinas Mothers as Breadwinners

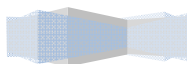
Having situated the position of transnational family within Philippine society as the “wrong kind of family,” I now begin my discussion on case studies of 11 Filipinas who came to Japan, whose children are fathered by Filipino men. I write about the gender role-reversal of these Filipinas.

The normative maternal role for women as mothers and wives, therefore, assumed to be caregivers, nurturers, and housekeepers in a Filipino family is reversed in migration process as maybe inferred from the feminization of migration to Japan. The case studies of 11 Filipinas also reveal this reversal of gender role—i.e., the mother as breadwinner, and the Filipino father as the care-provider in the absence of the Filipina mother.

This change in gender roles in transnational families is viewed by the government as a threat to women’s civic duty of maternity [Parreñas 2006]. The state-established notion of “good mothers” as nurturing, therefore, should be in close proximity to young children in the family creates a dichotomy, with the other, as “bad mothers,” Filipinas who leave their children to the care of the Filipino husband and/or extended kin back home.

The law pertaining to gender equality among Filipino men and women as equal partners in providing care and financial support for the family is upheld in modern Filipino nuclear family. However, the contradictions are anchored in the moral, religious-based, patriarchal structure that still places women in their fixities.

For example, the separation of a woman from the husband due to migration is viewed as a threat to woman’s purity and matrimonial integration. Meaning, migration exposes her to the temptation of infidelity while away. Hence, the state regulates her womanhood by stipulating in the law, particularly in the Family Code, that it is the duty of a woman as a citizen of the state to nurture the family as a necessary component in nation-building [also see Parreñas 2006:36]. This is reflected in pre-departure seminars for Filipinas who go abroad conducted by related government agencies.



Yet, despite the contradictions in legal, social, as well as cultural norms, Filipinas are encouraged to move out of the country as a personal decision as well as because of the lack of confidence in the government, the structural constraints at home and the lure of the perceived favorable conditions and income abroad—reversing the gendered construct ascribed on them as nurturers and housekeepers of the family.

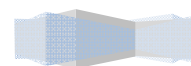
As breadwinners how do they wrestle in their life in Japan? I first cite the case of Mia, who at the age of 27 entered Japan as an entertainer. Mia is a self-professed breadwinner from the time she came to Japan in 1996 up to the present. Although she is not the eldest daughter, she took into her hands the obligation of a dutiful daughter, a supportive sibling, and a good provider-mother to her son whose father is a Filipino. She tells:

I grew up in a squatter's area in Manila, but when I came to Japan to work as an entertainer, I helped my family back in the Philippines secure a decent home in Bulacan, out of the squatter's area. In 1996, I married with my Japanese husband. He adopted my son when he was twelve. He is 18 now. I left him to my parents' care until he was 12 years old. He practically grew up as a Filipino.

I am thankful to the generosity of my Japanese husband, but things have not been working well since my son came. My husband said that my son is disrupting our family life here. He had problems in school, in the community, and now he left home and we could not contact him. It is not the first time he left home. He has been doing this each time his relationship with his adopted father is strained. I feel that he took for granted all the sacrifices I made just to get him here. I wish he would be more considerate of my situation. But, I also know of his difficulties adjusting to the new culture, language, and our new family set-up.

My husband's upbringing is traditional, so he also tries to raise my son as he was raised—i.e., very rigid and very Japanese. Since, my son grew up in an extended family he has difficulty relating with his step father's childrearing practices. I am always caught in the middle because I love them both.

This is a difficult time for my husband since he lost his job due to the downfall of his company. He has been unemployed for more than a year now and feels stressed.



He takes it on me and my son. The constant conflict between him and my son is exhausting. I have to be the breadwinner not only for my family back in the Philippines, but for my family in Japan as well. This is really difficult for me, but I have to wrestle with this reality.

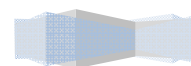
I have been sick of asthma for a month and couldn't work even if I wanted to. Back home, my father is sick but I hesitated to call because I am empty handed now and if I call, they have certain expectations of me as a breadwinner that pressures me. If only I have enough, I would not have a second thought sending money.

My husband said that he will send my son back to the Philippines. I know that there is no future for him there. He quit school here after Junior high school. At least he can get a part time job here at factories or in construction companies. Back there, life is even harsher for him. There are limited work opportunities even for professionals, how much more for him who is only a junior high school graduate. I just cannot afford to remain sick because so many people are counting on me not just as a mother, but a breadwinner. Beside, my company is cutting down the number of workers because of the bad economy. I have to work hard so I don't get fired.

IV. Contesting Norms on Maternity and Matrimony: “Defiant Mothers and Wives”

Most Filipinas like Mia, who left home, is motivated by the desire to send their child/ren to school or help schooling siblings get a college degree. In the Philippines, society places high value on education because it is perceived as a stairway to social and economic mobility. Hence, they engage in strategic negotiation and contestations in their everyday life as migrants only to fulfill their aspirations for a better life for themselves and their family. Often double burdened with the nurturing role as mother, and as economic provider, they redefine social norms and tradition even if they are perceived as defiant mothers and wives—i.e., breaking their back to earn a lot and defying norms on maternity and matrimony.

Out of 11 Filipinas with children fathered by a Filipino, Mia is one of 5 women whose child is in Japan and is adopted by their Japanese husband. The other 6



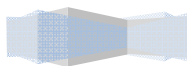
Filipinas left their child/ren to the care of their family back home. Depending on their life stages, these women either left the Philippines as single mothers, or as married women, who in the course of migration, separated from their Filipino husband and remarried with a Japanese national. I will not discuss the causes of the separation of Filipinas with their Filipino partners. Instead, I focus on Filipinas narratives of contestations.

Lorna's case also depicts the reversal of the gender role of women as nurturer, and not as breadwinner. She has a 20-year old son by a Filipino. But her lack of confidence in his Filipino partner's capacity to raise a family urged Lorna to work as a domestic worker in Singapore. Her next migration destination is Japan, where she met a Brazilian, whom she lived with and had two children outside the marriage institution. She left him because she felt that he could not give her a better life, and left her two kids to his care, but she regularly meets them. This makes her a "defiant mother" who espouses a non-traditional view of family. The underlying reasons that urged Lorna to defy normative gender roles relate to the circumstances in her life as a migrant. She has no proper visa up until she met her Japanese husband whom she acknowledges as the source of her acquisition of a spouse visa.

A few months ago, her Filipino son came as a tourist because she intended to ask her husband to adopt him just like the other Filipinas she knew, whose husbands adopted the children fathered by a Filipino man. However, his son was deported due to violation of the immigration law that prohibits tourists from engaging in any economic activity in Japan. Since her son is not adopted by her Japanese husband, she has limited options but to maintain ties through other means—e.g., through homecomings, remittances, and communication. She narrates,

When I left the Philippines, I thought of my son a lot and hoped that I could give him a better life. But it is disappointing that my son showed no interest in pursuing college education. He is 20 now and I just want him to fend for himself and understand the meaning of hard work and earning money. This is to discipline him. It seems that he did not value my sacrifices as a mother.

During his brief stay with me in Japan, we developed intimacy as mother and



son. But, the downside is, it also seemed to have caused strains in my marriage. My husband felt insecure in the presence of my son at home. It was unfortunate that he left in an unexpected circumstance. Our relationship could have deepened and he could have had a better understanding of my life apart from him. Perhaps he felt I abandoned him for money. But, I think he realized that this is not so, when he came.

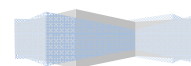
The truth is I neither have so much money nor happiness in my present life. A few months after my son was deported, I found out that my husband intended to divorce me for a Japanese woman. So, I left him and chose to live alone, but I did not divorce him yet because I need my visa. My insecurity over my visa status hinders my decision to divorce. Besides, I am still in love with my husband. I made arrangements with him to process my acquisition of a permanent visa, then, I will set him free. He gave me 3 million yen to start a new life. But this is not enough for the betrayal and pain I am going through right now.

If I am a Japanese woman, I may have sued him for domestic violence. I may even get a share of his property. But I am a Filipina, we don't usually engage in such things. My friends in a Filipino organization, Kasapi⁸, helped me to become more conscious of my rights as a violated woman. It is not the money I'm after. I want a meaningful life to call my own.

I have been abroad for nearly twenty years. This is my third relationship with a man as a partner. It all failed. I am left with 1 child fathered by a Filipino, two kids by a Nikkei Brazilian, and they are not even with me. In February this year, they will be taken to Brazil by their Brazilian grandmother. I felt so disheartened because one of the reasons I try to stay in Japan is because I want to see them. It's good I did not bear a child with the third man I lived with, whom I really fell in love with.

Our company has reduced workers and I work only three times a week since January. I have to be the breadwinner, perhaps for the rest of my life. I don't regret my life, but I want to find meaning in it.

⁸ KASAPI is the acronym for Kasugai Aichi Firijin no Kai. An organization based in Aichi Ken whose members are mostly women married to Japanese men.



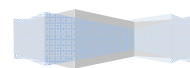
Lorna's narrative depicts a deviation from the normative notion of matrimony and maternity. She lived with a Nikkei Brazilian in Japan and has two kids outside the marriage institution. After years with him, she thought that he is someone who could not provide her with a better life, and who could not secure her a visa. To resolve her own dilemma she left him for a Japanese, who was her live-in partner for about 5 years and whom she married on the 6th year of their relationship. Unfortunately, while she succeeded in securing a spouse visa, this year her husband wanted a divorce, which she refuses to agree with until she secures a permanent resident visa. The following case shows certain similarities to Lorna's case.

Lily is a mother of a 9-year-old daughter fathered by a Filipino. She came to Japan as an entertainer. She presently has a live-in partner whom she has been with for 7 years. But Lily does not have a visa. Her live-in-partner is a Pakistani, married to a Japanese but living separately. She has been promised marriage, yet the chance is nil as long as the live-in-partner remains married. The chance for her to secure proper visa seems nil at the moment.

She works for the recycle shop managed by her live-in-partner. She earns about hundred thousand yen a month. With this earning she supports her family back in the Philippines. She has not seen her daughter since the latter was a small child. Many times she thought of getting out of the present relationship, work as an entertainer and perhaps she would meet a Japanese man who would marry her. She said:

I have been waiting for him to divorce his wife. But I think his wife is after money since they don't live together anyway. It's a kind of fake marriage too because he is also a foreigner like me. I have attempted to get out of this relationship many times. But, it's been 7 years and so much has developed in our relationship. Maybe if he is Japanese, it would not be that hard to get married and secure a visa. But he has his limitations and I am tied to him because of affection.

The good thing is I get paid as his assistant at the shop and I am still able to send money back home. I even have a helper for my daughter. I also sell telephone



cards to augment income and try to save money so that in case I get caught, I can return with some savings. I am always ready for that. A few months ago, I was caught for a traffic violation, I thought that was it. I'll be deported. But, somehow God was with me, I managed to escape. Maybe I am destined to be in Japan.

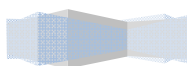
Lily, neither legal wife, nor mother in a normative sense, essentially fulfills her duties to her live-in-partner as “wife” for seven years, and fulfills her duties as a good provider to her daughter and kin back home. The substantive essentials of humane life are downplayed by legalities, norms of maternity and matrimonial institutions, and immigration laws.

V. Filipinas with Children Fathered by Filipino Men

Out of 11 cases, 5 Filipinas whose children are fathered by Filipino men are in Japan by virtue of adoption. These children are in their late teens. Most were adopted between the ages of 9-12 years old. These children have a common experience of difficulty with language and education, social, and cultural adjustments. The most difficult part is fitting in into the Japanese school system and into the new family, with the Japanese step-father. Mia, above-mentioned, is among these mothers whose son was adopted by her Japanese husband.

In the case of Lyn, Nati, and Vicky, their daughters were also adopted by their Japanese husband. Dawn's daughter was adopted by her Zainichi Korean husband.

These five cases show that the adoption of the women's children fathered by a Filipino had caused some strains in the marriage with a Japanese man—i.e., as depicted in the case of Mia. However, the children's difficulties in adjusting to their social life in Japan have been gradually resolved as they stay longer in Japan. This is made possible through the support of Filipinos in the community as well as the support of some Japanese husband. Many Filipinas act as surrogate mothers or guardians to adopted children. Hence, the burden of childrearing and nurturing is a shared activity even in Japan among the Filipinos in their respective communities.



One out of five adopted children has entered college. The daughters of Lyn and Vicky quit school and work. The son of Mia also quit school after Junior High School and works part time. Nati's daughter goes to Senior High School, and she intends to send her to college next year.

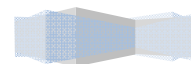
The other six cases of Filipinas whose children remain in the Philippines are caught in financial difficulties, especially when the husband's income in Japan is low. As such, the Filipinas have lesser option to seek reunion through adoption of their child/ren. Another reason is visa status, as the cases below show:

Nora has a 16-year old daughter in the Philippines. She came to Japan as an entertainer. She married a Japanese whom she divorced three years ago because of domestic violence. She has a daughter by her Japanese husband. Nora later met a Filipino contract worker whose visa expired. She married him and was able to secure for him a visa. They have a 1 year old daughter. Much that Nora wants to take her 16-year old daughter to Japan, it is not easy because both her husband and herself are Filipinos. Aside from complicated immigration procedures, they are also financially constrained.

Lily has a 9-year old daughter back home; Tess, a 10-year old daughter; Delia, a 15-year old daughter; Karla, a 5-year old daughter; and Lorna, a 20-year old son; and Nora, a 16-year old daughter as earlier-mentioned. These women have been absentee mothers to children fathered by a Filipino man in their prior relationships. And, their life circumstances do not allow them to be with their children.

How then do they maintain ties with them? The advanced communications technology has facilitated easy access to love ones back home. Constant and regular phone calls are the most convenient ways. The women whose circumstances allow them to make a regular homecoming to the Philippines, reunite with their child/ren left behind whenever possible.

VI. Conclusion

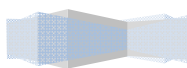


One common attribute of the 11 Filipinas I cited here is: they have a child/ren fathered by a Filipino. Another is: they have separated from the Filipino father of their child/ren for varying reasons; and, they came to Japan and remarried or lived with another man [i.e., a Japanese, Brazilian, Pakistani, Korean, Filipino]. From the onset of their sojourn, they do not reflect the idealized Filipino family. Hence, these attributes position them as “deviant or bad” mothers and women in the dichotomy of “good and bad.” These women are breadwinners and good providers to their families in the Philippines. In Japan, in some cases, these women are viewed as co-breadwinners or as the main breadwinner.

While poverty is often noted as the root-cause of migration of Filipinas, and therefore excuses women migrants from their traditional role as nurturers to their children left behind—most of these women are still undermined as economic providers in society because of gender expectations on their maternal roles being the primary roles.

Another crucial point in this paper is: migration to Japan has been viewed by these women as providing spaces for them to reconstruct their lives and to redefine gender notions. Most of them exercise financial autonomy because they work. This fact allows them to extend financial support to their kin in the Philippines. Also, these women find Japan more socially liberal in people’s notions on marriage and divorce. Interestingly, the women view divorce positively as providing space for women who are in a difficult marital situation. Whereas, in the Philippines, these women can not get out of a bad marriage quite easily because of both legal and socio-cultural factors and sanctions. The gap is created however, when their child is raised or grew up in the Philippines, where socio-cultural norms on marriage and family are different. Hence, this situation also puts a strain on the relationship between the mother and children left behind; and, when the children fathered by a Filipino man are adopted and move to the new family in Japan with a Japanese step-father.

Although society still downplays the autonomy of women as economic providers, the cases above show that these women themselves are self-determined economic providers and nurturers to their families. Society has yet to deconstruct its view of women’s role and position, such that “mother-



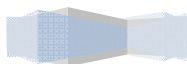
away" families, [to borrow from Parreñas], are not stigmatized, and that mothers who are separated from their child/ren not be positioned in fixed frames as bad mothers.

Finally, the tales of these women elucidate their ability to debunk stereotypes of women in complex relationships. They have contested normative definitions of maternity and matrimony and have gone beyond legal, institutional norms on the relationships they create. They have challenged the limitations of matrimony and maternity as Filipino citizens as well as Filipino residents in Japan.

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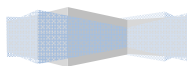


20 YEARS OF CROSS-STRAITS MARRIAGE CONDITIONS IN TAIWAN

Preface

For nearly 30 years from 1949 to 1979, people on both sides of Taiwan Straits had been separated. On the new year's day of 1979, the PRC government declared the new open policy of innovation, which allows the people from both sides to communicate under certain circumstances. In November 1987, Taiwan government proclaimed a new policy of allowing people visiting their relatives in Mainland China. Since then, the numbers of cross-strait marriages have increased rapidly with constantly mutual interflows. Spouses from Mainland China are under inevitably historical burdens, and the restrictions on legal and human rights are far more severe than foreign spouses from other countries. Foreign spouses from other countries may pursue their rights by means of intervenes and influences made by their mother countries, while spouses from Mainland China, due to some dirty political manipulations, could not fairly be treated and have to face the fact that their legal positions might be threatened. Due to the long-term mistreats and difficulties of adapting themselves to Taiwan society, some of the cross-strait marriages have encountered the problems of adaptation failure and lack of instability.

The number of spouses from Mainland China has increased from hundreds to recently 16,000 per year, and 250 thousands of them have been living in Taiwan presently. They are being discriminately treated in many ways during these days. The Mainland Affairs Council addressed an amendment of the law to lengthen the pending time of granting ID for spouses from Mainland China from 8 to unfairly 11 years in 2002. Although the amendment motion was not put in action due to international intervenes, the situation is getting worse with the even more strict administrative procedures. On 1st March in 2004, the Taiwan government made further restrictions on staying in Taiwan, such as prohibiting them to work during the first 2 years of staying, conditionally granting working



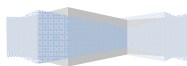
permissions, and limiting legal and property secession rights before the identification card being granted. Even worse, the government makes use of the interview procedure to question and violate applicants' privacies and property certificates, and often rashly jumps to the conclusion that the spouses have no evidence of co-abidance, which leads to another falling-apart family. In June 2007, the Ministry of the Interior published the "White Book of population policy", in which states the limit of applying for staying in each stage, and the government made a limit of 12,000 applicants per year based on the "White Book of population policy". There are over 250 thousands cross-straits marriages and over millions people including relatives of these families. If the government insists on performing those highly discriminate policies toward the spouses from Mainland China, it would eventually result in serious outcomes.

The Rough Interview Process is against the Human Rights and Makes the Cross-Straits Marriages Fall Apart.

4 years ago, the government started to take interview procedure as a way of deciding whether to grant permission for spouses from mainland China to come to Taiwan. Nevertheless, without proper training and sound regulations, the interviews usually end up with serious violation of human rights and invasion of personal privacies, and also sometimes lead to the conclusions such as "no prove of existing marriage status". In early 2007, the National Immigration Agency is established and made a public statement that there would be more service stations and staff, and also brought up a vision of better service quality including shorten the waiting time of being interviewed to no more than one month. However, the interview waiting time lengthened to 2 months afterward, and the pending time of granting identification card also increased from 8 to 9 years, due to unknown administrant reasons.

Constantly Changing Policies and Regulations Make Spouses from Mainland China Bewildered

In September 2002, the Mainland Affairs Council made a statement that the cross-straits regulations would include a new censor procedure on issuing ID and handling applications of long-term stay in order, in order to fully respect the applicants' will and choices. The National Immigration Agency even made a statement that under the circumstances of being granted with a long-term stay permission, the subject matters may still stay in Taiwan if the other



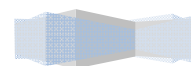
spouse is dead. However, after only about one year, the government announced that the policy was abolished, and those who lose their other half would not be qualified for admission of ID card. In 3rd June 2004, the former commissioner of the National Immigration Agency made a statement at a hearing that there would be no further measures on handling the “Disclamation of PRC Nationality Document”, while after one year, the National Immigration Agency started to mailed notifications to urge the spouses from Mainland China to hand in the document above in limited period of time.

The Government Limit the Number of Spouses from Mainland China to Stay in Taiwan

The White Book of population policy limited the number of long-term stay spouses from Mainland China for 2 reasons, one is the lack of identification, the other is the high rate of divorce. To be frankly, it is the government which makes it harder for those spouses from Mainland China to adapt themselves to the society. The wavering policies allow the government to forcibly make spouses from Mainland China leave Taiwan. Under the pressure of being sent back to China, it is hard for them to lead a normal family life. The government should blame themselves for the high rate of divorce caused by the unfair policies and mistreats. Some spouses from Mainland China are forced to leave Taiwan due to failure in interviews, or violation of the strict working limitation. It's time for our government to solve the problems and try to amend our laws in a more open-minded way.

The Lack of Supervising during Amendment of Related Regulations

In recent years, the government made amendments on related regulations without notifying the media or open to the public for debate in many cases, which deprived the opportunities for people who concern the topics to speak out their opinions. The numbers of intractable new immigrants of foreign spouses are approximately 50 thousands, and behind each of them is a sad story. In order to survive, some of them stray on the streets and try not to be found, and some of them even controlled by gangsters and criminals which might result in more serious social problems. In 2007, many of the human rights organizations urged the government to absolve the administrant or criminal code medicines so that some of the spouses from Mainland China would no longer have to live in fear, but the government again ignoring the messages.

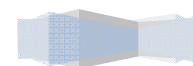


Don't treat the Spouses from Mainland China like criminals by establishing the fingerprints files

It's quite ironic that the National Immigrant Agency announced a policy of forced to collect the fingerprints from spouses from Mainland China when applying for visiting, short-term stay and long-term stay right after the grand justice made a explanation that collecting fingerprints from citizens while changing and replacing their ID card is deemed as violation of the constitution. This is an affirmation that the government takes rather discriminative measures upon people from PRC especially to those citizen-to-be spouses from Mainland China. There are still other examples of discriminate measures such as the immediate termination of marriage bound after the Taiwanese spouse is dead, limit of the inheritance to no more than 2 million dollars, refusing to recognize the record of formal schooling obtained in Mainland China, and restricting the litigation rights in Taiwan. Our government should be ashamed of all the critical and discriminate situations mentioned above.

Give Them the Courage to love Taiwan

President Ma declared a new immigrant policy during the campaign of presidential election in May 2008. He made a promise of a more harmonious and equal environment for spouses from Mainland China by unifying the regulations upon foreign spouses regardless of where they come from. The amendment of regulations of people on both sides is waiting to be passed by the Legislative Yuan, and we truly hope that the new policies would soon be put to action and give those foreign spouses the righteous legal positions which they deserve. They live in this island and have been part of this place, they should have the same obligations and rights. The government should take them more seriously by providing stable living environments for them, and help them to be free from fear, discrimination and mishaps. I deeply believe that this is the government's responsibility to convey the courage to them, and make them truly love this place with their heart.



The Animus and Functions of Chinese Spouses Family Forum

Preface

The official website is exclusively run by members of the Cross-Strait Marriage Harmony Promotion Association since 25th December in 2002, and is voluntarily sponsored, constructed and managed by those who are enthusiastically concerned about the welfare and predicaments of cross-straits marriages.

Prospectus

The membership of our website is open to everyone and free of charge. We are the biggest website among Chinese societies all over the world, providing more than 33 main discussing topics for people in the Greater China area to debate and discuss with. The framework of the website consists of front page discourse platform and electronic newspaper.

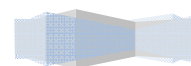
Statistics about our members

Statistics show that there have been 317,748 published articles in our website, and the registered members have reached over 12,442 people, which is almost 22% of the population of cross-straits marriage. There are approximately 535 active members who are in a everyday base or constantly visiting the website. The average age of our members is 36 years old, while the average age difference is 6.5, and the average educational background is high-school diploma.

Purposes of Setting up the Website

Our website is aiming at conveying and promoting the concepts of welfares of spouses from Mainland China, including the topics of equal working rights, same administrant procedures in issuing and granting ROC identifications card after 4 years of pending time and the acknowledgement of academic performances obtained in Mainland China.

Group Structure of the Website



There is a director-general to be in charge of the overall supervision, and also we have several group leaders, vice group leaders and agents who are willing to solve problems and communicate with our members.

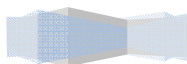
Our Services and Topics in Discuss

- 1) Promote the ideas of protecting self interests for spouses from Mainland China.
- 2) Help people know more about the related regulations, laws and decrees on the rights and restrictions relating spouses from Mainland China..
- 3) Make people from both sides of Taiwan Straits and from all over the Chinese societies learn more about the fundamental concepts of human rights in cross-straits marriages.
- 4) Set up and provide a consulting platform for cross-straits marriage couples.
- 5) Provide a platform for spouses from Mainland China to learn how to adapt themselves to Taiwan society.
- 6) Provide a place to share feelings of everyday lives.
- 7) Provide a way to find people from same hometowns and hold outings and buffet meetings occasionally.
- 8) Establish emergency helping system in family violence cases or political persecutions.

We Organize People to Fight for Rights

According to the statistics, the percentage of participating the protesting activities we held has boosted from 10% to 40%, which means our website has earned great credibility and makes those foreign spouses more willing to fight for what is right without fears or uncertainties.

While Taiwan government always claims itself as democratic and open, spouses from Mainland China are actually being treated discriminately in many ways.



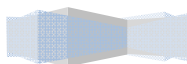
We hold protesting campaigns by posting information on the discussion board and electronic newspaper of our website and rapidly pass out the details to people in Taiwan and other countries with the massive network effects. Despite of the hard work we have made, some spouses from Mainland China still have no intension to join our group yet. The lack of participation is mainly due to the reasons below,

Personal attitude, for example, some don't want to exposed themselves to public, due to private reasons or just have no interest in political issues.

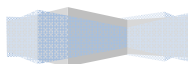
- 2) Not available due to long working hours.
- 3) The political tendencies of their Taiwanese spouses, families, or even their working environments.
- 4) Being recently not in Taiwan
- 5) The permanent residence is not in Taiwan.
- 6) Being concerned that their colleagues or higher-ups might see them and lead to bad results.
- 7) Being afraid of revenge effects like family violence or political mistreats, such as denial of ID applications by the government.
- 8) Being under family violence or the related certificates are expired.

The Goals and Future Perspectives

Marriage itself should be out of free will and no boundary, regardless of nationalities, areas, races and skin colors, let alone any discrimination. We hope our government would put more emphasis on the important issue of cross-straits marriages after both sides have gradually laid down their negative misunderstandings toward each other. By the efforts of our website, we are looking forward to more frequent interflows and feedback from users which would make our website much more integral and influential. Further more, we are aiming to call more people to join us and urge our government to do more



and make Taiwan society realize the grieves and difficulties those spouses from mainland china are facing with. Human rights are priceless, let's stand out together and make where we live a truly discrimination-free place.



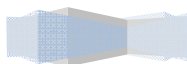
Immigrant women and Social Integration in Korea

The hottest issue of migrants' movement in Korea was "Social Integration Program (SIP)" led by Ministry of Justice (MOJ) in 2008. MOJ has advocated the necessity of revival of naturalization test which was impunity for foreign spouses' of Korean. MOJ had asserted "revival of naturalization test for foreign spouses of Korean" and advocate it actively through nation wide explanation tour in March 2008. But immigrants and NGOs concerned were strongly against the program because there is high possibility for infringement of human rights immigrant if SIP is linked with naturalization process. There were strong struggles from migrant movements and so MOJ had to concede in Oct. 2008. Currently it is been runned as incentive program that is if immigrants take the program, Naturalization Investigation Period will be shorten for 6 months. The background of MOJ's concession was power hegemony between departments of government as well as objection of immigrants and NGOs concerned. Now the government has selected 20 service providing organizations as "model organizations" to implement the SI programs for immigrants who want to apply for Korean nationality. I wonder whether the SIP could help immigrants for their betterment of life in Korea or it can be a shackle for their feet. SIP which designed by MOJ is nothing different from programs which are implemented by the Multicultural Family Centers, Social Welfare Centers, Immigrant Women Support NGOs. But MOJ wields the power to immigrant linked with nationality or their sojourn.

Even though I am not a representative of immigrants in Korea, I would like to present my immigrant friends' and my opinion regarding SI programs.

1. Resident right of immigrant is human right and protection of human right is Social Integration.

Since 1998, it has been retrogressive revision of Korean nationality act. It says both foreign spouses who married Korean men or women, have to wait for 2

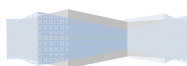


years for application of Korean nationality. Even though immigrants face various human rights infringement during the period, they can not avoid or complain about it. It is too tyrannical against immigrants to obligate SI for immigrants for nationality application who want to apply Korean nationality. Most of marriage immigrant women are unstable in their sojourn for 2 years. Many of them have just endured domestic violence or maltreatment by their husband some of them run away from their violent husbands and become undocumented workers. Some victims commit suicide by themselves or are killed by their husbands. Recently, a Cambodian woman stabbed and killed her husband by a knife to protect her unborn baby.

Immigrant women' sojourn right must be ensured and protected. Whenever they extend their visa or apply for Korean nationality, they need their husband's guarantee. In this situation, they can not enjoy equality in the family. When I married, Korean government gave me Korean nationality without asking. I had to give up my Vietnamese nationality to live with my Korean husband in Korea. But if Korean government gives permanent visa to foreign spouses as soon as they register marriage so that immigrants have stable sojourn status without surrendering their original nationality. In case some immigrants want Korean nationality, they can apply for it with certain requirements. It will be great if Korean government give permanent residential rights to marriage migrants when they enter Korea. Then acquiring nationality can be a choice.

2 Commercialization of Asian Women is not Social Integration.

<Marry Vietnamese women, Free arrangement dating, Total deferred payment, Call us without hesitation, Welcome first married-remarried-disable, regardless of Age-Academic background-Fortune, *Vietnam marriage broker tel. 011-9**-****> I was quite shocked when I saw the commercial advertisement above mentioned. It had shaken my calm married life. Vietnamese women are not commodities; Korean society is too barbarous so as to allow allows these kinds of advertisements. As a counselor I frequently meet Vietnamese women who want to go back to Vietnam due to failure of marriage or divorce. Their Korean husband and mother-in-laws always say to them "do you know how much I had paid for you, if you want to go back, you must pay back my money!"



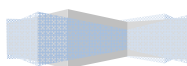
Commercially used international marriage can help an aging man to married and raise the low birth rate in Korean society through old bachelor's marriage. But this kind of marriage is another name of human trafficking. We can not expect social integration in the society that sells Asian women just like goods.

3 Multi cultural families' privacy must be protected.

In the recent years, marriage immigrant women have been paid attention in Korean society as compare to 15 years ago, I had to struggle by myself everyday to survive in this society. But recently marriage immigrant women said that "I don't know why Korean people are interested in me and help me a lot". They visit many centers for Korean class, Korean culture programs, even visiting tutors and also visit their home to help them to take care of their children or give lessons in Korean language. But they feel uncomfortable and tired with Korean's excessive kindness and interest on them. Marriage immigrant women whether they want or not, receive question paper for research as well as those for services. A marriage immigrant woman complained "Why Korean people want to know many thing about me, how much do my husband earn? What's my husband job? How many times do we have sex a week? What's the age gap between husband and me? How much money do I send to my parents in my country?" This is apparently infringement of privacy for them. I don't know whether this kind of survey helps marriage immigrant women for better settlement or not. But this kind of survey just generalizes and gives them stigma in Korean society. According to Multicultural Family Support Act, government must survey the family every 3 years. Do marriage immigrant women reply those strange questions because they get service in return?

4 Immigrants want to be one of the parts of Korea not a beneficiary of social welfare.

Multicultural families' support programs run by government; and NGOs deal with mostly Korean language class and Korean culture programs. Immigrants can take elementary classes everywhere but they can not expect high level course anywhere. Immigrants came to Korea not for becoming beneficiary of social welfare but for better life or work. Immigrants want to work and be



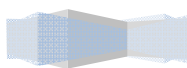
independent. It's difficult to get a good job for an immigrant. Mostly immigrants work in factories or restaurants. We must think how to let them empowered and participate in economy. Immigrants work in 3D field in Korean industry; hence, racial division of labor can not help social integration. Multi cultural Family Centers must hire immigrants, not as contractual worker, neither as irregular worker but regular worker. When immigrants arrive at other country, they need help and support with warm heart from natives and the government. But immigrants also need a chance to get empowered and better opportunity for better jobs.

5 Sufficient information required for living in Korea

Immigrants who do not know Korean or Korean laws and regulations, are vulnerable in Korean society. So they need assist but they can not get help always. Immigrants want to help themselves on their own and achieve something for themselves. If Korean government provides guidebooks for immigrant in their own languages starting right at the airport, it will be helpful for them; so the foreigners who want to live in Korea, such as marriage immigrants, migrant workers, foreign students, can solve whatever problems they might face in Korea. Kindness and delicate attention of native are necessary for the settlement in Korea, excessive kindness makes them uncomfortable. (Some Korean people worry that the immigrant mother can not take care of the children; Korean people interfere unduly in rearing of children.)

6 Multi-culture Human rights education.

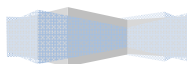
Most of the immigrant women, who have children, are worried about the future of their children. Prejudices and discrimination against immigrant women is often handed over to their children. Especially media incites these phenomena, which shows the children of immigrants as lonely and playing alone, so called "wangtta". In addition, in accordance with Multicultural Family Support Act, the second generation of multicultural family should take Korean language course and culture classes. Teachers often know and recognize who the children are in the classroom. But they specifically ask children to raise hand "whose mother from Vietnam? Whose mother from China? and so on" in the classroom. It seems it stigmatizes those children. Many children said they are hurt by the question. Having a foreign mother is neither a fault nor is it wrong. Some children wouldn't open up with the friends because of this stigma. Some

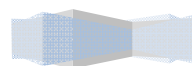


children complain that they don't want to be asked those questions in the classroom. I strongly recommend Multi-cultural Human Rights Education to schools. I believe the children need to study Korean language and culture class but they need opportunities to learn the foreign mother/father's language and culture as well.

Immigrant women who are from different countries, had met in Eulim in order to find solace for our worries about our children and to share ideas of child education in 2008. Every month we met together and last year we organized symposium on the second generation's education twice. There were many people who attended the symposium such as officer from ministry of Education, Busan city officer, teachers and citizens. We could get information and ideas from them. Even we could get some ideas how to educate our children for their better future. We found out that Korean women also have same problems which we face, but there were difference of ideas between Korean government and us. But still I believe if we meet frequently and exchange ideas about it, we can get closer regarding it.

SI program is also in same vein. Korean government (MOJ) laid it down and forced immigrants to participate. The program can not help social integration. I think the government must ask the opinion of affected persons before making law or regulation. It is not only about SI program but also Multi-cultural Family Support Act, and Multi-cultural Family Support Ordinance which local governments prepared for the family. May be Government officers put forth their whole energy to make SI program, but if programs can not help the immigrants then it has no meaning; I don't know why the laws are made and for whom? If Korean government wants real social integration, they should create more opportunities for natives and immigrants to meet and communicate. As immigrants learn Korean classes, Korean natives also should have more chances to learn immigrant culture and language.



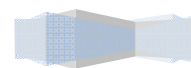


1. Importance of domestic networking

Individuals interested in migrant women's human rights get together and start working in Women Migrants Human Rights Center of Korea as voluntary workers, which is a form of individual network. They build teams in the center and work through liaison and network with outside. It is somewhat necessary because only full time staff members are not enough resources to cope with migrant women related issues. Moreover, it is more effective in consideration of making public issue and expanding supporters. When our center meets the limit of capacity, we solve the problem by networking with other centers or local society. It is very important to secure networking with local society in terms of assistance to migrant women's adaptation and protection of their human rights. Migrant women ask for help on diverse issues such as violation of human rights, Korean language class, childbirth, childcare, etc. Our center is located in Seoul and cannot respond to the needs of migrant workers in local areas effectively. Therefore, we try to solve the problems by liaison and networking with local migrant women centers. In case of absence of migrant women center in the area, we work together with migrant worker center or women human rights center. In this way, it is important to build a network with local society and we sometimes even increase sisterhood through solidarity and networking.

In 2005, the Ministry of Gender Equality accepted a proposal suggested by our Center and started the marriage migrated women support project, which is the very first governmental project for marriage migrated women. The project was consigned by our center as well as six other local women centers. If the project was conducted only by our center, the result was not that successful and we could not make marriage migration issues a national agenda. We could experience a strong power out of networking and sisterhood with women on the same road. Later, some centers even became our local branch offices. Likewise, it is necessary to network with individuals interested in the protection of migrant women's human rights and domestic NGOs for enacting law and improving institutions. Furthermore, it is effective and productive to network with other NGOs in terms of preventing waste of resources and avoiding unnecessary competitions.

For example, our center participated in the campaign with 70 other NGOs all



over the country last year. The Ministry of Justice attempted to introduce 'social integration credit system' which allows marriage migrated women to achieve nationality only after taking 250 hour classes about Korean language and Korean society. Our center joined anti-campaign along with 70 other NGOs all over the country and we finally changed the original plan from mandatory education system to participatory one. Our center also formed another network to provide legal assistance to a Cambodian migrant woman who killed the husband out of fear from his violence.

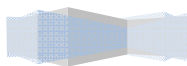
2 Importance of International Networking

In order to secure migrant women's human rights, it is important to expand sisterhood and networking to women's organizations or international organizations in Asia besides domestic NGOs because it is insufficient with the efforts of individuals or NGOs in receiving countries only. It is necessary to work with individuals or NGOs in sending countries together. Especially, feminization of migration lies on the border between human trafficking and migration issues. In order to seek the solution, it is necessary to build sisterhood and network with women's organizations in more than 10 sending countries. A good example is the campaign against 'human trafficking marriage migration' by women's organizations of Vietnam and South Korea in the summer of 2006. One daily newspaper carried the article which seemed to promote human trafficking marriage migration. The association of Vietnamese students in Korea, named 'I and We', started a mass protest and Korean women's organizations joined it and launched a national campaign against the advertisement of sexual/racial discriminative international marriage broker business. The close cooperation and solidarity of civil society in both countries brought this issue to public attention in Korea and Vietnam. As a result, Korean people became alert on 'human trafficking marriage migration' and it eventually provoked the policy shift.

International networking of our center targets Migrant Forum in Asia(MFA) and women's organizations in Asian countries

1) Solidarity to solve feminization of migration in Asia

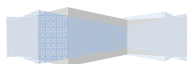
Women Migrants Human Rights Center of Korea has been networking with MFA through Joint Committee for Migrant Workers in Korea(JCMK). Our



center is a member of JCMK and JCMK is again a member of MFA. In order to draw attention to feminization of migration and migrant women's human rights, our center suggested through JCMK to MFA to discuss feminization of migration at the Regional Conference on Migration held in Korea in 2004. In the end, migrant women workers' human rights, health, development, re-integration were discussed under the agenda of 'feminization of migration, development, and migration', 'feminization process', 'development', and 'migration' at the 4th RCM in Korea. The chief director of our center, Kukyom Han, made a presentation on the current status of migrant women workers of Korea at the workshop about 'women and feminization issues in migration'. With her initiative, Asian female social activists proposed together to MFA to make a team dealing with feminization of migration. Accordingly, MFA agreed to form 'Gender Task Force' by female representatives from Asian countries and held the forum about this topic in Korea in 2005. As decided by the General Conference of MFA in 2004, female social activists from 13 Asian countries got together in Korea and held 'Asia Women's Forum on Migration' from September 12 to September 28, 2005.

The forum programs include a keynote presentation, 4 issue presentations, and country reports by participants. The keynote presentation was about 'Feminization of Migration and Women Migrants Human Rights' and issue presentations dealt with 'Trafficking Process in the Migration', 'Health Issues on Women Migration', 'WTO-GATS Mode 4', and 'Marriage and Family in Migration', respectively. The participants agreed to cope with feminization of migration in Asia together. Actually, later in anti WTO-GATS demonstration in Hong Kong in 2006, one staff member of our center participated together with Gender Task Force team members.

When the forum on 'migration and development of women', a preliminary discussion for the conference on 'development and migration', was held in Philippine in 2008, Gender Task Force team actively participated and JCMK also collected, educated, and sent female participants to this forum. Currently, the chief director Han is working as the coordinator of Gender Task Force team and she is making an effort to highlight international marriage as an important issue regarding feminization of migration because MFA is mainly focusing on labor issues.

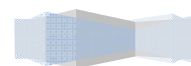


2) Solidarity with Asian women's organizations to prevent human trafficking marriage migration

Although MFA is the association of Asian NGOs in migration sector, it is rather weak in dealing with marriage migration because the majority of members works on labor issues. Therefore, our center organized the forum titled 'Asian Women Migrants' Strategy Discussion for Protection and Prevention of Human Trafficking in International Marriage' and invited women's organizations and social activists from six major sending countries in marriage migration including China, Vietnam, Mongol, Japan, Taiwan, and Philippine. In this forum, participants presented country reports, shared the current status of human trafficking international marriage, and discussed the strategy to solve the problem. In general discussion of the forum, participants declared 'Seoul Statement' by which they agreed to exchange information, share the situation of policy making, and enhance sisterhood and solidarity among participating countries. It is also agreed to hold a biennial forum in rotation among participating countries.

The forum of 'Asian Women Migrants' Strategy Discussion for Protection and Prevention of Human Trafficking in International Marriage' was designed to build the framework of international network. We invited migrant women's organizations in Asian countries and share the information on current status and problems of each country. Then, we identified regional common project and country projects to work on for the next one year. The efforts made by either sending country or receiving country only are not enough to end human trafficking international marriage. Once we reach an agreement on the necessity of close cooperation between sending and receiving countries to prevent human trafficking international marriage, this framework of international network will become meaningful and powerful.

In 2007, our center visited international organizations in Vietnam and Cambodia, and informed them of the serious condition of human trafficking international marriage. As a matter of fact, sex trafficking and child trafficking are too serious in many Asian countries so that international marriage is not regarded as a serious problem in migration or human trafficking sector. Hence, we visited NGOs in two countries and made an agreement to build a network to prevent human trafficking international marriage. We also agreed with the



Asian Foundation in Cambodia to make a joint-investigation on the status of Cambodian marriage migrated women in Korea, however, we could not initiate it yet.

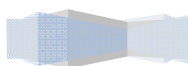
Actually, the biennial forum decided in Seoul in 2006 have not started yet because of financial problem. In order to organize the international forum, our center should be able to make some financial contributions. However, since our center is not a governmental organization nor a government affiliated agency, we have weak financial capability just like other NGOs. Therefore, we should take another project from other funds to hold the forum and any alternative will be necessary in the long term.

Then, unexpectedly, our center achieved the opportunity to participate as a Korean cooperative partner in Regional School organized by Arena in 2007. It was fruitful to discuss international marriage issues and seek the solution together with scholars and social activists from Asian countries. This time, it is another opportunity to expand our networking by participating as a co-organizing organization. I truly hope that we can soon share life, equality, peace with migrant women through our sisterhood and solidarity among Asian women participants in this meeting.

"If you dream alone, it is just a dream. If you dream together, it becomes a reality"

"One voice is not enough. Two voices are not enough, either.

When we get together and raise our voice, the sufferer will acquire real freedom"



ARENA Plans for Action: Drawing Our Better Lives through Solidarity

A. Introduction

The common ground that ARENA 'Marriage Migration in Asia' program have shared in the past 3 years through regional school includes orientations of marriage migration in Asia at local/national/ regional level; explore and develop topics such as alternative citizenship, human security/insecurity, and marriage and family; share women's agency and self-empowerment... etc.

For the next phase of ARENA marriage migration program, we would like to step toward developing common agenda and skills for advocacy. Our focus will concentrate on the following actions which attempt to enrich the practices and discourse.

B. Objectives

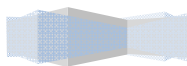
- To bring in marginalized issues of current marriage migrants in practices and advocacy agenda, such as undocumented/stateless marriage migrants.

- To broaden the scope of existing regional network of marriage migrants advocacy groups; and to seek for common ground and action agenda among Asian marriage migrant issues.

C. Action Lines

C-1.The Necessary Exploration: Citizenship issues of Undocumented Marriage Migrants

Citizenship in Asia is a contested concept since it is an inclusive/exclusive mechanism that identifies and guarantees people to own some rights, meanwhile only certain people are qualified to have the special guarantee. However, through lots of empirical cases, we can find out that, in most situations, large numbers of marriage migrant becomes 'illegal migrants'



because they lack valid document to prove their status of being. Many marriage migrants are thus vulnerably subjected to become undocumented and even forced to be in the 'stateless' condition.

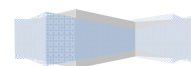
To elaborate the situations, there are some stories that might sound familiar in our lives, to give some simplified examples: migrant worker who has married to the person in receiving country but does not fit into the procedural norms of acquiring legal status; marriage migrant who have divorced and struggle for children's custody; undocumented migrant children have been denied access to education; the couples who has been tagged as 'fake marriage' and subsequently forced to face deportation etc.. Some of the cases as mentioned gain support from migrants' rights advocacy groups and luckily become the exception from deportation. However, since the cases have been noticed are out of proportion to the reality. It has led many to suggest a relationship between citizenship and undocumented migrants.

In the existing migrant rights campaigns of receiving countries, undocumented migrant issues, whether marriage migrants or migrant workers, are still marginal issue to the receiving country societies. Especially if we focus on undocumented marriage migrant issues, it is generally seen as some people's personal desire to get citizenship in the receiving country. Under such prevailing perception, we might ignore to further explore what kind of social structural dynamics force a person to take the risk of migration, and eager to be accommodated by an **alien** country?

Therefore, we in ARENA also recognized that there is a need to actively engage in citizenship issues of undocumented marriage migrants from an inclusive perspective. Thus, our question here is, how do we progressively and collectively address citizenship issue of both undocumented and stateless marriage migrants would be our next action-research agenda to reflect the limitation of current citizenship practices and debates. Though it is inevitably a narrower step but it might widen the application of current citizenship struggles.

C-2 Comparative Case Study on Citizenship Policy

With the view of the practical language of current migrants' human right issues,



citizenship policies are widely circulated among government authorities for policy making and imitating. The patterns of malicious legislation constituted by mutual imitation of immigrant policy are mostly tend to result in an exclusive way.

To constructively build the counterbalance and seek for alternatives, we are now undertaking a participatory research that is to compare citizenship institution and policy in some migrant destination countries in Asia such as Japan, South Korea, and Singapore. The final report will be published in both paperback and e-book version as a reference tool for easy access to the information and contribute to the advocacy works in different locals.

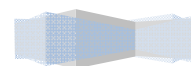
Our approach to engaging in the comparative citizenship case study, would base on a collective round-discussion process that will be constituted by:

- current citizenship policies in Asia;
- historical process of struggles and movements of marriage migrants;
- policy recommendations

C-3 To expand our solidarity network- Beyond East/Southeastern Asia

In the past two decades, significant transnational marriage population has attracted different concerns that especially focus on marriage migration from South-Eastern Asia countries to some East Asia ones. Different migrants' solidarity networks start to blossom, diverse local/regional practices have encouraged each other.

In the past, through roundtable discussion, regional school and collaborative action-research, ARENA's 'Marriage Migration in Asia' program attempts to facilitate the platform for concerned people's gathering and dialogue. At the initial stage of forming this project, we have worked with partners from five countries: the Philippines, Korea, Japan, Taiwan, and Vietnam. However, we also recognized that the existing regional network of marriage migration advocacy groups are mostly formed among East Asia and South-East Asia, and is largely sending country-centric. Thus, we would like to raise the concern of



expanding our collaborative network with regard to regional viewpoints of women migration in Asia.

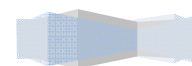
Why do we need to set and expand this kind of regional networks? Take an example of a very recent incident related to a Cambodian woman who was married to a Korean. She had suffered from domestic violence for a long time and in a tragic turn of event she injured her husband who later died. In the process different Korean advocacy groups became actively engaging in this issue. However, this is not the only or last case in Korea. Some other areas had similar struggles, campaigns, progressive discourses as well as legal precedents. But due to lack of long-term constant regional cooperation, such issue always could be dealt only case by case, and hardly get integrated into inter-connected resources.

Therefore, we would like to facilitate the platform for the collaboration among different initiatives, grassroots and concerned people could happen on the ground. As the next step we would like to go beyond the viewpoint of East Asia-centric women's migration. Our agenda for this is listed below:

- To broaden the partner information sharing networks,
- To seek for learning from diverse socio-culture contexts such as the marriage migration in Singapore, Malaysia and further to seek the commonalities and sharing the differences of other South-western Asian countries.

D. Other recommendations of initiative

- Marriage migrant and working rights: A significant amount of marriage migrant have an urgent need to work in terms of sustaining their livings, however, many social investigation have disclosed the fact that: despite the substantial language barrier, other discriminations keep happening whether while seeking for a job or after acquiring it.
- The lack of public care system and the role of marriage migrants
- Community-based exchanges of marriage migrant empowerment



groups.

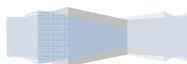
E. Ways of Participation

1. Join our core-editorial meeting

Initial plan of our core editorial meeting is to have meeting every other week. Learning through case collection and catalogue editing, we will discuss about how different regulations are significant to marriage migrant in both origin and destination countries. Meanwhile, we will also study and compare other systems which are based on migrant-friendly approach.

2 Join our consulting committee

As the member of consulting committee, you could update cases and give us feedback whether about structure design or about content after reviewing the draft.



Marriage migration and main issues in Mongolia

1. Brief introduction of marriage migration in Mongolia: main issues and agendas

Greetings for every one! I would like briefly present about Mongolia because I mentioned it in the last presentation.

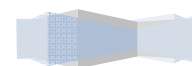
Mongolia is landlocked country located between Russia and China in Central Asia. The population is 2 million and six hundred thousand.

Before 1990, urban centers and industries have been established and Mongolia was more urban and rural. Migration movement was controlled and associated with work opportunity. All this changed after 1990 (democracy), as the right to freedom of movement within the country and to freedom to choose the place of one's residence is adopted in Mongolian Constitution, people are moving freely, from rural to the urban areas, but this time, in an uncontrolled manner. And the half of population lives in capital city Ulaanbaatar.

The outcome of transition period from socialist system into economic market had much difference for men and women thus creating more and more gender difference. Percentage of women in poverty has become higher. Number of women headed families has increased and they take higher percentage among poor households. Herders and crop growers became poor due to wrong privatization policy and natural disaster. Same time, **internal and international migration** issue was come out in society.

Migration became intensive because of deepening difference in livelihood in urban and rural areas. Women take leading place in **internal migration**. As of the **international migration**, women have less opportunity to live and work legally abroad than men, since working contract based upon government contract prefers to select men.

Number of women marrying foreign nationals have been increasing due to



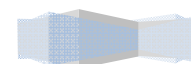
such factors as globalization and poverty despite growing trend of nationalism and pure-bred Mongolians and their discrimination and number of assaults on women who had married to or became girlfriends of foreign nationals have been growing.

Year	Marriage		Divorce	
	Number of countries	Number of marriage	Number of countries	Number of divorce
2004	31	689	6	18
2005	33	706	5	39
2006	37	864	8	54
2007	44	1008	10	78
2008	-	253	5	24
	Total	4723	22	234

Source: Situation of international marriage, by Citizens' Registration and Information Office (First six months of 2004-2008).

	Year of registration	Number
1.	1998	9
2	1999	11
3	2000	37
4	2001	50
5	2002	39
6	2003	53
7.	2004	60
8	2005	69
9.	2006	539
10	2007	712
11.	2008	224
	Total	1803

Source: Statistics of Mongolian nationals marrying to Korean nationals, by Citizens' Registration and Information Office (First six months of 1998-2008).



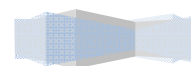
Situation and Challenges:

- In many cases people still consider the problems of women married to foreigners as individual problem of women, who had married to foreign national to live better.
- There are no independent organization (both state and NGO) work sustainably on marriage migration and supporting victims.
- The bilateral legal cooperation agreements of Mongolian government concluded with foreign countries, but it isn't covered marriage migration issue.
- Mongolia does not accept dual citizenship. This situation leads to hindrances and problems to solve the issues on child protection /maintenance or custody/in case of divorce.
- It didn't regulate marriage arranged by broker agency in the law and regulation
- The public understanding on international marriage still lack. especially parents and relatives of women who are planning to marry foreigner have not full information
- Victim of marriage migration become a re-victim, because there is no sufficient professional translation during the divorce case proceed on the court

Case: *“P is a victim of domestic violence has a son from her Korean husband. She divorced when she was a pregnant. Now she lives in Mongolia, and her son is seriously sick due to her husband beat her during her pregnancy and was not much food. And she unable to work due to she needs to care her son... ”*

2 The past regional/international activity to marriage migration

Even though there is no success, Mongolian government began to focus into marriage migration issue due to Mongolian NGOs addressed it in the last 3 years. Within project implementation, the government and NGO have been cooperating on this issue. For instance: the workshop “Protection of women’s right who married Korean citizens, related law and policy, and ways to solve” was held in Sept, 2008 Ulaanbaatar.



Only two NGOs are working on international marriage issue in Mongolia.

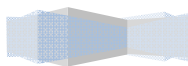
- National Center Against Violence works on domestic violence and sexual abuse in national level, and it focuses into marriage migration as an international marriage. (Korea, Pakistan, France, Switzerland, Russia, US). NCAV runs 24 hour hotline counseling (50990505) and online counseling. For instance: a victim of marriage migration from Swiss stayed at the shelter in Ulaanbaatar. NCAV has five shelter houses in nation level and two shelters locate near south and north borders. The shelters near borders provide sheltering service for domestic violence and sexual abuse victims from nearest country.
- Gender Equality Center is implementing project on marriage migration issue and runs hotline for women who are going to marry Korean men (70111112) and organize training on Korean culture, law and other issue.

There is some step was done by Mongolian government and NGOs.

- On Oct, 2008 Mongolian NGOs submitted a shadow report on CEDAW Convention implementation at the UN CEDAW committee 42nd session. The shadow report addressed a marriage migration issue connecting with trafficking women and children in Mongolia.
- Mongolian government established fund for supporting Mongolian citizens who live in abroad
- Mongolian government recommended a draft Advertisement law to prohibit advertising marriage arrangement from broker agencies through newspaper and media. But it still didn't adopted
- Mongolian government can't monitor and prevent marriage migration which organized by individuals and broker agencies

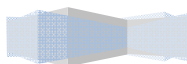
3 The plan for international/regional cooperation related to marriage migration

In conclusion: Reasons for above mentioned problem should be sought in a wide range of problems, namely, in the economic policy of sending country.



And both sending and receiving countries need to develop cooperation strategy which will implement regional and national level including:

- To make bilateral legal cooperation agreements between countries which big number of marriage migration.
- To focus into cross cultural **kids' issue** from marriage migration because it mostly focuses into women
- To raise awareness among public as well as specialists who work on marriage issue
- To influence into decision makers which country has no legal regulation on brokering marriage
- To take Korea as an example country on marriage migration and prevent other countries from the situation (share Korean experience how they are working on this issue)
- To translate required law and regulation on marriage, divorce, child custody, criminal and civil issue.



Marriage migration and main issues in Vietnam

I. Marriage Migration: Issues

1. Main routes of marriage migration

- In the North (Quang Ninh, Thanh Hoa, Hai Phong provinces), many women go to China for marrying by themselves. Mostly illegal marriages
- In the South (Mekong Delta), women migrate to mostly Taiwan, Korea, Malaysia, Singapore for marriages via broker agencies.

2 Issues

- Women are not aware of situations at destinations or they are provided with fake information => increase risk of trafficking
- Main driver of marriage migration is economy
- Commodification of a marriage
- Returning home issues, this is a discussion point

II. Causes of Returns

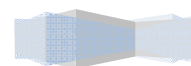
1. Disillusion of life in destinations

"When I met him in Vietnam, he said that he had three children and his wife had died, so he was looking for a wife to share housework with him and to look after his children. He did not tell me that two of his children are very sick. When I went to Taiwan, in the evening he brought me to his house and introduced me to his children I was shocked because they were severely disabled. They stay in bed and need a lot of care. It was very hard work, I stayed there 2 years and then decided to go home."

-a women from Can Tho province, Hugo and Nguyen (2006)

2 Violence against Vietnamese brides

*"I cannot communicate with my husband and in-laws because I did not know Korean. I was kept in a dark room with no freedom. **I was not beaten but I was blamed, cursed all day.** I know some of my friends were beaten by their*



husbands. *My husband was mentally ill*"

~Thuy, a returnee in Tay Ninh province

*I was pregnant but I was not taken care by my husband and in-laws. I had to work very hard everyday to earn living for my family. **I was often beaten by my husband even though I was pregnant.** Escape is the only way for my survival.*

~a case in Vinh Long province, 2008

3 False expectations on a part of husbands

According to Duong Hien Hanh (2008), some husbands said that they had the rights to kick their wives out of the house because they (wives) cannot meet husbands' expectations.

4 Divorce

As required by laws, the brides must return to their home country if they are not granted citizenship of destination countries

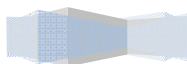
5 And many more causes

III. Issues Faced by Returnees

- Discrimination against them
- Legal documents/ Mix-raced children
- Economy

1. Social stigma and discrimination

- There is also evidence that if they return without the income expected, sick and needing recovery, it is more difficult for the community to present a welcoming face to women who are



unsuccessful in their journey abroad (ActionAid Report, 2006)

- *Many people in my village thought that I did something seriously wrong in Korea so that I was forced back. They did not know how much violent and miserable I faced there...I was isolated a year in my community...* (A case from Tay Ninh)

2 Legal issues

- Most of returnees do not care of legal matters for their returns. They just want to return home because they are hopeless in destinations or because they escape to save their lives (Duong Hieu Hanh, 2008)

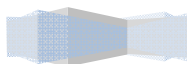
2a. Divorce certificates

- Brides returned Vietnam without any paper, especially divorce
 - Divorce certificate is needed if brides would like to re-marry
 - Many returnees cannot re-marry because they don't have divorce certificate
 - Illegal marriages taken place

2b. Birth certificates/mix-raced children

- Many mix-raced children are taken home without birth certificates.
- Without birth certificate, these children cannot access to public services in Vietnam such as schooling or medical insurance
- Some mothers leave their children with grandparents
- Mix-raced children lack of motherhood and fatherhood
 - > not good for children's development
 - > can cause discrimination on these mix-raced children

My 6-year-old daughter and me returned Vietnam from Taiwan 2 years ago. I did



not take her birth certificate back home so she cannot go to any schools from kindergarten to elementary. I worry that she would face a poor future..

(a case in Tra Vinh province, 2007)

3. Economic issues

- Most returnees and their families are poor.
 - Returnees face unemployment
 - Many of them cannot stand the hardship of daily work.
- They will find way back to destinations

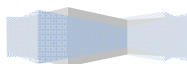
IV. Actions/Solutions being taken

- Documentation addressed mix-raced children's birth certificates
- *Tips to address divorce issues*
- Schools open for mix-raced children
- Communications address social stigma
- Interventions by INGOs and International Organizations
- Pre-departure Orientation programs

V. Suggestions

- Interventions (at sending countries) to empower women so that they can make the right choice of marriage

- More efforts on part of destination governments to consider welfare of brides in these marriages.



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[Workshop]

Do not frame us!

What is the relationship between human rights/ citizenship and me?

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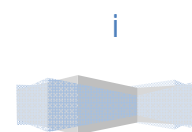
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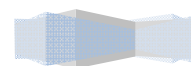
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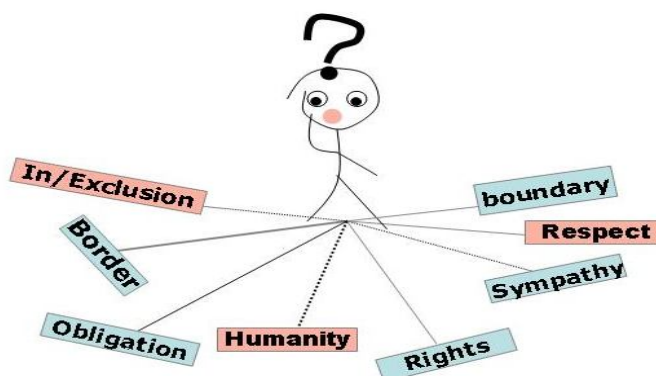
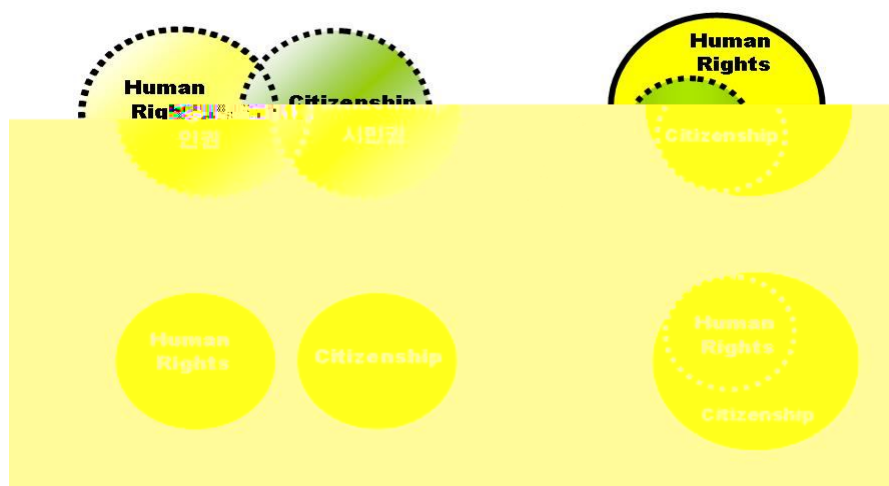
Introduction of Programme

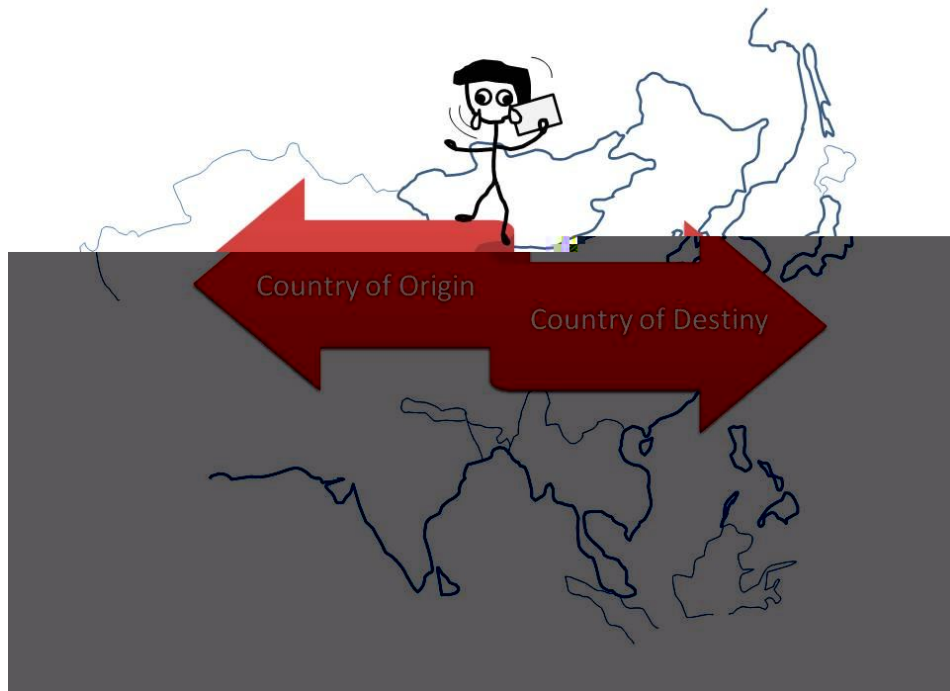
INTERACTIVE WORKSHOP

Do not frame us: Foreign Brides, Marriage Immigrants, Or Marriage Migrants?

There are diverse names to refer to cross-border marriage - marriage migrants, marriage immigrants, and foreign brides. Each name reflects public perception on marriage migrants in countries of both origin and destination. How to call or name our group is important for our political campaign. Who are we? Why do we have to carry the 'foreign' tag all our lives even though we have already lived here for a long time? Let us explore and extend ourselves!

What is the relationship between human rights/citizenship and me?





THEMES **Building Democracy Through Coloring Our Lives**

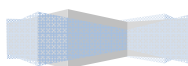
Democracy is about rights and participation of people. Here we will look at minority rights of migrants in local/national community, and labour and social rights including welfare benefits such as medical insurance and public aid. At the same time, we are aware that democracy should not be limited only to public space but also include private/intimate space such as family. We will also look at how it directly affects every day lives of marriage migrants.

Let's Tear Down the Fake Mask of 'multi-culturalism'

Why do you assume that I always want to be a national of the host country? Why do I need to wear the traditional costume in the multi-cultural festivals? Is it because that is our cultural symbol in your eyes? Everyone is different on the basis of gender, race, religion, personal/social experience, etc. It means that to recognize our conflicts and to understand differences, we should not stereotype people. Is it possible to make multiculturalism open and flexible beyond keeping "fixed" cultural images? We cross national borders and then naturally acquire multiple identities. Let us explore what possibilities this has for ourselves and our children!

Actions Make Changes!

Marriage migrant groups in host countries have struggled to acquire their

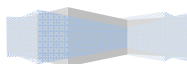


rights through participating in diverse protests and formal politics, creating social network, etc. A series of practices ranging from campaigns for revising citizenship policies and dealing with domestic violence cases to requesting public care system for elder/children, acquiring labour rights have shaped vital and dynamic characteristics of marriage migrants' social movement. Through learning different cases from each other, we will try to make progressive changes.

***ACTION &
ADVOCACY***

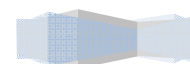
Regional/local Action Planning

In a globalized world, regional/international cooperation among governments has increased with regard to the case of im/migration policies. To deal with government-led changes about im/migration policies, our activities should be regional and international as well as domestic. There are diverse issues that need to be dealt with such as regulating commercialized marriage brokerage, supporting victims of domestic violence, changing discriminative immigration laws etc. Let us jointly set our own priorities for regional cooperation and specific action plans.

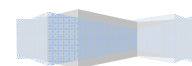


Programme Schedule

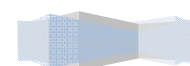
Date/ Time	Themes	Contents Facilitator/Presenters/Discussants
Day 0 May 22	Arrival	
Day 1 May 23	Welcome Remarks	Maureen Pagaduan & Kukyom Han
	Introduction of Programme	Introduction of past activities Introduction of 2 nd RS LeeAn, Jiyoung ARENA
9.30- 10.30		
10.30- 12.30	Preliminary Facilitator: Lee, Yun Sin Noridan	Introduction of participants Mapping-out expectation
12.30- 2.00	Lunch	
2.00- 6.00	[WORKSHOP] Interactive Workshop Facilitator: Yun Sin Lee. Noridan	Do not frame us! What is the relationship between Human Rights/Citizenship and me? Assistant facilitator - Le Thi Mai Thu Women Migrants Human Rights Center of Korea - Hung Ying Chen ARENA - Jiyoung LeeAn ARENA
6.00-	Solidarity Night	Barbeque Party
Day 2 May 24	Warm up	
9.00-9.30		
9.30- 10.00	[THEME 1] Building Democracy through Colouring Our Lives	[Session 1] Concept, meaning and practice of democracy to marriage migrants <i>Presenter:</i> Maureen Pagaduan ARENA
10.00- 10.30		[Session 2] Minority and democracy <i>Presenter:</i> Dan Feng Lee / Wei- Hsuan Lung Taiwan International Family Association
10.30- 10.45		<i>Discussant:</i> Malou Alcid Kanlungan Center
10.45- 11:00	Break	
11:00- 11:30		[Session 3] Migrants' social rights and labor rights <i>Presenter:</i> Mikyeong Cha Friends of Asia <i>Discussant:</i> Mushakoji Kinhide ARENA & IMADR
11:30- 11:45		
11:45- 13:00	Discussion & Synthesis	
13:00-	Lunch	



14:00		
14:00-14:30	[THEME 2] Let Us Tear Down the Fake Mask of 'Multiculturalism' Facilitator: Kinhide Mushakoji, A RENA	[Session 1] Beyond boundary of nation-state 1: multiple identities <i>Presenter:</i> Young-ok Kim Women Migrant Human Rights Forum
14:30-15:00		[Session 2] Beyond boundary of nation-state 2 multiple identities <i>Presenter:</i> Lee Dawa Emergency Support Center for Migrant Women
15:00-15:30	Question & Answer	
15:30-15:45	Break	
15:45-16:15		[Session 3] Beyond boundary of nation-state 3 multiple identities <i>Presenter:</i> Mary Angeline Da-anoy
16:15-16:45	Question & Answer	
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Day 3 May 25 9:00-9:30	Warm up	
9:30-10:00 10:00-10:15	[THEME 3] Action Makes Changes Social Networking and social participation :contested citizenship Facilitator:	[Session 1] Taiwan: Citizenship struggles of Chinese Spouses <i>Presenter:</i> Yong-Jing Jia Cross-strait Marriage Harmony Promotion Association <i>Discussant:</i> Jiyoung Lee A RENA
10:15-10:30	Break	
10:30-11:00 11:00-11:15		[Session 3] Korea: Social Integration Programme <i>Presenter:</i> Kim Na-hyun Eulim <i>Discussant:</i> Mi-ju Kwon Woman Migrants Human Rights Center of Korea
11:15-12:30	Discussion	
12:30-14:00	Lunch	
14:00-17:30	[ACTION] Regional/Local Planning Action Facilitator :	Participants: K MWHRC: Kukyom Han A RENA: Hungying Chen Philippines: Marion Cabrera, Isis International-



	Kukyom Han & Marion Cabrera	Manila Mongolia: Munkhsaruul Mijiddorj, National Center against Violence IOM Vietnam: Ho Xuan Huy TIFA Eulim Friends of Asia Filipino Migrant Center Kanlungan Center
17:30-	Synthesis and Closing	Ending Remarks Maureen Pagaduan & Kukyom Han
Day 4 May 26 9:00-3:00	Departure	



Participant List

Name	Countries	Affiliation
A mrपालि Basumatary	India	University of Delhi
Banajit Hussain	India	ARENA
Dawa Lee	Mongolia, Korea	Emergency Support Center for Migrant Women
Francis Daehoon Lee	Korea	ARENA
Hiroko Moue	Japan, Korea	Media A ctivist
Ho Xuan Huy	Vietnam	IOM Vietnam
Hungying Chen	Taiwan	ARENA
Jyoung LeeA n	Korea	ARENA
Jungmin Lee	Korea	IOM Vietnam
Khine Mon	Burma	ARENA
Kuk yom Han	Korea	Woman Migrants Human Rights Center of Korea
Kyohoon Jin	Korea	Salad TV
Le Thi Mai Thu	Vietnam, Korea	Woman Migrants Human Rights Center of Korea
Lee, Dan Feng	Taiwan	TIFA (Taiwan International Family Association)
Lung, Wei Hsuan	Taiwan	TIFA (Taiwan International Family Association)
Malou A lcid	The Philippines	Kanlungan Center Foundation Inc.
Marion Cabrera	The Philippines	Isis International- Manila
Mary Angeline Da-anoy	The Philippines, Japan	Independent A ctivist
Maureen Pagaduan	The Philippines	ARENA, ARMMNet, University of the Philippines
May Cordova	The Philippines	Bucheon Migrant workers Center
Mi-Ju K won	Korea	Woman Migrants Human Rights Center of Korea

Name	Countries	Affiliation
Mikyeong Cha	Korea	Friends of Asia
Mikyung Kwon	Mongolia, Korea	Emergency Support Center for Migrant Women
Mi-Ran Kim	Korea	East Asia Institute, SKHU
Munkhsaruul Mijiddorj	Mongolia	National Center against Violence
Mushakoji Kinhide	Japan	ARENA fellow, IMADR, Centre for Asia Pacific Partnership, Osaka University of Economics and Law
Nahyun Kim	Vietnam, Korea	Eulim(Migrant Women & Multi-cultured Families Center, a Sub- Organization of the Association for Foreign Workers' Human Rights in Busan (FWR))
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Quyên	Vietnam, Korea	Friends of Asia
Sehyon Lee	Korea	Interpreter
Seong-Euy Kang	Korea	Woman Migrants Human Rights Center of Korea
Shreejana Pokhrel Siwakoti	Nepal	MAINS, SKHU
Yong-Jing Jia	China, Taiwan	Cross-strait Marriage Harmony Promotion Association
Youngok Kim	Korea	Women Migrant Human Rights Forum
Young-Sug Heo	Korea	Woman Migrants Human Rights Center of Korea

